Form 3015-1 -Chapter 13 Plan

UNITED STATES BANKRUPTCY COURT

District of Minnesota

In Re:

Brian Thomas Peterson
XXX-XX-1340
Ginelle Marie Peterson
XXX-XX-7196

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

CHAPTER 13 PLAN

Dated:

Case No.

1. **PAYMENTS BY DEBTOR -**

   a. As of the date of this plan, the debtor has paid the trustee **$0.00**.

   b. After the date of this plan, the debtor will pay the trustee **$1,473.00** per **Month** for **36** months, beginning within 30 days after the filing of this plan for a total of **$53,028.00**.

   c. The debtor will also pay the trustee: **$0.00**

   d. The debtor will pay the trustee a total of **$53,028.00** [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 10.00% for a total of **5,302.80** [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.

Creditor	Estimated Claim	Monthly Payment	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
Attorney Fees	**$ 1,250.00**	**$ 1,250.00**	**1**	**1**	**$ 1,250.00**
TOTAL					**$ 1,250.00**

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.

Name of Creditor	Description Of Property
Harold and Patricia Phipps	**Debtors' Residence: Homestead real property locat**

5. **HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8.00 percent 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.

Creditor	Amount of Default	Monthly Payment	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
None	**$ 0.00**	**$ 0.00**	**0**	**0**	**$ 0.00**
TOTAL					**$ 0.00**

6. **OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322(b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8.00 percent 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	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
None	$ 0.00	$ 0.00	0	0	$ 0.00
TOTAL					$ 0.00

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 8.00 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	Beg. in Month #	No. of Payments	TOTAL PAYMENTS
None	$ 0.00	$ 0.00	$ 0.00	0	0	$ 0.00
TOTAL						$ 0.00

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: (Cosigned debts shall be paid at the contract rate of interest.):

Classification	Creditor
None	

a. The debtor estimates that the total claims in this class are **$**

b. 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 **46,475.20** [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are **$**

b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are **$ 291,464.56**

c. Total estimated unsecured claims are **$291,464.56** [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 -**

Debtors shall receive a discharge upon completion of the 60 month plan or payment of 100% of timely filed unsecured claims, whichever occurs first. Trustee shall not pay any untimely filed unsecured claims.

12. **SUMMARY OF PAYMENTS -**

Trustee's Fee [Line 2]	5,302.80
Priority Claims [Line 3(e)]	$1,250.00
Home Mortgage Defaults [Line 5(d)]	$0.00
Long-Term Debt Defaults [Line 6(d)]	$0.00
Other Secured Claims [Line 7(d)]	$0.00
Separate Class [Line 8(b)]	$0.00
Unsecured Creditors [Line 9(c)]	$ 46,475.20
TOTAL [must equal Line 1(d)]	$53,028.00

Signed: _____
Brian Thomas Peterson, DEBTOR

William P. Kain
Bar no: 143005
Schmidt & Lund
13 7th Avenue South
St. Cloud, MN 56301

320-252-0330

Signed: _____
Ginelle Marie Peterson, JOINT DEBTOR