

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

In re:

Debtor(s)

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Case No.:
Chapter 13

**JOINT STIPULATION AND ORDER AUTHORIZING PLAN MODIFICATION BY
TEMPORARILY SUSPENDING PLAN PAYMENTS**

The above-captioned Debtor(s) (hereinafter, the “Debtor”), and the Office of the Chapter 13 Trustee (the “Trustee”), jointly stipulate to the necessity of the Debtor to Suspend Plan Payments and thereby modify the terms of the Debtor’s 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 suspending plan payments and modifying the plan consistent with the terms listed below

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

No notice to parties in interest in the Debtor’s bankruptcy case is required because: (1) the suspension of plan payments is without prejudice to any other party seeking relief from the automatic stay or dismissal of the case; and (2) the distribution requirements to creditors in the confirmed plan is not altered by the suspension of plan payments.

Notice to parties in interest in the Debtor’s bankruptcy case is required because the suspension of plan payments will reduce the amount payable to creditors under the Debtor’s confirmed plan. A proposed notice and summary of this Joint Stipulation to Suspend Plan Payments and Modify Plan is attached.

Only the below listed entities are affected by the Joint Stipulation to Suspend Plan Payments and are entitled to notice. A proposed notice and summary of this Joint Stipulation to Suspend Plan Payments and Modify Plan 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:

Plan Base:

Plan Base Paid-to-Date:

Estimated distribution to unsecured creditors:

Reason for Suspension of Plan Payments: (check all that apply and provide an explanation).

Unanticipated loss of employment

Unanticipated suspension of employment

Unanticipated increase in household expenses

Unanticipated medical expenses

Personal Injury

Uninsured property loss

Other:

Explanation:

Terms of Suspended Plan Payments

The number of months the plan payments are suspended:

The Debtor will resume payments on:

When the Debtor resumes the Debtor's plan payment, the amount of the plan payment will be:

Other information:

A suspension of plan payments is without prejudice to any creditor seeking relief from the automatic stay or dismissal of the case

Modified Plan

The new plan base is:

Unchanged from the confirmed plan

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Estimated % change in payments to unsecured creditors:

Length of Plan

The Debtor is not requesting an extension of the confirmed plan. The Debtor agrees that the new plan payment must be in an amount sufficient to cure any existing arrearage, and to pay accrued interest on any secured debt within the time frame to complete the confirmed plan.

The Debtor is requesting an extension of the confirmed Plan as detailed below.

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)

Other Provisions:

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

/s/ _____
Debtor or Attorney for the Debtor
Name, Bar No., Address, Tele No.

/s/ _____
Ryan W. Johnson Chapter 13 Trustee for WV
Office of the Chapter 13 Trustee
1049 Market Street
Wheeling WV 26003
304-780-3316