

UNITED STATES BANKRUPTCY COURT
District of Maine

In the matter of:

Chapter 13
Case No.

Debtor

ORDER CONFIRMING CHAPTER 13 PLAN
ORDER SETTING DEADLINES FOR CERTAIN ACTIONS

After notice and hearing on confirmation of the debtor Chapter 13 plan, the Court finds that it complies with all provisions of the United States Bankruptcy Code and that it is in the best interests of all creditors, the debtor and the estate. It is hereby ORDERED that the debtor Chapter 13 plan dated is confirmed as filed or as modified at the plan confirmation hearing, subject to (i) resolution of actions to determine the avoidability, priority, or extent of liens, (ii) resolution of all disputes over the amount and allowance of claims entitled to priority under Sec. 507, (iii) resolution of actions to determine the allowed amount of secured claims under Sec. 506, and (iv) resolution of all objections to claims. Terms of the debtor plan not expressly modified by this order are incorporated in this order and made a part hereof by reference.

I. The following modifications to the debtor plan were ORDERED at the confirmation hearing. The Court retains jurisdiction to make such other and further orders as may be necessary or appropriate to effect the plan and this order.

- A. None.
- B. The term of the plan is extended/reduced to
- C. For the remainder of the plan term, the periodic plan payment shall be \$_____ per _____, commencing _____.
- D. The plan is confirmed on an interim basis to provide payment to secured and priority creditors pursuant to their timely filed claims. The trustee is authorized to make distributions to such creditors from plan payments with percentage fee.
- E. The stipulation between or among the debtor _____, the trustee and _____ dated _____ is incorporated herein by reference into this order.
- F. Other:

II. It is FURTHER ORDERED as follows:

A. If the plan contemplates litigation or the sale of assets as a source of funding, the debtor shall file application(s) to employ the necessary professionals within 30 days of the date of this order.

B. As soon as practicable after the claims bar date, but no later than 90 days thereafter, the debtor or the trustee shall file a motion to allow and disallow claims and, if warranted, to avoid judicial liens. Upon entry of an order on that motion, the plan shall be deemed amended to conform to the order. If the motion to allow and disallow claims is not filed within that time, the Court may order the debtor to show cause why the case should not be dismissed or converted or why an order should not enter allowing all claims as filed. Failure to file a motion seeking avoidance of judicial liens within the time provided by this paragraph does not bar such a motion at a later time.

C. Except as otherwise addressed in the motion to allow and disallow claims, all objections to claims, all actions to determine the avoidability, priority or extent of liens, all actions concerning the allowance or amount of claims entitled to priority under Sec. 507, and all actions to determine value of collateral pursuant to Sec. 506, shall be filed no later than 30 days after the motion to allow and disallow claims.

D. A temporary reduction or suspension of the debtor payments for up to ten weeks may be granted at the trustee's discretion without notice or hearing. Any other reduction or suspension may be allowed only after notice and hearing upon motion to the Court.

E. Any creditor who files or amends a proof of claim shall serve a copy on the trustee and counsel for the debtor, or upon the debtor directly if *pro se*.

F. Whether or not provided in the debtor plan, the debtor shall pay to the trustee as additional plan contributions all tax refunds in excess of \$1,200 per year. The debtor shall serve a copy of their federal and state income tax returns on the trustee within 14 days of the filing of those returns with the appropriate tax authorities.

G. The trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

H. The Internal Revenue Service and the State of Maine Bureau of Revenue Services are granted relief from stay for the limited purpose of offsetting refunds for prepetition years against prepetition tax indebtedness. The IRS and the State of Maine shall amend their claims to reflect any offset.

I. All property of the estate, whether in the possession of the debtor or the trustee, remains property of the estate subject to the Court's jurisdiction, notwithstanding 11 U.S.C. Sec. 1327(b).

J. The clerk shall incorporate this order on the docket by appropriate reference.

Date:

United States Bankruptcy Judge