

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

John Frederick Dahlmeier,

Debtor.

Bky. No. 04-34240
Chapter 13 case

NOTICE OF PRE-CONFIRMATION MODIFICATION OF PLAN

Pursuant to Local Bankruptcy Rule 3015-2(a), notice is hereby given that the debtor above-named has modified his chapter 13 plan prior to confirmation. The modified chapter 13 plan was previously sent to all parties in interest.

Hearing on confirmation is scheduled for September 23, 2004 at 10:30 a.m. in 228-B United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. Any objection to the confirmation of the chapter 13 plan must be filed and served in accordance with Local Rules 3015-3, 3020-1 and 3020-3.

September 17, 2004

FOLEY & MANSFIELD P.L.L.P.



David M. Dahlmeier (#271792)
250 Marquette Ave., Suite 1200
Minneapolis, MN 55401
(612) 338-8788

ATTORNEYS FOR DEBTOR

Form 3015-1 - Chapter 13 Plan

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

CHAPTER 13 PLAN (Second Modified)

In re:
John Frederick Dahlmeier

Dated: September 15, 2004

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

Case No. 04-34240 GFK

1. PAYMENTS BY DEBTOR —

- a. As of the date of this plan, the debtor has paid the trustee \$ 170.00.
- b. After the date of this plan, the debtor will pay the trustee \$ 170.00 per month for 35 months, beginning within 30 days after the filing of this plan for a total of \$ 5,950.00.
- c. The debtor will also pay the trustee an additional \$ 200.00 per month from October, 2005 through August 2007 for an additional total of \$ 4,400.00.
- d. The debtor will pay the trustee a total of \$10,520.00 [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 \$ 1,052.00 [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 | \$ _____ | \$ _____ | _____ | _____ | \$ _____ |
| b. Internal Revenue Serv. | \$ _____ | \$ _____ | _____ | _____ | \$ _____ |
| c. Minn. Dept of Revenue | \$ _____ | \$ _____ | _____ | _____ | \$ _____ |
| d. TOTAL | | | | | \$ _____ |

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. _____

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] — The trustee will cure defaults (plus interest at the rate of 8 per cent 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.

| <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.

| <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. TOTAL | | | | | \$ _____ |

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).

| <i>Creditor</i> | <i>Claim Amount</i> | <i>Secured Claim</i> | <i>Monthly Payment</i> | <i>Beginning in Month #</i> | <i>Number of Payments</i> | <i>TOTAL PAYMENTS</i> |
|-----------------|---------------------|----------------------|------------------------|-----------------------------|---------------------------|-----------------------|
| a. AmeriCredit | \$12,800.00 | \$ 7,000.00 | \$150/320 | 1/14 | 13/20 | \$8,350.00 |
| b. TOTAL | | | | | | \$8,350.00 |

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: _____

- 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 \$1100.00 [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 \$5,800.00.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$ 24,459.00.
- c. Total estimated unsecured claims are \$30,259.00 [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 were tardily filed.

11. OTHER PROVISIONS —

12. SUMMARY OF PAYMENTS —

| | |
|-------------------------------------|--------------------|
| Trustee's Fee [Line 2] | \$ 1,052.00 |
| Priority Claims [Line 3(e)] | \$ 0.00 |
| Home Mortgage Defaults [Line 5(d)] | \$ 0.00 |
| Long-Term Debt Defaults [Line 6(d)] | \$ 0.00 |
| Other Secured Claims [Line 7(d)] | \$ 8,350.00 |
| Separate Class [Line 8(b)] | \$ 0.00 |
| Unsecured Creditors [Line 9(c)] | \$ 1,118.00 |
| TOTAL [must equal Line 1(d)] | \$10,520.00 |

Dave Dahlmeier (#271792)
 Foley & Mansfield
 250 Marquette, Ste 1200
 Mpls, MN 55401
 (612)338-8788

Signed _____

John Dahlmeier

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

John Frederick Dahlmeier,
Debtor.

SIGNATURE DECLARATION

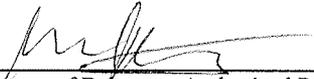
Case No. 04-34240

- PETITION, SCHEDULES & STATEMENTS
 CHAPTER 13 PLAN
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
 AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
 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: 9/15/04

X 

Signature of Debtor or Authorized Representative

John Frederick Dahlmeier

Printed Name of Debtor or Authorized Representative

X _____
Signature of Joint Debtor

Printed Name of Joint Debtor

Form ERS 1 (Rev. 10/03)

Affinity Plus Credit Union
175 W. Lafayette Road
Saint Paul MN 55107

Allina Urgent Care
710 E. 24th Street
Minneapolis MN 55404

AmeriCredit Financial
801 Cherry Street, Suite 3900
Fort Worth, Texas 76102

Associates Finance
PO Box 660237
Dallas TX 75266-0237

Balogh & Becker
4500 Olson Memorial Hwy
Suite 200
Minneapolis MN 55422-4804

C.B. Disputes
PO Box 108
Saint Louis MO 63116

Capital One
Attn: Customer Relations
PO Box 85015
Richmond VA 23285-5015

CBUSA / Sears
133200 Smith Road
Cleveland OH 44130

Computer City / ACB / CO
PO Box 8002
Johnson City TN 37615-0002

Eduserv
Unknown

Financial Recovery Service
PO Box 385908
Minneapolis MN 55438-5908

First Premier
601 S. Minnesota Avenue
Sioux Falls SD 57104

HHLB Bank / CompUSA
1405 Foulk Road
Wilmington DE 19808

Merrick Bank
c/o Denovus Corp
150 West Beau Street
Washington PA 15301-0793

Metropolitan Federal
215 N. 5th Street
Fargo
Fargo ND 58108

Mystic Lake Casino
2400 Mystic Lake Blvd.
Prior Lake MN 55372

Portfolio Receiving
Unknown

Providian
Attn: Customer Service
PO Box 660509
Dallas TX 75266-0509

Providian
PO Box 9007
Pleasanton CA 94566

Sherman Acquisition, Inc.
PO Box 10497
Greenville SC 29603

Sherman Acquisitions
9700 Richmond
#1600
Houston TX 77042

SLMA LSCK
Not known

SM Servicing
PO Box 9500
Wilkes Barre PA 18773

Surpas Resource Corp.
3120 Hayes Road, Suite 200
Houston TX 77082

TGI Friday's
2480 Fairview Avenue
Saint Paul MN 55113

US Bank
CB Disputes
PO Box 108
Saint Louis MO 63116

Jasmine Z. Keller
Chapter 13 Trustee
12 South Sixth St. #310
Minneapolis, MN 55402

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