

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

Chapter 13
Bankruptcy Case No. 03-46545

In Re:
Larry D. McDonald, xxx-xx-2962
Connie R. McDonald, xxx-xx-1285
6400 15th Ave. S.
Richfield, MN 55423

Debtor(s).

NOTICE OF MOTION AND MOTION
TO CONFIRM MODIFIED CHAPTER 13 PLAN

TO: Jasmine Z. Keller, Trustee; U.S. Trustee; all other entities specified in Local Rule 1007(2)

1. The debtor moves the court for the relief requested below and gives notice of hearing.
2. The Court will hold a hearing on this motion at 10:30 a.m., Thursday, October 21, 2004, in United States Bankruptcy Court, at Courtroom No. 8 West, United States Courthouse, 300 South Fourth Street, Minneapolis, MN.
3. Any response to this motion must be delivered not later than five days before the time set for the hearing, including intermediate Saturdays, Sundays, and legal holidays, or mailed not later than eight days before the time set for the hearing.
4. This court has jurisdiction over this motion pursuant to 28 U.S.C. Secs. 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding.

5. This motion arises under 11 U.S.C. Sec. 1329 and Bankruptcy Rule 3020. This motion is filed under Bankruptcy Rule 9014 and Local Rules 9013-1,2,3. Movant requests confirmation of the modified plan.

6. Debtor's disability insurance has run out and he has applied for Social Security Disability. The plan provides for a lower payment until he receives his Social Security Disability payments and the post-petition mortgage default is cured.

WHEREFORE, Debtor requests confirmation of the proposed Modified Plan.

Dated: 9/9/04

/e/ Gregory J. Wald
Gregory J. Wald, Attorney for
Debtor
3601 Minnesota Drive, Suite 800
Edina, MN 55435
(952) 921-5802 ID 165244

VERIFICATION

We, Larry D. McDonald and Connie R. McDonald , declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: _____

Dated: _____

In Re: Larry and Connie McDonald

**U. S. BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Debtor(s) Case Number BKY: 03-46545

**UNSWORN DECLARATION
FOR PROOF OF SERVICE**

I, Julie Nistler, of the office of Gregory J. Wald, attorney licensed to practice law in this court, with office address of 3601 Minnesota Drive, Suite 800, Edina, MN 55435, declares that on **September 14, 2004**, I served the Notice of Motion and Motion to Confirm Modified Chapter 13 Plan and proposed Modified Chapter 13 Plan upon each of the entities named below by mailing to each of them a copy thereof by enclosing same in an envelope with first class mail postage prepaid and depositing same in the post office at Edina, Minnesota addressed to each of them as follows:

Jasmine Z. Keller, Trustee
310 Plymouth Building
12 South 6th Street
Minneapolis, MN 55402

U.S. Trustee
1015 U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415

See Attachment A

And I declare, under penalty of perjury, that the foregoing
is true and correct.

Executed: 9-14-04

Signed: Julie Nistler

ATTACHMENT A

BECKET AND LEE LLP
FOR HOUSEHOLD BANK ECAST
PO BOX 35480
NEWARK NJ 07193-5480

HENNEPIN COUNTY TREASURER
A-600 GOVERNMENT CENTER
MINNEAPOLIS MN 55487-0060

HOUSEHOLD CREDIT SERVICES
PO BOX 80084
SALINAS CA 93912-0084

JAMES A GESKE, ESQ.
WILFORD & GESKE
6043 HUDSON ROAD STE 290
WOODBURY MN 55125

SOCIAL SECURITY ADMINISTRATION
OFFICE OF CENTRAL OPERATIONS
1500 WOODLAWN DRIVE
BALTIMORE MD 21241-1500

WELLS FARGO HOME MORTGAGE
405 SW 5TH ST
DES MOINES IA 50309-4626