

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN RE:

CHAPTER 13
CASE NO.
JUDGE:

Debtor(s).

STIPULATION FOR ENTRY OF ORDER MODIFYING PLAN

This matter came before the Court on _____, regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- a motion to dismiss case (ECF ____)
- plan modification (ECF ____)
- a motion to lift stay as to creditor _____ (ECF ____)
- other: _____ (ECF ____)

the parties having agreed to settle the above matter conditioned on the terms herein, the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY STIPULATED that an Order Modifying the Chapter 13 Plan may be submitted to the Court as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- Debtor(s) plan payments shall be changed from \$ _____ to \$ _____ per _____ effective _____.
- In the event that Debtor(s) fail(s) to make any future Chapter 13 plan payments, the Trustee or a party in interest may file with the Court a notice of default, served upon Debtor(s) and Debtor(s)' Counsel and permitting 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provisions of this Stipulation and subsequently entered Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make plan payments, and the proceedings may be thereafter dismissed without a further hearing or notice.
- Debtor shall file and serve _____ on or before _____.
- If any of the foregoing is not completed by the date specified, the case may be dismissed without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- Other: _____

Within three (3) days of the date of execution of this Stipulation, **the party with the checked box below** will prepare a proposed Order Modifying Plan embodying the terms and provisions of this Stipulation and will submit an electronic replica of this Stipulation and the proposed Order to the Court.

IT IS FURTHER STIPULATED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

APPROVED AS TO FORM:

DAVID WM. RUSKIN (P26803)
Attorney and Chapter 13 Trustee
CHRISTOPHER P. REILLY (P54168), Staff Attorney
MICHELLE M. STEPHENSON (P51653), Staff Attorney
26555 Evergreen Road, Suite 1100
Southfield, MI 48076-4251
(248) 352-7755

Attorney for Creditor

Attorney for Debtor(s)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN RE:

CHAPTER 13
CASE NO.
JUDGE:

Debtor(s).
_____ /

ORDER MODIFYING PLAN

This matter came before the Court on _____,

regarding **[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:**

- a motion to dismiss case (ECF ____)
- Plan modification (ECF ____)
- a motion to lift stay as to creditor _____ (ECF ____)
- Other: _____ (ECF ____)

the parties having agreed to settle the above matter conditioned on the terms herein. Notice is not required because there is no adverse impact upon other parties by way of this action. The Court having reviewed the pertinent pleadings. The Court is advised in the premises;

IT IS HEREBY ORDERED that the Chapter 13 Plan is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- Debtor(s) Plan payments shall be changed from \$ _____ to \$ _____ per _____, effective _____.
- In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court a notice of default, served upon Debtor(s) and Debtor(s)' Counsel and permitting 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulation and subsequently entered Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings may be thereafter dismissed without a further hearing or notice.
- Debtor(s) shall file and serve _____ on or before _____.
- If any of the foregoing is not completed by the date specified, the case may be dismissed without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.

If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.

Other: _____.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect.