

UNITED STATES BANKRUPTCY COURT
District of Minnesota

In Re:

CHAPTER 13 PLAN

Phillip Lehn

Debtor

Dated: Sept. 24, 2004

Case No: 04-61044

1. PAYMENTS BY DEBTOR: -
- A. As of the date of this plan, the debtor has paid the trustee \$ 0
 - B. After the date of this plan, the debtor will pay the trustee \$ 1700.00 per month for 60 months, beginning within 30 days after the filing of this plan for a total of \$ 102,000.00.
 - C. The debtor will also pay the trustee \$ 0.
 - D. The debtor will pay the trustee a total of \$ 102,000.00, [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 \$ 10,200.00 [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.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
A. Attorney fees	\$ <u>1250.00</u>	\$ <u>100.00</u>	<u>1</u>	<u>13</u>	\$ <u>1250.00</u>
B. Internal Revenue Serv.	\$ _____	\$ _____	_____	_____	\$ _____
C. Minn. Dept. of Revenue	\$ _____	\$ _____	_____	_____	\$ _____
TOTAL					\$ <u>1250.00</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. Household Mortgage (home mortgage)

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.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
A. <u>none</u>	\$ _____	\$ _____	_____	_____	\$ _____

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)] - The trustee will cure defaults 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	TOTAL PAYMENTS
A. <u>none</u>	\$ _____	\$ _____	_____	_____	\$ _____

7. OTHER SECURED CLAIMS [§ 1325(A)(5)] - The trustee will make payments to the following secured creditors plus interest at 7.275% (prime + 3). 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 COLLATERAL VALUE BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND

CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE VALUE OF THE CREDITOR'S INTEREST IN THE DEBTOR'S PROPERTY UNDER 11 U.S.C. § 506(a).

Creditor	Estimated Claim Amount	Collateral Value	Monthly Payment	Beginning in Month #	Number of Payments	ESTIMATED TOTAL PAYMENTS
A. <u>Bremer Bank</u>	<u>\$ 150,000</u>	<u>\$ 75,000</u>	<u>1494.00</u>	<u>1</u>	<u>60</u>	<u>\$89,640.00</u>

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: debts, if any, for which debtor's spouse is co-liable

A. The debtor estimates that the total claims in this class are \$ none

B. The trustee will pay this class \$ n/a

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 \$ 910.00 [line 1(d) minus lines 2, 3(c), 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 \$ 75,000.00

B. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 8,551.31

C. Total estimated unsecured claims are \$ 83,551.31 [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. ADDITIONAL PROVISIONS - The Trustee may distribute funds not allocated above at his/her discretion. If the debtor's actual disposable income exceeds the sum of \$102,000.00 during the first three years of the plan, the debtor will pay the excess to the trustee for distribution to the creditors over the last two years of the plan. Bremer Bank/SBA shall receive the proceeds (net of collection fees) of the delinquent accounts receivable which debtor had as of the date of filing and said proceeds shall be applied to the \$150,000 total claim of SBA; if the amount received therefrom is more than the amount by which Bremer Bank/SBA's claim is over \$75,000 the excess shall be applied to Bremer Bank/SBA's claim. The debtor may from time to time dispose of equipment or other items subject to Bremer Bank/SBA's security interest, but shall turn the proceeds of sale over to the trustee for application on the Bremer Bank/SBA allowed secured claim under paragraph 7A for application on their allowed secured claim and Bremer Bank/SBA shall provide the purchaser with a release of its security interest from the purchased item(s).

12. SUMMARY OF PAYMENTS -

Trustee's Fee [Line 2]	<u>\$ 10,200.00</u>
Priority Claims [Line 3(e)]	<u>\$ 1,250.00</u>
Home Mortgage Defaults [Line 5(d)]	<u>\$ 0</u>
Long-term Debt Defaults [Line 6(d)]	<u>\$ 0</u>
Other Secured Claims [Line 7(d)]	<u>\$ 89,640.00</u>
Separate Class [Line 8(b)]	<u>\$ 0</u>
Unsecured Creditors [Line 9]	<u>\$ 910.00</u>
TOTAL [must equal Line 1(c)]	<u>\$ 132,000.00</u>

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/e/ Phil Lehn
Debtor