

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

MODIFIED CHAPTER 13 PLAN

In Re: Gerald L. Roebuck, Sr. SSN: xxx-xx-3971

Dated: October 20, 2004
Bkry Case No. 04-43855

DEBTOR

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 \$685.00.
- b. After the date of this plan, the debtor will pay the trustee \$685.00 per month for 6 months, beginning September 2004 for a total of \$4,110.00; then \$1,085.00 per month for 33 months, beginning March 2005 for a total of \$35,805.00
- c. The debtor will also pay the trustee None.
- d. The debtor will pay the trustee a total of \$40,600.00 [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% for a total of \$3,690.00 [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.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ 1,250.00	\$ 622.00	1	1	\$ 1,250.00
b. Internal Revenue Service	\$ 23,780.00	\$Pro rata			\$ 23,780.00
c. Minnesota Dept. of Revenue	\$ 9,881.00	\$Pro rata			\$ 9,881.00
d.	\$	\$			\$
e. TOTAL					\$ 34,911.00

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.

- a. Ameriquest Mortgage (arrears to be paid outside the plan by the co-debtor)
- b.

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] - The trustee will cure defaults 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. Remaining balances due under the modified plan.

<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. Remaining balances due under the modified plan.

<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. TOTAL					\$ None

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). Remaining balances due under the modified plan.

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a.	\$	\$	\$			\$
b.	\$	\$	\$			\$
c.	\$	\$	\$			\$
d.	\$	\$	\$			\$
e.	\$	\$	\$			\$
f. TOTAL						\$ None

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: None

- a. The debtor estimates that the total claims in this class are \$ None
- b. The trustee will pay this class \$ None

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 \$1,999.00 [line 1(d) minus lines 2, 3(e), 5(d), 6(b), 7(f), and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$None.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$38,392.00.
- c. Total estimated unsecured claims are \$38,392.00 [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 forms were tardily filed.

11. **OTHER PROVISIONS** - The trustee may distribute funds not allocated above at his discretion. The tax authorities including the federal government, state revenue and property taxes shall be paid per claim whether filed as priority or secured. The plan shall allow debtors current child support obligation to be paid through payroll deduction, and the back child support obligation shall be paid in full inside the plan. All child support debt classified as non-priority shall be paid in full by the Trustee, as a separate class. Upon the completion of payment of the secured portion of any claim, the property securing said claim shall vest in the debtor(s) free and clear of any lien, claim or interest of the secured creditor, and the secured creditor shall execute whatever documents necessary to release the lien on title to security. (SEE ATTACHED RIDER)

12. **SUMMARY OF PAYMENTS -**

Trustee's Fee [Line 2].....	\$ 3,690.00
Priority Claims [Line 3(e)].....	\$ 34,911.00
Home Mortgage Defaults [Line 5(d)].....	\$ None
Long-Term Debt Defaults [Line 6(b)].....	\$ None
Other Secured Claims [Line 7(f)].....	\$ None
Separate Class [Line 8(b)].....	\$ None
Unsecured Creditors [Line 9].....	\$ 1,999.00
TOTAL [must equal Line 1(d)].....	\$ 40,600.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:
 Robert J. Hoglund #210997
 P.O. Box 130938
 Roseville, Minnesota 55113

(651) 628-9929

Signed /e/ Gerald L. Roebuck, Sr.
 DEBTOR

Signed /e/
 DEBTOR (if joint case)

ADDENDUM TO CHAPTER 13 PLAN

1. The debtor will file as and when due, without seeking extensions of time, any and all post petition federal income taxes and will timely pay any post petition federal income taxes. Should the debtor default on the timely filing of returns, and/or payment of federal income tax, the IRS will be entitled to an ex parte order for dismissal of this case without notice or hearing on the filing of an affidavit with the Court that attests to such default and also that the Internal Revenue Service had mailed a letter by first class mail to debtor and debtor's counsel that gave notice of said default and a 30 day period to cure and that such a cure had not been performed.
2. The debtor will stay current on all payments to the Chapter 13 Trustee. Should the debtor fall behind on her payments to the Trustee the Internal Revenue Service will be entitled to an ex-parte order for dismissal of this case without notice or hearing on the filing of an affidavit with the Court that attests to such default and also that the Internal Revenue Service had mailed a letter by first class mail to debtor and debtor's counsel that gave notice of said default and a 30 day period to cure and that such a cure had not been performed.
3. If an order to dismiss the debtor's case is entered by the Court per the provisions found in the above paragraphs #1 or #2, then the IRS will also be entitled to an order that bars the debtor from re-filing another Chapter 13 bankruptcy case for a period of 365 days from the date of the order.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:
Gerald L. Roebuck, Sr.,

Bkry Case No: 04-43855
Chapter 13 Case

NOTICE OF MODIFICATION AND HEARING
Debtor(s). **ON CONFIRMATION OF CHAPTER 13 PLAN**

TO: ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that the debtor(s) modified the Chapter 13 Plan and the Hearing on Confirmation of Plan scheduled to be heard on October 21, 2004 at 10:30 a.m. in United States Bankruptcy Court, Courtroom 8 West, 300 South Fourth Street, Minneapolis, Minnesota, will be continued to November 18, 2004 at 10:30 a.m. in United States Bankruptcy Court, Courtroom 8 West, 300 South Fourth Street, Minneapolis, Minnesota.

Dated: October 20, 2004

HOGLUND, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /e/ Robert J. Hoglund

Robert J. Hoglund #210997
Keith Chwialkowski #210134
Marie F. Martin #287040
Jeffrey J. Bursell #293362
Attorney for Debtor(s)
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ALLIED INTERSTATE
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ALLSTATE INS
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HUDSON OH 44237

AMERICAN FAMILY PUBLISHERS
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TAMPA FL 33662-2000

AMERIQUEST MORTGAGE
PO BOX 51382
LOS ANGELES CA 90051

ASCENSION LAW GROUP
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ARLINGTON TX 76006

BADGER CREDITORS INC
PO BOX 247
WAUSAU WI 54402

BROOK WEST FAMILY DENTISTRY
7001 - 78TH AVE #100
BROOKLYN PARK MN 55445

BROOKPARK DENTAL CENTER
6437 BROOKLYN BLVD
BROOKLYN CENTER MN 55429

CAR CREDIT
317 MAIN STREET
HOPKINS MN 55343

COLLTECH INC
PO BOX 44430
EDEN PRAIRIE MN 55344

DEPT OF DRIVER & VEHICLE SERVICES
445 MINNESOTA STREET STE 180
SAINT PAUL MN 55101-5180

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DES MOINES IA 50304

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ANOKA MN 55303

FIRST CHOICE MOVERS
4505 NATHAN LANE STE 211
PLYMOUTH MN 55442

GC SERVICES
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HOUSTON TX 77081

GLENDALE CLINIC
4568 W BROWN DEER RD
BROWN DEER WI 53209

HEALTHSPAN ALLIANCE HEALTH CARE
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BURNSVILLE MN 55337

HENNEPIN COUNTY CONCILIATION
COURT
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350 SOUTH 5TH STREET
MINNEAPOLIS MN 55415

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ST PAUL MN 55164

NATIONAL MAGAZINE EXCHANGE
PO BOX 9083
CLEARWATER FL 33758-9083

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PO BOX 200277
ARLINGTON TX 76006

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re: Bankruptcy Case Number: 04-43855
Gerald L. Roebuck,

SIGNATURE DECLARATION

Debtor(s).

-
- () PETITION, SCHEDULES & STATEMENTS
() CHAPTER 13 PLAN
() SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
(X) AMENDMENT TO PETITION/SCHEDULES/STATEMENTS/DOCUMENTS
(X) MODIFIED CHAPTER 13 PLAN/MOTION FOR HEARING
() OTHER: (Please describe) _____
(X) VERIFICATION: I(We), debtor(s) named in the attached amended schedule(s),
declare under penalty of perjury that the foregoing is true and correct.

I[We], the undersigned debtor(s) or authorized representative of the debtor(s),
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: 10-20-2004


Signature of Debtor or Authorized Representative

Signature of Joint Debtor

Gerald L. Roebuck
Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor

HOGLUND, CHWIALKOWSKI, GREEMAN & BERGMANIS, P.L.L.C.

Signed: /s/ Robert J. Hoglund
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