

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:) **CHAPTER 13 PLAN**
 BRENDA M. JAMES)
 aka: BRENDA M. EKE)
 Soc. Sec. # 3618)
)
) Dated: SEPT 8, 2004
)
)
 Soc. Sec. #)
)
 Debtor.) Case No.: _____
 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 \$ 0 .
- b. After the date of this plan, the debtor will pay the trustee \$ 200 per month for 58 months, beginning within 30 days after the filing of this plan for a total of \$ 11,568 .
- c. The debtor will also pay the trustee \$ _____ .
- d. The debtor will pay the trustee a total of \$ 11,568 [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 \$ 1,006 [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 Sec. 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	\$ <u>494</u>	\$ <u>494</u>	<u>1</u>	<u>1</u>	\$ <u>494</u>
b. Internal Revenue Service	\$ _____	\$ _____	_____	_____	\$ _____
c. Minn. Dept of Revenue	\$ _____	\$ _____	_____	_____	\$ _____
d. _____	\$ _____	\$ _____	_____	_____	\$ _____
e. TOTAL					\$ <u>494</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. 0
- b. _____

5. HOME MORTGAGES IN DEFAULT [Sec. 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 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.	COUNTRYWIDE HOME LOAN	\$ 3,958	\$ 68.24	1	58	\$ 3,958
b.	TIMBERSHORE ASSN	\$ 5,748	\$ 99.10	1	58	\$ 5,748
c.		\$	\$			\$
d.	TOTAL					\$ 9,706

6. **OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [Sec. 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 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.	0	\$	\$			\$
b.		\$	\$			\$
c.		\$	\$			\$
d.	TOTAL					\$ 0

7. **OTHER SECURED CLAIMS [Sec. 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. Sec. 1327 AND CONFORMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDE 11 U.S.C. Sec. 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.	0	\$	\$	\$			\$
b.		\$	\$	\$			\$
c.		\$	\$	\$			\$
d.	TOTAL						\$ 0

8. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in Paragraph 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	\$	0

9. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim wre 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 \$ 362 [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d), and 8(b)].

a.	The debtor estimates that the <u>total</u> unsecured claims held by creditors listed in Paragraph 7 are	\$	
b.	The debtor estimates that the debtor's total unsecured claims (excluding those in Paras. 7 and 8) are	\$	
c.	Total estimated unsecured claims are [line 9(a) + line 9(b)].	\$	362

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 proofs of claim were tardily filed.

11. **OTHER PROVISIONS –**

12. **SUMMARY OF PROVISIONS –**

Trustee's Fee [Line 2]	\$ 1,006
Priority Claims [Line 3(e)]	\$ 494
Home Mortgage Defaults [Line 5(d)]	\$ 9,706
Long-Term Debt Defaults [Line 6(d)]	\$
Other Secured Claims [Line 7(d)]	\$
Separate Class [Line 8(b)]	\$
Unsecured Creditors [Line 9(c)]	\$ 362
TOTAL [must equal Line 1(d)]	\$ 11,568

Dated: SEPT. 8, 2004

\e\BRENDA M. JAMES
BRENDA M. JAMES,
Signature of Debtor

(Signature of Joint Debtor, if any)

Insert Name, Address, Telephone, and License Number of Debtor's Attorney:

\e\EDWARD P. RUSSELL
EDWARD P. RUSSELL
Signature of Attorney for Debtor(s)
EDWARD P RUSSELL
520 SNELLING AVENUE N; PO BOX 40523
ST PAUL MN 55104
(651) 647-5600

License Number: 191759