

EXPLANATION OF BANKRUPTCY DISCHARGE
IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. [*In a case involving community property:*] [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts That are Not Discharged

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- d. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f. Some debts which were not properly listed by the debtor;
- g. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

CERTIFICATE OF SERVICEDistrict/off: 0864-3
Case: 04-33306User: user105
Form ID: 318Page 1 of 1
Total Served: 17

Date Rcvd: Aug 31, 2004

The following entities were served by first class mail on Sep 02, 2004.

db +THURS, VICTORIA M, 6084 75TH ST, PRINCETON, MN 55371-6805
 aty +ALBRECHT, ALAN J, 7066 BROOKLYN BLVD, BROOKLYN CENTER, MN 55429-1370
 tr +GEORGEN-RUNNING, TERRI A, PO BOX 16355, ST PAUL, MN 55116-0355
 5915543 GREEN TREE, 345 ST PETER STREET STE 1000, ST PAUL MN 55102-4407
 5915544 +HFC, 650 COUNTY 10 NE, BLAINE MN 55434-2329
 5915549 MILLE LACS COUNTY SHERIFF, MILLE LACS COUNTY COURTHOUSE, MILACA MN 56353
 5915553 +MN DEPT OF REVENUE, BANKRUPTCY SECTION, PO BOX 64447, ST PAUL MN 55164-0447
 5915545 +SAMS CLUB CREDIT, PO BOX 103036, ROSWELL GA 30076-9036
 5915546 +SEARS MASTERCARD, SGMC, PO BOX 818007, CLEVELAND OH 44181-8007
 5915551 +UNITED STATES ATTORNEY, 600 US COURTHOUSE, 300 S 4TH ST, MINNEAPOLIS MN 55415-3070
 5915550 +UNITED STATES TRUSTEE, 1015 US COURTHOUSE, 300 S 4TH ST, MINNEAPOLIS MN 55415-3070
 5915547 WELLS FARGO AUTO FINANCE, PO BOX 29704, PHOENIX AZ 85038-9704
 5966724 +WELLS FARGO BANK, C/O STEWART ZLIMEN JUNGERS, 430 OAK GROVE ST STE 200, MPLS MN 55403-3234
 5915548 +WELLS FARGO VISA, WF CREDIT CARD SERVICES, PO BOX 522, DES MOINES IA 50302-0522

The following entities were served by electronic transmission on Sep 01, 2004 and receipt of the transmission was confirmed on:

5915541 +E-mail: bankruptcy@ameriquest.net Sep 01 2004 09:43:06 AMERIQUEST MORTGAGE CO, PO BOX 51382, LOS ANGELES CA 90051-5682
 5915542 EDI: CAPITALONE.COM Sep 01 2004 09:38:00 CAPITOL ONE VISA, CAPITOL ONE SERVICES, PO BOX 85015, RICHMOND VA 23285-5015
 5915544 +EDI: HFC.COM Sep 01 2004 09:38:00 HFC, 650 COUNTY 10 NE, BLAINE MN 55434-2329
 5915546 +EDI: SEARS.COM Sep 01 2004 09:38:00 SEARS MASTERCARD, SGMC, PO BOX 818007, CLEVELAND OH 44181-8007
 5915552 +E-mail: mdes.bkpt.mpwr@state.mn.us Sep 01 2004 09:42:00 STATE OF MINNESOTA, DEPT OF MANPOWER SERVICES, 390 N ROBERT ST, ST PAUL MN 55101-1812

TOTAL: 5

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2004

Signature:

