

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

In Re:	:	Chapter 13 Proceeding
	:	
«debtor» and	:	Case No. «print_casenum»
	:	
«joint»,	:	Judge «judge»
	:	
Debtor(s).	:	

ORDER CONFIRMING PLAN

The Chapter 13 Plan, filed as attached and as interlineated pursuant to any attached Orders, came on for consideration at a duly noticed hearing before the Court after having been transmitted to Creditors; and it having been determined after hearing on notice that the Plan complies with the provisions of Chapter 13; the Plan complies with all applicable provisions of Title 11; and that each requirement of 11 U.S.C. §1325(a) has been met,

IT IS THEREFORE ORDERED that the Plan be, and it hereby is, Confirmed.

It is further **ORDERED** that all creditors are enjoined from proceeding against the wages or other property of the Debtor(s) without prior permission from this Court; that Debtor's employer is enjoined from honoring garnishments, levies, executions or attachments of any kind

whatsoever against the wages or other property of the Debtor(s) during the pendency of this proceeding, the only exception being payroll deductions for court-ordered support and/or alimony payments; and the employer and/or Debtor(s) shall further immediately notify the Trustee of any termination or suspension of the Debtor's employment;

It is further **ORDERED** that all creditors are enjoined from commencing or continuing any civil action, or attempting in any manner whatsoever to collect all or any part of a consumer debt proposed to be paid under this Plan from any individual that is liable on such debt with the Debtor(s) as endorser, guarantor or co-maker;

It is further **ORDERED** that the Trustee disburse the monies paid in, by or for the Debtor(s) under the Plan in accordance with 11 U.S.C. §§1326 and 1325;

It is further **ORDERED** that the Trustee may cease making payment(s) on any claim that is the subject of an Objection, until such time as the Objection is resolved by a final Order. During the pendency of the Objection, the Trustee shall take reasonable steps to ensure that there are funds in the estate available to pay the claim if it is allowed as filed and is otherwise properly payable pursuant to the Confirmed Plan and the priorities set forth in the Bankruptcy Code;

It is further **ORDERED** that during the pendency of this case Debtor(s) shall carry at least the minimum automobile liability coverage required by Ohio law, and maintain insurance coverage on all secured property, both real and personal;

It is further **ORDERED** that during the pendency of this case, Debtor(s) shall timely file all tax returns and pay any and all post-petition tax liabilities as required by law;

It is further **ORDERED** that Debtor(s) shall provide a copy of their federal and state income tax returns to Trustee each tax year during the Plan within 30 days of filing said return(s)

with the appropriate taxing authority, and Debtor(s) shall otherwise comply with any requests of the Trustee with respect to additional financial information;

It is further **ORDERED** that Debtor(s) shall not incur additional debt exceeding \$2,000.00 in the aggregate without consent of the Trustee and approval of the Court, except that debt for the purchase or lease of a motor vehicle may be incurred in excess of the \$2,000.00 limit with prior written approval of the Trustee in conformance with Administrative Order No. 21-1;

It is further **ORDERED** that the Trustee shall disburse the monies paid in, by or for the Debtor(s) under the Plan in the following order of disbursement, as applicable, unless specifically indicated otherwise in the Plan, a Court Order, or a Stipulated Agreed Order between the Debtor(s) and a Creditor:

- First: Trustee's authorized percentage fee
- Second: Delinquent amounts due and owing pursuant to a Domestic Support Order
- Third: Conduit mortgage payments
- Fourth: Secured creditor(s) with fixed installment payments
- Fifth: All other secured claims, priority claims and Court-ordered attorney fees on a pro rata basis
- Sixth: General unsecured claims on a pro rata basis

It is further **ORDERED** that the administrative expenses of the Trustee shall be paid in full pursuant to 11 U.S.C. §§503(b), 507(a)(1)(C), 1326(b)(2) and 28 U.S.C. §586(e)(1)(B);

It is further **ORDERED** that Debtor(s) shall not transfer any interest in real property without the Court's approval;

It is further **ORDERED** that all property of the estate scheduled in accordance with Bankruptcy Rule 1007(h), shall vest in the Debtor(s) pursuant to 11 U.S.C. §1327(b) unless otherwise indicated in Part 7.1 of the Plan. All property of the estate that is not properly scheduled, or any property that is acquired subsequent to the filing of the petition, does not vest to Debtor(s), and remains property of the estate unless otherwise Court ordered;

It is further **ORDERED** that interest shall be paid to non-governmental creditors with a valid security interest in personal property belonging to the Debtor(s) at the current Prime Rate as shown in the Wall Street Journal Money Rates ([Money Rates \(wsj.com\)](http://www.wsj.com)) plus a risk factor of two percent (2%) pursuant to *Till v. S.C.S. Credit Corp.*, 541 U.S. 465 (2004), or at the rate as indicated in a validly filed proof of claim, whichever is less. This section shall not apply to any Creditor who has obtained a separate Order from this Court regarding the applicable interest rate on its claim; and

It is further **ORDERED** that the Attorney for Debtor(s) is hereby awarded a total fee of \$ _____, of which \$ _____ has been paid. The balance will be paid through the Chapter 13 Plan as an administrative claim pursuant to 11 U.S.C §503(b)(2). If the amount of fees awarded in this paragraph is \$0.00, then the Attorney for Debtor(s) must file an Application for Fees in compliance with 11 U.S.C. §330(a) in order to receive compensation.

IT IS SO ORDERED.

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Submitted By:

/s/ Dynele L. Schinker-Kuharich

Dynele L. Schinker-Kuharich (#0069389)

Chapter 13 Trustee

A. Michelle Jackson Limas (#0074750)

Staff Counsel to the Chapter 13 Trustee

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NOTICES TO:

Office of the United States Trustee, via the Court's Electronic Case Filing System at
[RegisteredEmailAddress]@usdoj.gov

Office of the Chapter 13 Trustee, via the Court's Electronic Case Filing System at
DLSK@Chapter13Canton.com

«attorney», Counsel for «both», via the Court's Electronic Case Filing System at
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«debtor», Debtor, via regular mail at:

«dbtr_addr1»

«dbtr_addr2»

«dbtr_addr3»

«joint», Debtor, via regular mail at:

«jdbr_addr1»

«jdbr_addr2»

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