

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

Pre-Confirmation Modified

Chapter 13 Plan

In re:

Clifford, Donald Ray

Dated 09/24/07

Case No. 04-33909

DEBTOR(S)
In a joint case, debtor
means debtors in this plan

1. PAYMENTS BY THE DEBTOR-

- a. As of the date of the plan, the debtor has paid the Trustee \$ _____.
- b. After the date of this plan, the debtor will pay the trustee \$ 315 per month for 36 months, beginning within 30 days after filing this plan for a total of \$ 11340 or until all allowed claims are paid in full, whichever happens first.
- c. The debtor will also pay the trustee _____.
- d. The debtor will pay the trustee a total of \$ 11340 [(line 1a) + 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 \$ 1,134.00 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 & be paid following confirmation.

3. PRIORITY CLAIMS - The trustee shall pay in full all claims entitled to priority under sec. 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	\$ 1250	\$ 283.50	1	5	\$ 1250
b. Internal Revenue Service	\$	\$			\$
c. Minn. Dept. of Revenue	\$	\$			\$
d.	\$	\$			\$
e.	\$	\$			\$
f. TOTAL					\$ 1250

4. SECURED CLAIMS NOT IN DEFAULT - The following creditors have secured claims. Payments are current & 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.

5. HOME MORTGAGES IN DEFAULT - 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.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL					\$

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT - The trustee will cure defaults on other claims 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.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL					\$

7. OTHER SECURED CLAIMS- 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. The creditor's allowed claim shall be the creditor's claim or the value of the creditor's interest in the debtor's property, whichever is less. Except for the IRS creditors shall retain their liens until their secured claim is paid in full, at which time property securing said claim shall vest in the debtor free and clear of any lien, claim or interest of the secured creditor. 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. SEC. 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. SEC. 506(A).

CREDITOR	% INT RATE	CLAIM AMOUNT	SECURED CLAIM	ESTIMATED MONTHLY PAYMENT	ESTIMATED BEGINNING IN MONTH #	ESTIMATED NUMBER OF PAYMENTS	TOTAL
a.		\$	\$	\$			
b.		\$	\$	\$			
c.		\$	\$	\$			
d.		\$	\$	\$			
e.		\$	\$	\$			
f.		\$	\$	\$			
g. TOTAL							

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

- 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 paragraphs 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 8,956.00 [line1(d) minus lines 2, 3(c), 5(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in paragraph 7 are _____
- b. The debtor estimates that the total unsecured claims (excluding those in paragraphs 7 & 8 are \$ 38,056
- c. Total estimated unsecured claims are \$ 38,056 [line 9(a) plus line 9(b)].

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

11. OTHER PROVISIONS - To the extent that Child Support is an unsecured claim for AFDC reimbursement, it shall be designated a separate class and paid in full. If property tax claims are filed as secured claims, they shall be paid as secured claims, but they shall be paid as set forth in Paragraph 3 or as set forth in Paragraph 6 above.

Please note: Child Support Collections is authorized to continue automatic wage withholding for ongoing, post-petition child support. Child Support Collections may obtain, modify & enforce the debtor's current ongoing child support obligation, including medical support & child care, including wage withholding. All of the debtor's projected disposable income in the 3 year period beginning on the date that the first plan payment is due will be applied to make payments under the plan. Any non-exempt proceeds from personal injury claims shall be turned over to the trustee. Claims filed as secured, but for which the plan makes no express provision shall be paid as unsecured claims as set forth in Paragraph 9 above.

-If the Debtor loses the appeal of the exemption of his 403(b) retirement plan enough of the funds determined to be non-exempt shall be paid to the trustee to enable the trustee to pay the allowed claims in full.

12. SUMMARY OF PAYMENTS - ESTIMATED

Trustee's fee [Line 2]	\$ 1,134.00
Priority Claims [Line 3(f)]	\$ 1,250.00
Home Mortgage Defaults [Line 5(d)]	
Long-Term Debt Defaults [Line 6(d)]	
Other Secured Claims [Line 7(g)]	
Separate Class [Line 8(b)]	
Unsecured Creditors [Line 9]	\$ 8,956.00
TOTAL [Must equal Line 1(d)]	\$ 11,340.00

Law Office of Curtis K. Walker
 Curtis K. Walker, #113906
 Thayer A. K. Butler, #200815
 Mary C. Hoben, #335411
 4356 Nicollet Avenue South
 Minneapolis, MN 55409
 (612) 824-4357

Signed X Donald Ray Clifford
 Debtor

Signed _____
 Debtor(joint case)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Donald Clifford

Debtor(s)

SIGNATURE DECLARATION

Case no. BKY 04-33909

- PETITION, SCHEDULES & STATEMENTS
 CHAPTER 13 PLAN
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
 MODIFIED CHAPTER 13 PLAN
 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:

09-29-04

X

Donald Ray Clifford
Signature of Debtor or Authorized Representative

X

Signature of Joint Debtor

X

Donald Ray Clifford
Printed Name of Debtor or Authorized Representative

Printed Name of Joint Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE:
Clifford, Donald Ray

Case no. BKY 04-33909

Debtor(s),
Chapter 13 case

NOTICE OF CONFIRMATION HEARING
AND NOTICE OF MODIFIED PLAN

To: The Chapter 13 Trustee, The U.S. Trustee, and the other entities specified in Local Rule 1007-2(a):

1. The debtor(s) have filed a preconfirmation modified plan and it will be considered at the Confirmation Hearing in this case set forth below.
2. The court will hold a hearing on this motion at 10:00 a.m. on October 14, 2004 in Room 228A, United States Courthouse, 316 North Robert Street, St. Paul, Minnesota before the Honorable Dennis D. O'Brien, Bankruptcy Judge.

Dated: _____

/e/ Curtis K. Walker
Curtis K. Walker, #113906
Thayer A.K. Butler, #200815
Attorney for Debtor(s)
4356 Nicollet Avenue South
Minneapolis, MN 55409
(612) 824-4357

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE:
Clifford, Donald Ray

Case no. BKY 04-33909

Chapter 13 case

Debtor(s),

UNSWORN CERTIFICATE OF SERVICE

I, Meara White, declare under penalty of perjury that on October 1, 2004, I mailed copies of the foregoing Modified Plan and Notice of Confirmation Hearing and Notice of Modified Plan by first class mail postage prepaid to each entity named below at the address stated below for each entity:

United States Trustee
1015 U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415

Jasmine Z. Keller, Chapter 13 Trustee
310 Plymouth Building
Minneapolis, MN 55402

All Creditors on attached list

Executed on: October 1, 2004

/e/ Meara White

AAA FINANCIAL SERVICES
PO BOX 15026
WILMINGTON DE 19850-5026

BANK ONE
PO BOX 8650
WILMINGTON DE 19899-8650

CAPITAL ONE BANKRUPTCY DEPARTMENT
PO BOX 85167
RICHMOND VA 23285