

Mont. LBF 22. Motion for Valuation of Security and Notice.

State Bar Id. No.
Attorney for Debtor(s)

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re:) Case No.
)
)
)
 Debtor(s).)

MOTION FOR VALUATION OF SECURITY, AND NOTICE

Pursuant to F.R.B.P. 3012 and Mont. LBR 3012-1, the undersigned respectfully moves the Court to determine the value of the following claim secured by a lien on property of the debtor's estate. For purposes of the debtor's plan, the undersigned alleges that the value of the following creditor's secured claim is as stated below, because pursuant to 11 U.S.C. § 506(a) secured claims are to be valued and allowed as secured to the extent of the value of the collateral.

Name of Creditor: _____

Value of collateral as alleged by debtor(s): _____

Description of collateral at issue: _____

Proof of claim number as set forth on the Claims Register: _____

WHEREFORE, the undersigned moves the Court to fix the value of the above-named creditor's collateral and, therefore, the amount of its secured claim, in the amount alleged above.

DATED this ____ day of _____, 20__.

By: _____
Attorney for Debtor(s)

NOTICE TO CREDITOR

If you object to the motion, you must file a written responsive pleading and request a hearing within ten (10) days of the date of the motion. The responding party shall schedule the hearing on the motion at least 20 days after the date of the response and request for hearing and shall include in the caption of the responsive pleading the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

DATED this ____ day of _____, 200__.

By: _____
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

(Must comply with Mont. LBR 9013-1(c), by reflecting the name and address of each party served, and by being signed “under penalty of perjury.”)

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Name of Attorney
Address
Phone No.
State Bar Id. No.
Attorney for Debtor(s)

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Name of Creditor: _____

Value of collateral as alleged by debtor(s): _____

Description of collateral at issue: _____

Proof of claim number as set forth on the Claims Register: _____

WHEREFORE, the undersigned moves the Court to fix the value of the above-named creditor's collateral and, therefore, the amount of its secured claim, in the amount alleged above.

DATED this ____ day of _____, 20__.

By: _____
Attorney for Debtor(s)

NOTICE TO CREDITOR

If you object to the motion, you must file a written responsive pleading and request a hearing within ten (10) days of the date of the motion. The responding party shall schedule the hearing on the motion at least 20 days after the date of the response and request for hearing and shall include in the caption of the responsive pleading the date, time and location of the hearing by inserting in the caption the following:

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