

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

IN RE:

Case No.
Chapter 13

Debtor(s).

CONSENT ORDER AMENDING PLAN TERMS AND GRANTING ATTORNEY FEES

RESOLVING TRUSTEE'S MOTION TO DISMISS

UPON the agreement of the parties as evidenced by their endorsement herein, and it appearing that:

1. The Debtor(s) filed this bankruptcy case on ____.
2. The Debtor(s)' most recent Chapter 13 Plan was confirmed on _____, hereafter the "Plan."
3. The Debtor(s) propose a modification of the Plan terms which allows them to successfully complete their Plan. The specific reason for these changes is: [Check whichever applies]

- To cure a default in Plan payments.
- Other:

4. The proposed changes will have a de minimis impact upon creditors receiving distributions under the Plan and will not result in a significant reduction in the total amount to be paid to any allowed general unsecured claims.

Therefore, it is **ORDERED** that the Debtor(s)' Plan payment schedule is modified as follows:

- a. The amount of the total Plan payments due under Plan is increased from \$___ to \$___.
- b. The Trustee previously received payments from the Debtor(s) of \$_____.
- c. In addition, the Debtor(s) shall make payments of \$___ per month for ___ months, beginning _____.

It is further **ORDERED** that:

- d. If the Trustee fails to receive any payment set forth above within thirty (30) days of its due date, the Trustee may certify to the Court that the Debtor(s) are in default in Plan payments and send notice of the certification to the Debtor(s) and their counsel.
- e. If the Debtor(s) fail within 21 days from the date of such Trustee's certification to either (i) cure the default, or (ii) file with the Court and with the Trustee a written response and a request for a hearing, then the Debtor(s)' case may be dismissed by the Court without further notice or hearing.

And, it is **ORDERED** that:

- f. Counsel for the Debtor(s) is awarded a fee of \$350 which shall be disbursed by the Trustee as an administrative expense.

- g. Counsel for the Debtor(s) shall submit an order for employer wage deduction or establish an automatic and recurring TFS payment consistent with this Order within (7) seven days of entry of this Order.
- h. Counsel for the Debtor(s) certifies that the specific terms of this Order have been reviewed either by personal contact, telephone, or electronic communication with the Debtor(s), and that the Debtor(s) understand and agree to the terms of this Order.
- i. Counsel for the Debtor(s) shall serve this Order upon the Debtor(s).

***** END OF ORDER *****

I ASK FOR THIS:

SEEN AND AGREED:

Counsel for the Debtor(s)
Name
Address
Phone No.
Email

/S/ ANGELA M. SCOLFORO
Chapter 13 Bankruptcy Trustee