

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

Debtor(s)

Case No.

Chapter 13

JOINT STIPULATION AND ORDER AUTHORIZING PLAN MODIFICATION

The above-captioned Debtor(s) (hereinafter, the “Debtor”), and the Office of the Chapter 13 Trustee (the “Trustee”), jointly stipulate to the necessity of modification of the confirmed plan. Once this Joint Stipulation and Order is signed by the presiding bankruptcy judge and entered by the clerk, it has the force and effect of a court order modifying the plan.

Necessity of Notice (check one) The Debtor and the Trustee agree that:

No notice is necessary as no party is adversely affected by this Joint Stipulation, which may be submitted to the presiding judge for adjudication as filed.

All parties on the bankruptcy case’s mailing list are entitled to notice of the Joint Stipulation and a proposed notice and summary of this Joint Stipulation is attached.

Only the below listed entities are affected by the Joint Stipulation and are entitled to notice. A proposed notice and summary of this Joint Stipulation is attached.

Status of the Debtor’s Chapter 13 Plan as Originally Confirmed or as Last Modified

Date of the Debtor’s bankruptcy petition:

Date of confirmation:

Date of last modification (if applicable):

Number of months remaining for plan completion:

Current plan payment on a monthly basis:

Estimated distribution to unsecured creditors:

Reason for Modification: (check all that apply). The changes to the plan are supported by Amended Schedules I and J prepared by the Debtor and contemporaneously filed with the Court.

- Unanticipated loss of employment
- Unanticipated suspension of employment
- Unanticipated increase in household or medical expenses
- Uninsured property loss or personal injury
- Increase in income
- Settlement of litigation/inheritance
- Other (explain):

Terms of Modified Plan (check and complete all applicable items)

Changes in Plan Payment and/or Base: (complete all that apply):

The current plan payment on a monthly basis is:

The new plan payment on a monthly basis is:

The number of months the new payment is effective is:

The current plan base is:

The new plan base is:

Estimated % change in payment to unsecured creditors:

Suspension

The number of months plan payments are suspended is:

The Debtor will resume plan payments on:

For the remainder of the plan, the new plan payment is:

The suspension of plan payments is without prejudice to any other party seeking relief from the automatic stay or dismissal of the case.

Surrender and/or Sale of Property (provide a common description):

The surrender or sale of the above-described property will satisfy the secured portion of any lien therein, and the creditor is afforded a period of 30 days following

the sale of any property, or 90 days following the surrender of any property, to submit an unsecured claim in the case. All payments on a claim secured by the above-described property shall immediately cease.

Benefit to Creditors (check all that apply)

The proposed changes benefit the unsecured creditors because:

The proposed changes will allow the Debtor to complete the plan. The Debtor is unable to complete the plan as confirmed.

The distribution to unsecured creditors is not changed or is increased.

Other: (explain)

Summary of treatment of creditors after modification (complete all that apply):

<i>Secured Creditors Paid Directly by the Debtor:</i>	
Proof of Claim Number	Creditor

<i>Secured Creditors Paid Directly by the Trustee:</i>	
Proof of Claim Number	Creditor

All other secured creditors shall be paid as set forth in the confirmation order.

Pre-Petition Priority Claims

Have been paid in full by the Trustee.

Will continue to be paid as set forth in the confirmation order.

Other:

§ 1305 Claims

Not Applicable

Will be paid by the Trustee

Other:

Other Provisions:

Respectfully submitted and agreed to this _____ day of _____ 2 _____

Debtor or Attorney for the Debtor

Name:

Bar Number:

Address:

Tele.

Helen M. Morris or Meagan Preece
Office of the Chapter 13 Trustee
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