

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In re: DAVIS, WILL HENRY  
DAVIS, BARBARA DELORES

POSTCONFIRMATION MODIFIED

**CHAPTER 13 PLAN**

DEBTOR.

Case No. 03-47469

Dated: 8/12/04

*In a joint case,  
debtor means debtors in this plan.*

**1. PAYMENTS BY DEBTOR –**

- a. As of the date of this plan, the debtor has paid the trustee \$ 8,330.00.
- b. After the date of this plan, the debtor will pay the trustee \$ 850.00 per Month for 51 MORE months, beginning within 30 days after the filing of this plan for a total of \$ 43,350.00 MORE

- c. The debtor will also pay the trustee N/A.
- d. The debtor will pay the trustee a total of \$ 43,350.00 MORE [line 1(a) + line 1(b) + line 1(c)].

**2. PAYMENTS BY TRUSTEE –** The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 4,143.45 MORE [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

**3. PRIORITY CLAIMS –** The trustee shall pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed. Property tax claims shall be paid in full per the claim whether filed as secured or as a general claim.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>POST MOD Beginning in Month #</i>	<i>Number of Payments</i>	<i>ADDITIONAL TOTAL PAYMENTS</i>
a. Attorney Fees	\$ <u>225.00</u>	\$ <u>225.00</u>	<u>1</u>	<u>1</u>	\$ <u>225.00</u>
b. Internal Revenue Serv.	\$ <u>1,279.12</u>	\$ <u>150.00</u>	<u>20</u>	<u>9</u>	\$ <u>1,279.12</u>
c. Minn. Dept of Revenue	\$ <u>1,011.07</u>	\$ <u>121.00</u>	<u>20</u>	<u>9</u>	\$ <u>1,011.07</u>
d. <del>TOTAL</del> HC TREASURER	<u>4,325.72</u>	<u>509.00</u>	<u>20</u>	<u>9</u>	\$ <u>4,325.72</u>
					<u>6,840.41</u>

**4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT –** The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. \_\_\_\_\_
- b. \_\_\_\_\_

**4.5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] –** The trustee will cure defaults (plus interest at the rate of 9 per cent per annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default. Claims in this class may be classified separately.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] – The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	ADDITIONAL TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

7. OTHER SECURED CLAIMS [§ 1325(a)(5)] – The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month	Number of Payments	ADDITIONAL TOTAL PAYMENTS
a. HOUSEHOLD AUTO FN	\$17,000.00	\$9,900.00 @ 6% <u>% Int.</u>	\$475.98	2	17	\$ 8,091.66
b. MAZDA AM CR	\$14,376.00	\$5,300.00 @ 6% <u>% Int.</u>	\$301.17	2	14	\$ 4,216.38
c. _____	\$ _____	\$ _____ <u>% Int.</u>	\$ _____	_____	_____	\$ _____
d. TOTAL						\$ 12,308.04

8. SEPARATE CLASS OF UNSECURED CREDITORS – In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: \_\_\_\_\_.

- The debtor estimates that the total claims in this class are \$ \_\_\_\_\_.
- The trustee will pay this class \$ \_\_\_\_\_.

9. TIMELY FILED UNSECURED CREDITORS – The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 20,058.10 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ 16,176.00 \_\_\_\_\_.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 30,660.64 \_\_\_\_\_.
- Total estimated unsecured claims are \$ 46,836.64 [line 9(a) + line 9(b)].

10. TARDILY-FILED UNSECURED CREDITORS – All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS – Any excess funds shall be distributed at the Trustee's discretion. If debtor has an ongoing child support obligation, the debtor hereby consents to a continuing deduction from wages for current child support.

12. SUMMARY OF PAYMENTS – ADDITIONAL

Trustee's Fee [Line 2] .....	\$ 4,143.45
Priority Claims [Line 3(e)] .....	\$ 6,840.41
Home Mortgage Defaults [Line 5(d)] .....	\$ _____
Long-Term Debt Defaults [Line 6(d)] .....	\$ _____
Other Secured Claims [Line 7(d)] .....	\$12,308.04
Separate Class [Line 8(b)] .....	\$ _____
Unsecured Creditors [Line 9(c)] .....	\$20,058.10
TOTAL [must equal Line 1(d)] .....	\$43,350.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

CRAIG COOK  
1821 UNIVERSITY AVE #217 S  
SAINT PAUL, MN 55104  
651-644-1110

1865X

Signed \_\_\_\_\_ /E/WILL HENRY DAVIS  
DEBTOR, WILL HENRY DAVIS  
Signed \_\_\_\_\_ /E/BARBARA DELORES DAVIS  
DEBTOR, BARBARA DELORES DAVIS

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re: DAVIS, WILL HENRY  
DAVIS, BARBARA DELORES

**SIGNATURE DECLARATION**

Debtor(s).

Case No. 03-47469

- PETITION, SCHEDULES & STATEMENTS  
 CHAPTER 13 PLAN  
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
 AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
 MODIFIED CHAPTER 13 PLAN POSTCONFIRMATION  
 OTHER (Please describe: \_\_\_\_\_)

I [We], the undersigned debtor(s) or authorized representative of the debtor, *make the following declarations under penalty of perjury:*

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- [individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: 8-7-04

X Will H Davis  
Signature of Debtor or Authorized Representative

WILL HENRY DAVIS  
Printed Name of Debtor or Authorized Representative

X Barbara D Davis  
Signature of Joint Debtor

BARBARA DELORES DAVIS  
Printed Name of Joint Debtor

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

---

In re: Will Henry Davis  
Barbara Delores Davis

UNSWORN DECLARATION  
OF PROOF OF SERVICE

Chapter 13 Case No. 03-47469

Debtor(s).

---

Susan Steging, employed by Craig Cook, Attorney at Law, with office address of 1821 University Avenue, Suite South 217, Saint Paul, Minnesota, 55104, declares that I served a copy of the attached:

NOTICE OF POSTCONFIRMATION MODIFICATION AND HEARING ON CHAPTER 13 PLAN and  
POSTCONFIRMATION MODIFIED CHAPTER 13 PLAN,

upon each of the entities named, by mailing to each of them a copy thereof, by enclosing same in an envelope with first-class postage prepaid and depositing same in the post office at Saint Paul, Minnesota, addressed to:

Jasmine Z Keller  
Chapter 13 Trustee  
12 South Sixth Street  
310 Plymouth Building  
Minneapolis, MN 55402

Office of the US Trustee  
1015 United States Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

And to all creditors on the attached matrix.

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

Date: 8/17/04

Signed: /s/ Susan Steging  
Susan Steging

ADT SECURITY  
PO BOX 371490  
PITTSBURGH PA 15250

ADVANCED FINANCE CO  
PO BOX 4068  
CARLSBAD CA 92018

ALINA URGENT CARE  
PO BOX 9324  
MINNEAPOLIS MN 55440-7633

ALINA URGENT CARE  
C/O RELIANCE RECOVERIES  
PO BOX 29227  
MINNEAPOLIS MN 55429

AT& T WIRELESS  
PO BOX 8220  
AURORA IL 60572-8220

AT&T WIRELESS  
C/O DIVERSIFIED ADJUSTMENT  
PO BOX 32145  
MINNEAPOLIS MN 55432

AT&T WIRELESS C/O SUNRISE CR  
2174 JACKSON  
SEAFORD NY 11783

BURNET TITLE  
7550 FRANCE AV S #220  
MINNEAPOLIS MN 55435

CAPITAL ONE VISA  
PO BOX 85015  
RICHMOND VA 23285-5015

CAPITAL ONE VISA  
PO BOX 6000  
SEATTLE WA 98190-6000

CAPITAL ONE VISA  
PO BOX 85617  
RICHMOND VA 23276

CAPITAL ONE VISA  
C/O ALLIED INTERSTATE  
3111 S DIXIE HWY #101  
WEST PALM BEACH FL 33405

CAPITAL ONE VISA  
C/O OSI COLLECTION  
PO BOX 7526  
DUBLIN OH 43017

CENTERPOINT ENERGY  
PO BOX 1297  
MINNEAPOLIS MN 55472-0061

CITY OF RICHFIELD  
6700 PORTLAND AV S  
RICHFIELD MN 55423

COLON & RECTAL SURGERY  
393 DUNLAP #500  
SAINT PAUL MN 55104

CROSS COUNTRY BANK VISA  
PO BOX 310728  
BOCA RATON FL 33431-0728

CROSS COUNTRY BANK VISA C/O  
SIMM ASSO  
254 CHAPMAN RD #200  
NEWARK DE 19702

CULLIGAN WATER  
7165 BOONE AV N  
BROOKLYN PK MN 55428

CULLIGAN WATER C/O CLX SYS  
PO BOX 125  
HAMEL MN 55340-9625

DR ROSARIO GRACE  
6525 DREW AV S  
EDINA MN 55435

E&K FAMILY DENTISTRY  
1537 16TH AV S  
RICHFIELD MN 55423

FAIRVIEW CLINICS  
2450 RIVERSIDE  
MINNEAPOLIS MN 55454

FAIRVIEW HOSP  
C/O JC CHRISTENSEN  
PO BOX 519  
SAUK RAPIDS MN 56379

FAIRVIEW HOSPITAL  
2450 RIVERSIDE  
MINNEAPOLIS MN 55454

FASHION BUG  
PO BOX 856021  
LOUISVILLE KY 40285-6021

FIRST CONSUMERS MASTERCARD  
PO BOX 3910  
PORTLAND OR 97208-3910

FIRST PREMIER BANK VISA  
PO BOX 5147  
SIOUX FALLS SD 57117-5147

GORDONS  
PO BOX 9025  
DES MOINES IA 50368-9025

HENNEPIN CO TREASURER  
A600 GOVERNMENT CTR  
300 S 6TH  
MINNEAPOLIS MN 55487

HOUSEHOLD AUTO FINANCE  
PO BOX 60115  
CITY OF INDUSTRY CA 91716-0115

HOUSEHOLD BANK CARD MASTRCRD  
PO BOX 5222  
CAROL STREAM IL 60197-5222

INTERNAL REVENUE SVC  
ATTN STOP 5700  
316 N ROBERT  
SAINT PAUL MN 55101

MAZDA AM CREDIT  
PO BOX 680020  
FRANKLIN TN 37068

MCI NEIGHBORHOOD  
PO BOX 105271  
ATLANTA GA 30348

MERRICK BANK  
PO BOX 5721  
HICKSVILLE NY 11802-5721

MINNESOTA DEPT REVENUE  
551 BKY SECTION  
PO BOX 64447  
SAINT PAUL MN 55164

MSN INTERNET  
PO BOX 847124  
DALLAS TX 75284-7124

NEWPORT NEWS C/O  
ALLIANCE ONE  
PO BOX 960  
PLYMOUTH MEETING PA 19462-0960

NEWPORT NEWS C/O FCNB PROCESS  
9310 SW GEMINI DR  
BEAVERTON OR 97078-0001

NORTH SHORE AGY / COFFEE  
CUSTOMER SVC - BKY  
751 SUMMA  
WESTBURY NY 11590

OCWEN FED BANK  
PO BOX 514577  
LOS ANGELES CA 90051-4577

OREK FINANCIAL SVC  
PO BOX 23476  
NEW ORLEANS LA 70123

OREK FINANCIAL SVC C/O  
ALPAT COM INC  
40070 CANE AV #400  
SLIDELL LA 70459-1689

OXBORO CLINICS  
2450 RIVERSIDE  
MINNEAPOLIS MN 55454

OXBORO CLINICS C/O  
AMERICAN ACCOUNTS & ADVISORS  
3904 CEDARVALE DRIVE  
EAGAN MN 55122

PROVIDIAN VISA  
PO BOX 85015  
RICHMOND VA 23285-5015

QWEST C/O ACCENT SVC CO  
7171 MERCY RD #150  
OMAHA NE 68106

QWEST C/O NATIONWIDE CREDIT  
PO BOX 740627  
ATLANTA GA 30374

QWEST/ US WEST CMC  
ATTN: BKY GROUP- 17TH FLR  
PO BOX 52152  
PHOENIX AZ 85072-2152

SOUTHWEST FAMILY SVC  
3801 HENNEPIN  
MINNEAPOLIS MN 55408

SOUTHWEST FAMILY SVC  
C/O ROSSO & SEIERSTAD, PA  
PO BOX 130668  
SAINT PAUL MN 55108

TIME LIFE  
1450 E. PARHAM RD  
RICHMOND VA 23280-1001

TIME WARNER CABLE  
801 PLYMOUTH AV N  
MINNEAPOLIS MN 55411

TIME WARNER CABLE C/O  
PO BOX 99  
24 N FRONT ST  
NEW ULM MN 56073

US BANK  
PO BOX 64799  
SAINT PAUL MN 55164

WELLS FARGO  
7000 VISTA DR  
MAC# N8235-049  
WEST DES MOINES IA 50266

WELLS FARGO C/O  
B HALBERSTADT & P ZERBY JR  
1700 W HWY 36 #510  
ROSEVILLE MN 55113