

9:30 am Case: **2370651 JOHN S. MITCHELL, III**

PN: 0

Atty: **ANDREW S GOLDSTEIN ESQ**

Projected %:

Noticed %: TBA/ LA \$10,984.00

Status:

Matter: CONFIRMATION & OBJ TO EXEMPT

4/9/2024 CLS- From Trustee's Report: A mortgage in favor of DMI/Royal Pacific is listed under Part 3.2 of the plan. The Trustee requests clarification on the payment of the claim and whether the claim should be addressed in Part 3.1 whereby the Debtor maintains current contractual payments and the Trustee cures arrears, if any.

- Based upon information and belief, there is pending state court litigation and the parties are working toward a resolution of the litigation. The Trustee submits an amended plan should be filed to notice the terms of any settlement agreement.

- The Compensation Statement of Attorney fee's filed in the petition shows Debtor paid counsel \$4,180.00. The Chapter 13 Plan suggests \$3,000.00 in attorney fees are owed but not to be paid by the Trustee. Counsel for the Debtor should clarify what fee's have been paid and if there is any funds left owed.

- The Schedules list an ownership interest in a 2015 Dodge Charger. Based on the Schedules, it appears there is a lien upon the property. The Trustee submits that any amended plan should clarify treatment of this claim.

- NEED PCA and Amended Schs per objection to exemptions.

2/28/2024 CLS- Chapter 13 Plan (first hearing).

- VEH NOT LISTED IN PLAN

- MORTGAGE NOT LISTED IN PLAN CORRECTLY.

- ATTY FEES DO NOT MATCH DISCLOSURE.

SPECIAL LANGUAGE:

1) Future Interest

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2370300 ALIZA A. STINSON

PN: 0

Atty: COX LAW GROUP PLLC

Projected %:

Noticed %:1%

Status:

Matter: POST CONFIRMATION

4/22/2024 HS: Can we do CO language to make this a 48 month plan or do I need to file a plan? REPLY CLS- I THINK SINCE NOT 60 MONTHS WE CAN ADD LANGUAGE TO THE CONFIRMATION ORDER.

4/9/2024 CLS- Plan payments can either increase to \$225.00 per month beginning May 2024 or extend the plan from 36 months to 48 months.

3/21/2024 CLS- From Trustee's Report: The balance to be paid to remaining claims and what was already paid to Flagship Credit Acceptance exceeds the proposed Plan's funding.

3/7/2024 CLS- Amended Plan (first hearing). Surrenders vehicle and lowers plan payment.
- UNDERFUNDED.

SPECIAL LANGUAGE:

1) Future Interest

2) All claims the estate and/or the debtor hold against Freedom Debt Relief, i.e., the entity identified in response to item seventeen in the Statement of Financial Affairs, its agents, partners, affiliates and/or employees, are preserved for the estate and may be prosecuted by the Chapter 13 Trustee, the United States Trustee, and/or the debtor.

3) FUNDING???

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2170360 RANDALL WARREN GRAY

PN: 0

Atty: EASTER P MOSES ATTORNEY

Projected %:20% / LA \$18,908.70

Noticed %:34% / LA \$21,849.37

Status:

Matter: TMTD

4/23/2024-LDB--NO WORD FROM DEBTOR OR ATTY. AS OF TODAY. AMENDED WDO ENTERED 1/16/2024; ONLY 2 PYMTS RCVD SINCE AMENDED WDO ENTERED 3/21=\$643.12 & 4/2=\$643.12. WE WILL NEED AT LEAST \$1,760.00 IN ORDER TO CURE AND KEEP OGM CURRENT. IF UNABLE TO CURE AT LEAST THAT AMOUNT BUT WISHES TO STAY IN BKR., AN AMENDED PLAN WILL NEED TO BE FILED

4/3/2024-LDB--ANY WORD FROM THE DEBTOR ON MY ONLY PARTIAL WDO PYMTS BEING RCVD? THE OGM IS IN DEFAULT, IS HE ABLE TO CURE? IF NOT, BUT WISHES TO REMAIN IN THIS BKR., HOW MUCH OF THE DEFAULT CAN HE CURE?

3/22/2024-LDB--4TH TMTD; CURRENT DEFAULT THROUGH FEB. 2024=\$1,107.86 (INCL. 3/21/2024 PYMT); ONLY PARTIAL WDO PYMTS BEING RCVD. WHAT'S THE REASON FOR PARTIAL PYMTS? IS HE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2070421 VIDA C. BUCKNER

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:95%

Noticed %:47%

Status:

Matter: POST CONFIRMATION

4/19/2024 CLS- From prior continuance order Debtor to be current by 5/1 (either by direct payments or proof WDO is working) or appear and show cause.

4/17/2024 CLS- From Trustee's Report: If a payment does not post in April, either directly from the Debtor or the employer, or the Debtor does not provide a pay advice demonstrating the wage deduction order became effective, then a conditional order should be entered authorizing dismissal after a twenty-one day response period.

4/1/2024 CLS- Amended Plan (first hearing). Restarts payments April 2024.

SPECIAL LANGUAGE:

1) Future Interest

2) The total to be paid into the plan is \$8,416.00.

3) If the Debtor fails to make a payment as proposed by the plan confirmed by this Order, the Trustee shall certify to the Court that the Debtor is in default in plan payments, shall send notice of his certification to the Debtor's and counsel for the Debtor, and if no objection or request for hearing is made within 21 days of the date of his certification, the Case shall be dismissed without further notice or hearing.----- I THINK WE ARE ADDING THE DDO LANGUAGE PER OUR OBJECTION.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2070421 VIDA C. BUCKNER

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:95%

Noticed %:47%

Status:

Matter: TMTD

4/9/2024 CLS- TMDT (second hearing). Should be resolved with Amended Plan.

4/1/2024 CLS- If order not entered agreed to continue to 5/6/2024 at 9:30 am to be heard with amended plan.

4/1/2024 CLS- Proposed Order Approved.

3/30/2024 MLG: I have filed amended plan, uploaded wdo. I also uploaded proposed continuance order with conditions of payment.
REPLY CLS- WILL NEED TO FOLLOW UP INTERNALLY REGARDING ORDER.

3/23/2024 MLG: Worked on ap and wdo.

REPLY CLS- OKAY WILL WAIT FOR A FOLLOW UP OR AMENDED PLAN/CONTINUANCE ORDER.

3/21/2024-LDB--STILL NO PYMTS; ANY WORD FROM THE DEBTOR?

3/8/2024-LDB--2ND TMTD; NO PYMT SINCE 10/2/2023; CURRENT DEFAULT THROUGH FEB. 2024=\$429.00 (\$596.00 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE? PER SCH. I DEBTOR IS EMPLOYED, IF STILL EMPLOYED, ANY RESOLUTION WILL NEED TO IMPLEMENT A WDO

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2370006 JAMES A. HALL**

PN: 0

Atty: **GILES AND LAMBERT PC**

Projected %:2%

Noticed %:0-1%

Status:

Matter: POST CONFIRMATION

4/19/2024 CLS- May be ready if no other objections filed. Counsel agree?

3/28/2024 CLS- Amended Plan (first hearing). Further extends suspension period from 1/2024 through 6/2024 (debtor still out of work from surgery but now needs to find new employment).

SPECIAL LANGUAGE:

1) Future Interest

2) In the event of employment by James A. Hall during the Chapter 13 Plan term, the Debtor shall amend Schedules I and J within sixty days of his return to permanent full-time employment, and confirmation is without prejudice to any party seeking further modification of the Plan payment based on the then disclosed monthly net income.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470006 KENNETH L. HINKLEY, JR.

PN: 0

Atty: GILES AND LAMBERT PC

Projected %: 18%

Noticed %: 100% + 2% INT

Status: Call On Docket

Matter: CONFIRMATION

4/19/2024 CLS- PCA and tax returns not provided by deadline. Debtor is now show caused.

4/9/2024 CLS- Debtor to provide copies of 2022 and 2023 federal and state tax returns by 4/15/2024 and file a PCA or appear and show cause.
- IRS POC will need to be amended before confirmation since 2022 estimated.

3/5/2024 CLS- Chapter 13 Plan (second hearing).
- 2022 and 2023 IRS Estimated taxes.

3/4/2024 CLS- CONT TO 5/6/2024 WITH DEADLINE OF 4/15 TO PROVIDE RETURNS TO TRUSTEE. WITH BELOW LANGUAGE.

3/3/24 EM to MLG: 1) Let's agree to deadline for outstanding federal and state taxes to be provided. I don't want to say some date in March if the debtor needs more time to pay to have the taxes done. So let me know what date.
2) As for the homeowner's insurance, we really need this to protect the estate's interest in the property, which is the basis of the liquidation value. I'm going to raise concern with PMB to put this on his radar. However, I'll also tell him that after the bar date passes, if the claims could still be paid just by sale of the real estate, we may not have an issue here. I don't know what else to do. CTM

3/1/2024 MLG: So, I am not aware of real estate tax issue.
I though tax issue is unfiled 2022 federal and state taxes.
We are paying real estate taxes via plan for taxes through 2024, I thought.
Shouldn't trustee demand be:

- Proof he has obtained homeowners insurance
- proof all tax returns through 2022 (federal and state) filed
- pca filed
- Trustee may want to see 2023 taxes

- REPLY CLS- YES THAT IS WHAT TRUSTEE WOULD WANT AS CONDITIONS IN CONTINUANCE ORDER.

3/1/2024 MLG: So, since debtor not responding, I do not have any "authority" to agree to anything. But, I think trustee might consider asking the court to set a deadline for taxes to be filed and have a show cause deadline. We will be filing a motion for distribution in the next few days.
REPLY CLS- We would be agreeable to continuing with deadlines for taxes to be filed. I am leaving as call on the docket, but the Trustee would ask to continue to 4/2 with a deadline of March 22, 2024 to provide proof of real estate taxes and proof of homeowners insurance.

2/22/2024 MLG: So, debtor is not responding to us. If this continues, then any continuance needs a deadline to provide copies of filed returns and proof of filing and show/cause language otherwise.
REPLY CLS- OKAY WILL WAIT FOR A FOLLOW UP OR ORDER CONTINUING.

2/20/2024 CLS- Need 2022 state and federal tax returns and PCA.

1/19/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

2) Motion for Distribution Granted if case not dismissed...

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470006 KENNETH L. HINKLEY, JR.

PN: 0

Atty: GILES AND LAMBERT PC

Projected %: 18%

Noticed %: 100% + 2% INT

Status:

Matter: DISTRIBUTION

4/9/2024 CLS- Distribution (second hearing). Should be resolved if plan confirmed.

4/2/2024 CLS- CONT TO 5/6/2024 AT 9:30 BY DOCKET ENTRY.

3/23/2024 MLG: We will ask to continue to 5/6/24 as precaution via docket entry.

REPLY CLS- WILL CALL AS AGREED TO CONTINUE TO 5/6/2024.

3/4/2024 CLS- Distribution (first hearing). Counsel is seeking fees to be paid if case is dismissed prior to confirmation.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470019 MAJOR P. FORREST, III

PN: 0

Atty: GILES AND LAMBERT PC

Projected %: 15%

Noticed %: 6%

Status:

Matter: CONFIRMATION

4/17/24 EM from MLG on 4/2 with expenses: a) Line 5: \$250 for Blue World Pools
b) Girlfriend's debt payments from her income: \$944

Those debt payments are:

Greensky: \$400 monthly

Lending Club: \$269.00 monthly

Panther Lending: \$450 monthly

This is actually a little higher than we originally indicated.

REPLY: It appears the non-filing partner's income is \$1,335 and the monthly debt payments are \$1,369. This means the non-filing partner is not contributing to household monetary expenses and the debtor is in fact subsidizing her ability to repay her creditors in full while his get a 15% dividend. I'm not saying there isn't, but what argument justifies this as fair?

Assuming this is not fair, I realize my position means the non-filing partner may need to file her own case, and when she does, it likely means her creditors get less, her monthly income goes to fund the household expenses and it increases this debtor's monthly net income. That seems more fair to me.

I'm not saying I'm ready for evidentiary hearing at this point, I'm trying to wrap my brain around why I should recommend confirmation here. CTM

4/9/2024 CLS- Amended Plan/Pre-Confirmation (second hearing). CTM to review breakdown sent by MLG.

4/2/2024 CLS- CONT TO 5/6/2024 AT 9:30 WITH 5 (MLG IS JUST WAITING ON VERIFICATION OF THE BREAKDOWN BEFORE SHE SENDS IT TO TRUSTEE)

3/30/2024 MLG: I am still working on this. I have all my notes and what we have down for individual breakdown, but my numbers are actually a little more than we put down so I'm trying to figure out the adjustment. I've emailed him to try and get clarification.

REPLY CLS- UNDERSTAND, WILL WAIT FOR ANOTHER FOLLOW UP.

3/23/2024 MLG: I will pull the breakdown and send to you of her debt payments. Family of 6. REPLY CLS- WILL WAIT FOR THE BREAKDOWN.

3/21/2024 CLS- From Trustee's Report: Disposable Income: Schedule J's budget is inconsistent with the Debtor's testimony at the 341 meeting and therefore it is unclear whether the Debtor contributes all of his disposable income to unsecured creditors. For example, at the 341 meeting the Debtor testified the non-filing girlfriend's \$944.00 per month debt payment includes the payment to Blue World Pools. However, the monthly payment to Blue World Pools appears to be duplicated on Line 5 as the primary mortgage is accounted on Line 4 and there is no other debt secured by the home which could account for the amount listed on Line 5. In the totality of the budget which includes a \$200.00 per month entertainment line item, \$100.00 per month miscellaneous line item, and a line item for his non-filing girlfriend's undetermined debt payment of \$944.00 per month, the Debtor may not be contributing all of his projected disposable income.

2/28/2024 CLS- Amended Plan/Pre-Confirmation (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470061 JARRED W. GOAD

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:

Noticed %:40-50%/ LA
\$12,620.00

Status:

Matter: CONFIRMATION

4/9/2024 CLS- Chapter 13 Plan (second hearing). Waiting on (1) Documentation or some other conclusive proof the Debtor's mother paid the mortgage securing 186 South Main, Hillsville, Virginia.
2) The deed transferring 186 South Main, Hillsville, Virginia out of the debtor's ownership.)
- NEED PCA and contact information for Debtors mother.

3/25/2024 CLS- Order entered continuing hearing to 5/6/2024 at 9:30 with 5. Off Docket.

3/22/2024 HP EMAIL; I'm working with the debtor to compile documents/information for you to try to resolve the objection to confirmation based on funding and the real estate transfer. Giving the timing element here, can we continue to 5/6 and mark paragraph 8? Any other provisions you want added if you agree to the continuance? REPLY CLS- WILL AGREE TO CONTINUE WITH 5, UNLESS CTM NEEDS DOCUMENTS.

3/15/2024 CLS- From Trustee's Report: The Debtor's Statement of Financial Affairs item 18 discusses a transfer to the Debtor's mother. The transfer centers on the Debtor's Separation Agreement. The Debtor provided the Trustee with a copy of the Separation Agreement and it is not consistent with the response to item 18. The Separation Agreement, dated April 12, 2012, suggests the real estate commonly known as 186 South Main Street, Hillsville, Virginia was owned by the Debtor and his ex-spouse. The Separation Agreement provided the Debtor's mother would enjoy exclusive use of the home and upon payment of the loan, the ex-spouse would transfer the property. The Separation Agreement does not clarify to whom the property would be transferred. Arguably, the property would have been transferred to the Debtor.

Based upon the Debtor's testimony at the 341 meeting, his mother paid the balance on the mortgage and he then transferred the property to her. Upon information and belief, the Debtor's mother paid approximately \$40,000.00 to pay the balance of the mortgage during 2023. Online sources suggest the property is currently valued at approximately \$146,000.00.

The Plan currently estimates the liquidation value of the estate as only \$12,620.00. Arguably, the liquidation value is worth more if the Debtor's mother acquired a \$146,000.00 home for only \$40,000.00.

- NEED PCA and 1) Documentation or some other conclusive proof the Debtor's mother paid the mortgage securing 186 South Main, Hillsville, Virginia.
2) The deed transferring 186 South Main, Hillsville, Virginia out of the debtor's ownership.

2/12/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470073 NICHOLE W. DAVIS**

PN: 0

Atty: **GILES AND LAMBERT PC**

Projected %:

Noticed %:24%/ LA \$110,020.67

Status:

Matter: **CONFIRMATION**

4/10/2024 CLS- Chapter 13 Plan (second hearing). Waiting on information regarding BHG claims. Deadline to provide information is 4/30/2024 or Debtor to appear and show cause (other conditions regarding April PMT and PCA done).

3/26/2024 CLS- Order entered continuing to 5/6/2024 with conditions. Off Docket.

3/25/2024 CLS- Proposed Order Approved.

3/23/2024 MLG: HRP has uploaded continuance order to carry over to May 2024.
REPLY CLS- WILL GET THE ORDER BACK THIS AFTERNOON HOPEFULLY.

3/19/24 EM from Heather requesting additional time to get information about BHG. REPLY: I do not have any objection to continuing to May 6th but on the following conditions:

- 1) Select paragraph 2
- 2) In paragraph 8:
 - a. The Debtor made her march 2024 payment and shall pay the April 2024 Plan payment so that is posts to the Trustee's account on or before 4/30/24.
 - b. (If you don't have it filed before you submit a continuance order) The pre-confirmation affidavit shall be filed on or before 4/30/24.
 - c. The Debtor shall provide a narrative to the Trustee on or before 4/30/24 about the basis for proofs of claim 7 and 8 filed by Bankers Healthcare Group, LLC which shall include an explanation as to:
 - i. Why she signed the promissory notes as owner of a business and if there was a business the nature of the business
 - ii. Why she signed a lien for assets of a business and if there were business assets she will provide a detailed list of the business assets, dates of disposition or whether she still retains the business assets and the current value of the asset or value of the asset at the time of disposition
 - iii. An accounting for how the proceeds from each loan were used
 - iv. Which financial institution and bank account number the proceeds were deposited
 - v. In this process if assets are discovered that were not included on the original schedules filed 2/1/24 then the schedules will be amended on or before 4/30/24 to include the newly discovered assets
 - vi. If the debtor fails to comply with any of the conditions in paragraph 8 then the Debtor will appear and show cause on May 6, 2024, as to why her case should not be dismissed.

4/30/24 is the latest deadline I'd like to go. If you think it is not reasonable then please call me so we can talk it through. While I don't oppose a continuance I think we need something in the order to keep this case on track and so that everyone including PMB knows where we're taking this case in May. I'm certainly open to changes to the proposed language for paragraph 8 but I think we need something in the continuance order for conditions. Let me know what you think. CTM

3/15/24 T/C with Heather. 1) As for the bonuses, the debtor will agree to provide NET bonuses by 4/15 and we need to make sure the provision is clear

that if the debtor is not eligible or won't receive a bonus she will instead provide written communication she is not eligible or will not receive a bonus. 2) See email sent today about requested information for Bankers Healthcare Group.

3/15/2024 CLS- From Trustee's Report: Disposable Income: The Debtor testified at the 341 hearing that she receives yearly bonuses by March 15. The Trustee requests adding language to the Confirmation Order that 60% of the Debtors net bonus will be contributed each year by April 15th.
- Lack of good faith: The Debtor's schedules list a debt owed to Banker's Health Group for consolidation loans with a scheduled balance of \$131,577.34. On February 20, 2024 Banker's Health Group filed a two proofs of claim totaling \$122,681.28. The amounts borrowed from BHG were \$68,936.28 in January 2021 and \$57,745.00 in April 2022. Both claims purport to be commercial loans the purposes of the loans were for commercial use. The Debtor signed the loans as an owner of Nichole Davis, R.N. The Debtor pledged a general security interest in what is commonly described as an all-assets lien in the commercial context. At the 341 meeting the Debtor testified she does not have a business but rather the loans were for living expenses and home renovations. The Debtor's schedules do not disclose any business interest or business property owned. The Debtor's Statement of Financial Affairs state the Debtor operates business by selling eggs and Scentsy. Given the income generated in these two operations, there is no justification for over \$126,000.00 in loans.

The difference between the proofs of claim and the Debtor's 341 meeting testimony cannot be reconciled. The Debtor should produce loan applications which demonstrate the purpose of the loans. The Debtor should also provide an account for how the over \$126,000.00 in loan proceeds were used.
- NEED PCA

2/12/2024 CLS- Chapter 13 Plan (first hearing).
- Need a deadline for annual bonuses.

SPECIAL LANGUAGE:

1) Future Interest.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470078 JODI L. PRICE

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:94%

Noticed %:100%

Status: Agreed

Matter: CONFIRMATION

4/19/2024 CLS- Chapter 13 Plan (second hearing). Plan is still slightly underfunded but we can add language to the confirmation order for Debtor to pay until all allowed unsecured claims are paid in full with interest. Looks ready to confirm early.

4/2/2024 CLS- Order entered. Off Docket.

4/1/2024 CLS- If order not entered, agreed to continue to 5/6/2024 at 9:30 am with 5.

4/1/2024 CLS- Proposed Order Approved.

3/29/2024 MLG: I THINK INTEREST OF 2%. REPLY CLS- AT THIS TIME WE ARE PROJECTING 92%. CAN WE AGREE TO CONTINUE TO 5/6/2024 AT 9:30 WITH 5 (TO CONFIRM EARLY AFTER THE BAR DATE OF 4/12/2024)?

3/23/2024 MLG: Ready? You are authorized to add my endorsement to the language on the aim docket.

REPLY CLS- WHAT INTEREST RATE SHOULD GO TO UNSECURED CREDITORS? ONCE I KNOW THAT I CAN RUN FUNDING.

3/15/2024 CLS- From Trustee's Report: Because the value of the non-exempt property exceeds the pool of unsecured creditors, the unsecured creditors should be provided with interest.

- NEED PCA and proof of Feb and March 2024 mortgage payments made direct.

2/20/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

2) Confirmation of Plan herein is subject to the modifications set forth in the Notice filed March 5, 2024, at Docket No. 15. The Court having found that no objections to such Notice were filed in the time set forth in the same, and notice having been afforded to all creditors and parties in interest, the Plan is confirmed with such modifications controlling any discrepancy in the Plan to the contrary.

3) The Debtor shall pay \$445.00 per month beginning March 2024 until all allowed unsecured claims are paid in full with 2% interest.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470096 JOSEPH L. GRAVES

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:

Noticed %:15%/ LA \$5,286.90

Status:

Matter: CONFIRMATION

4/16/24 EM from and to Heather. The difference is because the Ch 7 trustee fee deducted is the fee amount on selling both the home and the car. Because the home will not have any non-exempt equity, a Ch 7 trustee will not sell it and it should not be deducted. If the debtor still wants to assert that it should be deducted, I need to bring this issue to PMB. Based on my projections, unsecured creditors get only \$6600 (estimated priority and general) which is about \$1300 short of my calc of non-exempt equity in the car. CTM

4/15/24 EM from Heather re liquidation value. There's an over \$10,000 deduction from the liquidation value that I don't understand what that. EM to Heather asking for explanation and sent figures showing how the car at least has \$7900. Plus theres the potential recoverable from Net Credit on SOFA. CTM

4/12/2024 CLS- From Trustee's Report: Based upon the Trustee's calculation, there may be as much as \$8,300.00 of non-exempt equity in the Jeep. The Plan asserts non-exempt equity of only \$5,286.90. It appears as though the Plan does not provide creditors with the equity they would receive if the case were liquidated under Chapter 7.

- Any confirmation order should preserve the Trustee's ability to avoid and recover any potential preferential payments.

- NEED PCA and: 1) An explanation as to how the non-exempt value was calculated as only \$5,286.90.

2) The loan documentation for the loan referenced on the Statement of Financial Affairs item 6 and documentation of the \$3,723.00 payment made on December 28, 2023. The documentation should include the total of all the payments, the date of the payment, and the method of the payment.

4/5/2024 CLS- Special Notice filed with response deadline of 4/25/2024.

2/27/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

2) Confirmation of Plan herein is subject to the modifications set forth in the Notice filed April 4, 2024, at Docket No. 18. The Court having found that no objections to such Notice were filed in the time set forth in the same, and notice having been afforded to all creditors and parties in interest, the Plan is confirmed with such modifications controlling any discrepancy in the Plan to the contrary.

3) The total to be paid into the plan is \$15,770.00.

4) All claims, if any, held by the Estates pursuant to 11 U.S.C. ?? 506(d), 544, 547, 548 and/or 549, are expressly preserved for the benefit of the Estates post-confirmation, and such claims may be, but are not necessarily required to be, pursued by the Trustee.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470134 JENNIFER E. MCCORMICK

PN: 0

Atty: GILES AND LAMBERT PC

Projected %: 100%

Noticed %: 100%/ LA \$46,209.18

Status:**Matter: CONFIRMATION & OBJ TO EXEMPT**

4/17/2024 CLS- From Trustee's Report: Liquidation: 1) The Plan states the liquidation value is only \$46,209.18, however, the Trustee calculates the liquidation value is at least \$124,000.00. Debtor's counsel should provide the calculation as to the assertion the liquidation value is only \$46,209.18.

2) Because the liquidation value exceeds the pool of unsecured creditors, interest should be paid to allowed unsecured creditors.

- Attorney's fees: The Disclosure of Compensation of Attorney's Fees suggest Debtor's counsel should receive \$2,425.00 to be paid through the Plan, however, the Plan states \$2,325.00 is to be paid. Absent some reconciliation to be included in any confirmation order, only \$2,325.00 will be paid.

- The debtor is not 65 years or older and there are no dependents; thus she should be entitled to claim \$30,000.00 as exempt under Va. Code. Ann. sec. 34-4. However, the exemptions claimed exceed this amount by \$1.00.

- NEED PCA

4/5/2024 CLS- Special Notice filed with response deadline of 4/25/2024.

3/12/2024 CLS- Chapter 13 Plan (first hearing).

- Need clarification of atty fees.

SPECIAL LANGUAGE:

1) Future Interest

2) Confirmation of Plan herein is subject to the modifications set forth in the Notice filed April 4, 2024, at Docket No. 18. The Court having found that no objections to such Notice were filed in the time set forth in the same, and notice having been afforded to all creditors and parties in interest, the Plan is confirmed with such modifications controlling any discrepancy in the Plan to the contrary.

Trustee Final Recommendation:**Attorney Notes:**

9:30 am Case: 2370858 RICKY L. SIMPKINS

PN: 9999

Atty: GILES AND LAMBERT PC

Projected %:25%

Noticed %:8%

Status: Off Docket

Matter: CONFIRMATION

4/23/2024 CLS- Confirmation Order entered. Off Docket.

4/19/2024 CLS- WDO has now posted. I think we can confirm early.

4/12/2024 HP: Mr. Simpkins' paystub indicates the wage deduction has been (re-) implemented. Are we good to confirm now?

REPLY CLS- I am a little hesitant to go ahead and confirm without a payment posting from the WDO.

I reviewed the paystub and see the Garnishment of \$830.77 but the year to date shows \$2,550.83. The Trustee has only received one WDO for \$738.46 and assuming that year to date amount includes the \$830.77 from the 4/12/2024 check we are still missing \$981.60.

I would like to hold off until we post the WDO.

4/9/2024 CLS- Amended Plan/Pre-Confirmation (second hearing). Waiting on WDO to restart, if it does can maybe confirm early.

4/1/2024 CLS- If order not entered agree to continue to 5/6/2024 at 9:30 am with 5.

4/1/2024 CLS- Proposed Order Approved.

3/30/2024 MLG: So, I think only issue is the payment? WDO working, then stopped. HP has contacted employer and I think that issue is fixed. He has been making payments in mean time. Do you want to confirm or get wdo workign again? Per HP, debtor very responsive.

REPLY CLS- I WOULD RATHER WAIT TO SEE WDO WORKING AGAIN. CAN WE CONTINUE TO 5/6/2024 AT 9:30 WITH 5?

3/28/2024 CLS- IRS claim has been amended. Looks like only issue now is the March plan payment. We have only received one employer check February 2024.

3/23/2024 MLG: Looks like we need to get IRS claim amended and then perhaps ready? We are following up on that. We may have to continue again if IRS claim not amended. REPLY CLS- OKAY WILL WAIT FOR A FOLLOW UP.

3/21/2024 CLS- From Trustee's Report: Funding: The Plan as proposed yields a pool of only \$21.00 to unsecured creditors. This appears to be caused by the IRS' claim because it still includes an estimated amount for 2021 tax year. Additionally the Plan assumes the 2023 tax liability will be paid through case administration, however, the IRS' claim doesn't include any estimation for 2023 liability so as soon as the claim is amended to include, the Plan will not be funded.

3/6/24 EM to Heather after reviewing the draft amended I and J. Heather—

I looked at the schedules and amended plan only from the perspective of disposable income. I don't think we'll have too many other problems with the amended plan but just throwing that caveat out there.

As for Amended I and J, I think that is the best we can do right now. To resolve a couple of problems, I'm going to request the debtor provide tax returns throughout the life of the case to 1) make sure he's filing and paying liability and 2) to monitor the income. I ran income off his 2024 pay stubs so far and he's on track to make a lot more than even appears on Schedule I. When we review tax returns for changes in income, it's a 25% increase in income that triggers the case admins to bring it to Rachel or I to review for a potential motion to modify. If his 2024 is projecting so much more because he's in the middle of his increased overtime period then this shouldn't be an issue. But if his 2024 income is significantly more than 2023, then we'll cross that bridge when we get to it.

Next, just watch for 2022 amended IRS claim. They did not amend 2022 to actual owed. We'll cross this bridge when we get to the next confirmation hearing.

Also, there's a provision we include in the Danville confirmation orders that I have not migrated over to Roanoke and Abingdon but I am starting. The provision will reinforce the debtor is aware that any claims arising from late filed tax returns may not be dischargeable. We discovered a while ago in Abingdon and Danville that debtors and their counsel were surprised when the IRS sent a tax bill for taxes they thought had been paid in the bankruptcy but the bills were really for interest that accrued and was not discharged. Because attorneys were surprised, we started adding this provision to help ensure debtors are aware and not surprised. Because Mr. Simpkins has several years of late filed returns, this provision will need to be in the confirmation order. CTM

3/5/2024 CLS- Amended Plan/Pre-Confirmation (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

2) 521(f) Duty

3) Paying Claim 2 with 6% interest?

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470059 BRANDON L. SPENCER & RACHEL S. SPENCER** **PN: 9999**

Atty: **GILES AND LAMBERT PC** Projected %: 100% Noticed %: 100%

Status: **Off Docket** Matter: **CONFIRMATION**

4/19/2024 CLS- Confirmation Order entered. Off Docket.

4/9/2024 CLS- Chapter 13 Plan (second hearing). Looks ready to confirm early.

3/25/2024 CLS- Order entered continuing to 5/6/2024 at 9:30 with 5. Off Docket.

3/19/2024 CLS- Proposed Order Approved.

3/19/2024 CLS- A Special Notice was filed including language in Part 8. (Objection deadline 4/8/2024).

3/15/2024 CLS- From Trustee's Report: Part 1.3 of the Chapter 13 Plan indicates there are no provisions in Part 8, however, there are provisions in Part 8 necessary to implement Plan administration. The Plan should either be amended or a correcting notice issued to the estate.

2/8/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

2) Confirmation of Plan herein is subject to the modifications set forth in the Notice filed March 18, 2024, at Docket No. 22. The Court having found that no objections to such Notice were filed in the time set forth in the same, and notice having been afforded to all creditors and parties in interest, the Plan is confirmed with such modifications controlling any discrepancy in the Plan to the contrary.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470065 DAWSON K. HAWLEY

Atty: GILES AND LAMBERT PC

Projected %: 100% + 2% INT

Noticed %: 100% + 2% INT

PN: 9999

Status: Off Docket

Matter: CONFIRMATION

4/23/2024 CLS- Confirmation Order entered. Off Docket.

4/19/2024 CLS- Chapter 13 Plan (second hearing). Looks ready to confirm early.

3/25/2024 CLS- Order entered continuing to 5/6/2024 at 9:30 with 5. Off Docket.

3/25/2024 CLS- Proposed Order Approved.

3/23/2024 MLG uploaded continuance order with para. 8. I uploaded 23 return to show no liability. I think issue solved with new job, but if trustee insists on future tax returns, we will of course agree.

REPLY CLS- WILL GET YOU ORDER BACK THIS AFTERNOON HOPEFULLY.

3/18/24 EM from MLG: I am emailing in response to trustee's report. I believe va tax withholding issue solved, but I'm checking on 2023 liability to verify. If 2023 returns show minimal or no liability, can we waive requirement for yearly returns. He has been in this job a year and I think liability was due to prior employment.

In the meantime, I think underfunding will be resolved if we go past the bar date.

What if we continue to 5/6/26, checking paragraph 8. Then, if I am still underfunded we can review funding and how to address. And, if you insist on tax returns, we will agree, but perhaps we can show the issue has been resolved.

REPLY: One of my law school clinical instructors always said the best predictor of future behavior is past behavior. For a period of two years Mr. Hawley incurred taxes and after the first year, he didn't correct withholdings with his employer. He will be in this case for an estimated five years. Even assuming 2023 is little to no liability, a lot of things can change over the course of five years and the track record suggests making sure tax liability is paid will be a low priority. While I appreciate Mr. Hawley may have corrected the 2023 tax issue, the provision to provide tax returns throughout the life of the case is not intended as a punishment but a service to ensure that when he finishes this case he will have as fresh a start as possible. So right now I'm not inclined to change my request, however, we'll review again as we get closer to confirmation.

I have no objection to continuing confirmation to May to get beyond the bar date to get funding as accurate as possible. CTM

3/15/2024 CLS- From Trustee's Report: Tax Returns: Based on the Debtor's testimony his tax returns have been timely filed, however, at least two years generated significantly liability which went unpaid. To ensure tax returns continue to be timely filed and any liability timely paid, the Debtor should provide proof both federal and state tax returns have been timely filed and any taxes owed timely paid.

- Funding: Virginia Department of Taxation filed a claim in an amount greater than anticipated resulting in the Plan being underfunded.

2/14/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Future Interest

Trustee Final Recommendation:

Attorney Notes:

| | | | | | |
|----------|----------------------------|------------------|-----------------|------------------|-------|
| 11:00 am | Case: 1871129 | MELANIE A. MYERS | Projected %:39% | Noticed %:10-14% | PN: 0 |
| | Atty: GILES AND LAMBERT PC | | | | |
| | Status: | Matter: COMPEL | | | |

3/19/2024 CLS- Compel (first hearing). Counsel filed Motion to Compel as a wage deduction order was entered 2/2/2024 and Walmart has not begun withholding from Debtors paycheck after more than six weeks. Walmart should start withholding and the Court should hold defendant in contempt for its willful and ongoing failure to abide by this Court's order, and order the defendant to pay the debtor's legal fees incurred as a result of its failure to comply.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 1871378 KENNETH E. FRALIN

Atty: GILES AND LAMBERT PC

Projected %: 11%

Noticed %: 4-7%

PN: 0

Status:

Matter: TMTD (OGM)

4/23/2024-LDB--STILL NO PYMT SINCE 12/29/2023; ANY WORD FROM THE DEBTOR?

4/10/2024 CLS- TMDT (second hearing). Any updates?

4/2/2024 CLS- CONT TO 5/6/2024 AT 11:00 AM BY DOCKET ENTRY.

3/30/2024 MLG: Call on docket. I'll probably ask court for extra month, but really I am not sure what I can do.
REPLY CLS- MARKING AS CALL ON THE DOCKET.

3/23/2024 MLG: No update at this time.
REPLY CLS- OKAY. IF NO OTHER FOLLOW UP BY FRIDAY (3/29) MORNING WILL MARK AS CALL ON THE DOCKET.

3/21/2024-LDB--ANY UPDATE ON THIS ONE?

3/2/2024-LDB--EMAIL FROM ATTY.: So I am holding off on filing response yet. He is not working and is in really bad health. He had a bad wreck with a tractor trailer and was charged criminally. At this time, his only income is SS.
MLG suggesting he contact mortgage company and ask for loan mod based on change of circumstance.
Without that type of relief, I'm not sure how to fix plan for him. He has done so and is completing that paperwork now.
I'll keep you updated.
I just do not want to file response until we have a better idea of options.

2/23/2024-LDB (OGM); 3RD TMTD; NO PYMT SINCE 12/29/2023; CURRENT DEFAULT THROUGH JAN. 2024=\$2,454.82 (\$5,454.82 DUE BY HEARING); WDO PYMT THROUGH 12/29, DID HE CHANGE JOBS? IS HE ABLE TO STAY IN THIS BKR.? CURE? ANY RESOLUTION WILL NEED TO IMPLEMENT DDO LANG. SINCE THIS IS THE 3RD TMTD.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 1970024 SHERRY M. BURGESS

Atty: GILES AND LAMBERT PC

Projected %:47%

Noticed %:37%

PN: 0

Status: Matter: TMTD/RESPONSE

4/23/2024-LDB--ORDER TO CTM FOR APPROV.

4/10/2024 CLS- TMDT (second hearing). Debtor to pay \$3,710.00 by 4/17 or Trustee to Certify. (\$1,200.00 posted 3/14/2024 so that condition met).

3/10/24 EM from MLG about closing numbers. Proposal is \$1200 in March then \$3710 in April with the understanding the debtor needs to make the May mortgage payment herself directly. Waiting for MLG to confirm this is what we'll do. If so any order on this MUST increase the base to make this case work. CTM

3/4/2024 CLS- DEBTORS ARE GETTING A LITTLE OVER \$4000.00 BACK BUT JUST FILED THEIR 2023 TAX RETURN AND HAVE TO WAIT ANOTHER 21 DAYS TO GET A REFUND.

- CONT TO 5/6 REGULAR PLAN PAYMENT BY 3/19 AND FUNDS TO PAY CASE IN FULL BY 4/17 OR CASE WILL BE DISMISSED BY TRUSTEE CERTIFICATION.

3/3/24 EM TO MLG: BECAUSE THE CASE WENT LONGER THAN SCHEDULED, THE BASE PAYOFF WON'T COMPLETE THE CASE BECAUSE THERE ARE MORE MORTGAGE PAYMENTS DUE. IF THE CASE IS GOING TO COMPLETE IN MARCH I THINK \$4908 NEEDS TO POST BY 3/19/24. CTM

2/22/2024-LDB--EMAIL FROM ATTY: The funds the debtor intended to use were delayed which triggers the show cause. She still wants to finish out the case, so she intends to appear in person and testify on 3/4/24 in support of her request for time to do that.

2/22/2024-LDB--EMAIL TO ATTY.: Looks like per previous emails, she was to pay \$1,000.00 by 2/19. That payment hasn't posted yet. What's the status of that payment?

1/30/2024 HP EMAIL: Ok. Ms. Burgess has authorized me to agree to these terms. I'll get a response and fee app docketed.

1/29/2024 HP EMAIL: She thinks she can use tax refund to come up with lump sum. We are thinking \$1,000.00 to post by 2/19/24 with balance due by 3/15/24. But does the total balance of \$4,865.00 cover the lump sum total from what you're seeing? REPLY CLS- I think we can resolve this with an agreed Order and not an Amended Plan since this case is at the very end; so I used a \$350.00 attorney fee in my calculations. I am coming up with a total of \$4,191.70 to complete the plan making the plan base \$69,602.51. The Trustee will pay through the March 2024 ongoing mortgage and the Debtor will make April 2024 directly since you anticipate the remainder being paid by 3/15. Since the hearing is in March if the Debtor pays the \$1,000.00 by 2/19/2024 once that clears we can do a continuance order with the balance due of \$3,191.70 due by 3/15/2024 or Debtor to appear and show cause on 4/2/2024.

Please let me know if that works for the Debtor.

1/25/2024-LDB PER RESPONSE FILED: 1. Counsel is working to review payment statement and options with the Debtor.

1/24/2024-LDB--(OGM); 2ND TMTD; NO PYMT SINCE 10/27/2023; CURRENT DEFAULT THROUGH DEC. 2023=\$2,192.97 (\$4,592.97 DUE BY HEARING); WDO PYMT RCVD THROUGH 10/27/2023, DID SHE CHANGE JOBS? CAN SHE STAY IN THIS BKR.? CURE? PLAN ENDED 1/20/2024

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 1970489 CRYSTAL D. CARROLL

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:3%

Noticed %:2-5%

Status:

Matter: TRUST. CERT. FOR DISMISSAL/RESPONSE/APP. FOR COMP.

4/23/2024-LDB--WDO HAS STARTED, 1ST PYMT POSTED 4/10/2024 FOR \$758.30; WILL SEND OVER OR

4/22/2024 CLS- Debtor to pay \$1,643.00 by wage deduction or by proof funds have been deducted by 4/28/2024 or appear and show cause.

4/9/2024 CLS- Trustee's Certification (third hearing). A Notice of Mortgage Payment Change was just filed increasing the ongoing mortgage by \$152.16 per month.

3/26/2024 CLS- Order entered continuing to 5/6/2024 with conditions. Off Docket.

3/25/2024 CLS- Proposed Order Approved.

3/23/2024 MLG Debtor agrees to resume in April 2024 at \$1643.00. WDO submitted.

MLG: I have submitted order to Bky Docs with terms LB required. REPLY CLS- OKAY WILL LOOK FOR AN ORDER.

3/18/2024-LDB--REPLY TO ATTY.: If she is able to pay the \$1,643.00/mo starting 4/2024 it will take 27 months to complete. I think we will need to put the \$ amount in that she will need to pay until the WDO kicks in. Continue to 5/6/2024 with conditions:

1. \$1643.00 to post directly or by working WDO (\$758.31/bi-weekly or \$379/weekly); or
2. Debtor to show cause on 5/6/2024

3/14/2024-LDB--EMAIL FROM ATTY.: The debtor has advised me she cannot make a March payment but will resume in April at \$1643.00. She is willing to go on wage deduction. I have submitted that order this evening, but I don't know honestly if she is making enough for that to do the full payment.

I have already submitted the continuance for 4/2/24, but we cannot resolve by then as I know you will need to show receipt of funds.

So, what if we agree at this point:

- 1) We do continuance to 5/6/14 at 11:00a.m.
- 2) We add condition that starting with first paycheck 4/1/ or after, she has to pay the weekly/bi-weekly, etc. sum via epay within 2 days of paycheck until the deduction starts

3/10/24 MLG sent proposal to resolve but I get a much higher number. If the Plan payment is \$1425 in March I think it needs to go up to \$1643 beginning in April to cure the arrears. MLG also thinking about modifying the Plan, but suggest we also consider resolving on this certification. CTM

3/4/2024 CLS- CONT TO 4/2/2024 CONDITION DEBTOR TO CONTACT COUNSEL BY 3/27 TO PROVIDE AUTHORITY TO SETTLE OR APPEAR AND SHOW CAUSE.

3/4/24 Per MLG. Debtor contacted her by text late last night. Cont to 4/2 with condition debtor contacts her by 3/27/24 to provide authority to settle. Per text, potential resolution MLG just needs time to firm up details. CTM

3/3/24 PER EM FROM MLG: MLG: Originally said could pay from tax refund and was interviewing for a job. Had communication through 2/16/24 and no response since then.
MLG: Call on docket. CTM

2/26/2024-LDB--ANY UPDATE ON TAX REFUND? STILL NO PYMT SINCE 12/5/2023.

1/31/2024-LDB--EMAIL FROM ATTY.: Thanks. She is trying to determine timing of her tax refund and amount.
I will let you know as I know more

1/30/2024-LDB--REPLY TO ATTY.: I'm showing we will need \$2,517.00 to post by 2/19/2024 to get and keep the OGM current. Once we receive that, her payments will need to be \$1,511.00/mo starting 3/2024. If she is unable to cure the OGM, an amended plan will need to be filed.

1/30/2024-LDB--EMAIL FROM ATTY.: Ms. Carroll lost her job in August of last year and since then has been receiving only a combination of unemployment and what sounds like fairly nominal income from Instacart, etc. She's aggressively looking for a job and wants to stay in the case.

Given the conduit mortgage, is there any way to resolve via agreement if she were to restart payments in February, or should I file an amended plan?

1/24/2024-LDB--2-TMTDs; 1ST-CERTIFICATOIN; TRUST. CERT. FOR DISMISSAL FILED FOR FAILURE TO COMPLY W/DDO; CURRENT DEFAULT THROUGH DEC. 2023=\$2,538.83; (\$5,408.83 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE? BACK ON WDO?
PER RESPONSE FILED: The debtor made full payment in Dec. 2023 and counsel believes she wants to stay in the case.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 1970935 CHRISTOPHER L. CUNNINGHAM

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:48%

Noticed %:38%

Status:

Matter: TMTD

4/23/2024-LDB--STILL NO PYMT; ANY WORD FROM THE DEBTOR? AS OF RIGHT NOW FEE APP HAVEN'T BEEN FILED; IF HE WISHES TO REMAIN IN THIS BKR. AND CAN'T CURE; PYMTS WILL NEED TO BE \$100.00/MO STARTING 5/2024; IF FEES FILED; BASE WOULD NEED TO INCREASE TO \$11,146.74 AND PYMTS WILL NEED TO BE \$229.00/MO STARTING 5/2024

4/3/2024-LDB--2ND TMTD; NO PYMT SINCE 2/20/2024; CURRENT DEFAULT THROUGH MARCH 2024=\$100.00 (\$150.00 DUE BY HEARING); IS HE ABLE TO STAY IN THIS BKR.? CURE? IS HE STILL EMPLOYED?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2070181 JESSICA L. GARVER

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:33%/ LA \$2,794.97

Noticed %:12%/ LA \$1,708.00

Status:

Matter: TMTD (OGM)/ RESP/FEE APP

4/10/2024 CLS- TMDT (second hearing). Debtor to pay \$650.00 by 4/19 and 4/30 (either directly or by proof of WDO) or appear and show cause.

4/2/2024 CLS- CONT TO 5/6/2024 AT 11:00 WITH CONDITIONS.

4/1/2024-LDB--REPLY TO ATTY.: Yes, the below conditions will work.

4/1/2024-LDB--EMAIL FROM ATTY.: I want to ask about adjusting deadlines here:

1. Mortgage is current.
2. I am worried having to have her post \$1,305 by 4/19/24 is setting her up for default.
3. I propose as follows:

-LET'S CONTINUE THIS ONE TO 5/6/2024 WITH CONDITIONS THAT

1. \$650.00 must post by 4/19/24 directly or debtor provides proof wdo working and deductions have started;
2. \$2nd \$650.00 must post by 4/30/24 directly or debtor provides proof wdo workign and deductions have started
3. If above payments not met or proof of deductions not provided by deadlines, DEBTOR TO SHOW CAUSE ON 5/6/2024

This gives you enough to make mortgage payment, but does not require full payment by 4/19/24 which I think would be difficult

4/1/2024-LDB--REPLY TO ATTY.: 4/1/2024-LDB-LET'S CONTINUE THIS ONE TO 4/6/2024 WITH CONDITIONS THAT

1. \$1,306.00 TO POST BY 4/19/2024 DIRECTLY OR BY PROOF OF WORKING WAGE DEDUCTTION; OR
2. DEBTOR TO SHOW CAUSE ON 4/6/2024

3/30/2024 MLG: I think HP working on agreement. I'm guessing you will want to continue with condition to geet funds started? REPLY CLS- YES WE WOULD LIKE TO CONTINUE WITH CONDITIONS.

3/25/2024 HP: We will be filling an amended plan on this one. I'll try to get filed today/tomorrow then circulate cont. order moving TMTD hearing to date of amended plan. Sound ok? REPLY CLS- WE HAVE ENOUGH FUNDS ON HAND TO GET OGM CURRENT. I THINK WE CAN RESOLVE IF DEBTOR AGREES TO INCREASE PAYMENT TO \$1,306.00 BEGINNING APRIL 2024. DOES DEBTOR AGREE?

REPLY HP: Yes, the debtor agrees to increase to \$1,306.00 per month starting in April 2024. Now, just to be sure, does this include sufficient funding for fees for the Response to the TMTD/fee app (forthcoming)? REPLY CLS- I DO THINK PLAN IS STILL FUNDED PAYING \$350.00 IN FEES AT \$1,306.00 PER MONTH. IS DEBTOR WILLING TO WDO, AS LATISHA NOTED IT IS NEEDED.

3/23/2024 MLG: HP met with her. I am checking the outcome. REPLY CLS- OKAY WILL WAIT FOR A FOLLOW UP.

3/21/2024-LDB--ANOTHER \$600.00 PYMT POSTED 3/18; CURRENT DEFAULT=\$320.00; APPEARS SHE MAY BE TRYING TO CURE DEFAULT, ANY WORD FROM THE DEBTOR? WE HAVE ENOUGH BOH TO CURE OGM ARREARS AND KEEP OGM CURRENT; IF SHE IS ABLE TO INCREASE PYMTS TO \$1,306.00/MO STARTING 4/2024

3/8/2024-LDB--\$2,000.00 PYMT MADE 3/4/2024; APPEARS DEBTOR WISHES TO REMAIN IN THIS BKR. CURRENT DEFAULT=\$920.00. IS SHE ABLE TO CURE? IS SHE STILL EMPLOYED? IS WDO POSSIBLE?

2/23/2024-LDB (OGM)--2ND TMTD (1-UNDERFUNDED, 1-DELINQUENCY); CURRENT DEFAULT THROUGH JAN. 2024=\$1,745.00 (\$4,095.00 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR? CURE? PER SCH. I DEBTOR IS EMPLOYED. A WDO WILL NEED TO BE IMPLEMENTED TO RESOLVE

Trustee Final Recommendation:

Attorney Notes:

| | | | | | |
|----------|----------------------------|--------------------------|-------------------|-----------------|-------|
| 11:00 am | Case: 2070536 | AUTUMN A. ALVAREZ | Projected %: 100% | Noticed %: 100% | PN: 0 |
| | Atty: GILES AND LAMBERT PC | | | | |
| | Status: | Matter: RECONSIDER CLAIM | | | |

3/21/2024 CLS- Reconsider Claim (first hearing). Trustee filed Motion to Reconsider Claim 4 of Navient PC Trust as Navient sent the Trustee funds.
Claim should be allowed in the amount of \$611.40.
No responses by 4/20 an Order can be tendered.

Trustee Final Recommendation:

Attorney Notes:

11:00 am

Case: 2070795 ROBERT E. CRUISE & JULIE B. CRUISE
Atty: GILES AND LAMBERT PC
Projected %:7% Noticed %:6%
Status: Matter: MODIFY PLAN

PN: 0

4/5/2024 CLS- Modify Plan (first hearing). Trustee filed Motion for a total loss vehicle.
No responses or objections by 4/25/2024 an order can be tendered.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2170656 EVAN M. ANDERSON

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:5%

Noticed %:0.25- 4.25%

Status:

Matter: TRUST. CERT. FOR DISMISSAL/RESPONSE/APP. FOR COMP.

4/4/2024-LDB--DEFAULT HAS BEEN CURED THROUGH MARCH 2024. IF HE REMAINS CURRENT THROUGH APRIL 2024, WILL SEND OVER W/DRAWING

3/19/2024-LDB--2-TMTDs; 1-TRUST. CERT. FOR DISMISSAL; TRUST. CERT. FOR DISMISSAL FILED FOR FAILURE TO COMPLY W/DDO; DEFAULT HAS BEEN CURED; WDO ENTERED 3/15/2024, ONCE WDO STARTS; WILL SEND OVER OR PER RESPONSE: 1. Counsel has contacted the Debtor.

2. The debtor will initiate an epayment on Friday, March 15, 2024 when he is paid for the full amount of arrearage and the March 2024 payment.

3. The Debtor agrees to go on wage deduction.

4. The Debtor wishes to stay in the chapter 13.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2170775 TYLER M. SETLIFF & BRANDY L. SETLIFF

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:8%

Noticed %:4%

Status:

Matter: TMTD/RESPONSE/APP. FOR COMP.

4/22/2024-LDB--EMAIL TO ATTY.: I just wanted to follow up on this case because I didn't see that an amended WDO has been entered as of today. According to a call from the debtor earlier this month, she changed jobs and was trying to get WDO working on new job (Munters). Since she didn't comply w/continuance order, she will need to appear at the hearing

4/8/2024-LDB--WHEN I CALLED SUSAN TO CHECK ON ACH, FOUND OUT THAT DEBTOR ACTUALLY CHANGED JOBS AND JUST STARTED W/MUNTERS ON 4/1, AND SHE CONTACTED THEM TO FIND OUT ABOUT HAVING A WDO. SHE HADN'T CONTACTED ATTY TO GET WDO AMENDED TO NEW EMPLOYER YET. SUSAN REQUEST EMAIL WHEN AMENDED WDO ENTERED SO THAT CAN START W/HOLDING; THEY USE ADP FOR PAYROLL AND NOT YET SIGNED UP TO SEND PYMTS ELECTRONICALLY W/THEM YET, BUT THAT IS SOMETHING SHE WILL BE WORKING ON DOING IN THE FUTURE; CALLED DEBTOR BACK AND SHE STATED HAD JUST GOTTEN OFF PHONE W/ATTY. AND AMENDED WDO WILL BE FILED AND UNTIL IT KICKS IN WILL TAKE CASH TO ATTY. TO MAKE PYMTS; SD OK

4/8/2024-LDB--DEBTOR (BRANDY) CALLED TO SAY THAT WDO HAS STARTED, LET KNOW TO PROVIDE PROOF TO ATTY. AND LET KNOW I WOULD REACH OUT TO EMPL. TO SEE IF INTERESTED IN SENDING IN PYMTS ELECTRONICALLY; SHE PROVIDED ME W/NAME AND NUMBER TO EMPLOYER

4/3/2024-LDB--WDO ENTERED 3/15/2024; AS OF 4/3, NO WDO PYMTS RCVD YET

4/7/2024 CLS- TMDT (third hearing). Debtor made payments per order and WDO filed. Just need new amended WDO for new employer.

3/8/2024-LDB--ATTY. SENT COPY OF \$525 ACH PYMT TO POST 3/12/2024

3/4/2024 CLS- FEMALE DEBTOR APPEARED, MAILED CHECK ON 2/20 (CHECK HAS NOT CLEARED THE BANK YET). DEBTOR WILL STOP PMT AND WILL PAY MLG CASH SO SHE CAN DO ACH. FEMALE DEBTOR SAID SHE WOULD GO ON WDO TO MAKE PAYMENTS.
- CONT TO 5/6 DEBTOR TO PAY \$525.00 BY 3/13 AND PAY \$525.00 BY 3/29 (BRING CASH TO MLG TO DO ACH), AND WDO BY 3/15 FAILURE TO MEET ANY TRUSTEE TO CERTIFY.

3/3/24 Per EM from MLG: MLG: Well, she apparently mailed a payment that did not get there in time. We have advised her she has to appear on Monday to testify. CTM

2/29/2024-LDB--LAST PYMT WAS REJECTED (NSF) BLOCKED FROM EPAY, DEBTOR HASN'T MADE UP PYMT YET. WHAT IS THE STATUS OF THEIR FEB. PAYMENT?

2/21/2024 CLS- TMDT (second hearing). Debtors are to pay \$525.00 by 2/28 or appear and show cause. (Jan PMT of \$450.00 was paid on time).

1/2/2024 CLS- Order entered continuing to 3/4/2024 at 11:00 am with conditions. Off Docket.

1/2/2024 CLS- Proposed Order Approved.

12/28/2023-LDB-EMAIL FROM ATTY.: Thank you. The clients agree to this.

12/28/2023-LDB--REPLY TO ATTY.: Yes ma'am. \$450.00 for Jan. 2024 and starting 2/2024 \$525.00. Sorry, Let's continue to 3/4/2023 with conditions:

1. \$450.00 by January 28, 2024, and;
2. \$525.00 by February 28, 2024, or;
3. Debtor to appear and show cause on 3/4/2024

12/28/2023-LDB--EMAIL FROM ATTY.: This means the normal payment is due in January right?

12/28/2023-LDB--REPLY TO ATTY.: I'm showing payments will need to be \$525.00/mo starting 2/2024. Let's continue this one to 3/4/2024 with conditions that:

1. \$525.00 to post to Trustee's account no later than 2/28/2024; or;
2. Debtor to appear and show cause on 3/4/2024

12/27/2023-LDB--EMAIL FROM ATTY.: Ms. Setliff obtained a new job at the Salem VA but, due to the lengthy onboarding process, was delayed in starting the new job. She ended up with no income coming in for a period of time which caused them to get behind.

They would like to catch up over time if we can work that out, starting ideally with a higher payment in Feb. 2024. Would that work?

I intend to file a Response and Fee App.

12/6/2023-LDB--1ST TMTD; NO PYMT SINCE 10/16/2023; CURRENT DEFAULT THROUGH NOV. 2023=\$1,250.00 (\$1,700.00 DUE BY HEARING);
ARE THEY ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2270165 DYANA C WILLIAMS

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:

Noticed %:100%

Status:

Matter: TMTD

4/23/2024-LDB--REPLY TO ATTY.: I do see those payments scheduled out there. Once those payments post and clear, I'll send over an OR.

4/22/2024-LDB--EMAIL FROM ATTY.: Ms. Williams reports she has scheduled e payments for 4/23 and 4/25 to bring herself current. Can we resolve on those terms? I intend to file a response and fee app tomorrow. I understand you'll probably want to continue to see that the payments post.

4/3/2024-LDB--2ND TMTD; (1-FUNDING; 1-DELINQUENCY); NO PYMT SINCE 2/1/2024; CURRENT DEault THROUGH MARCH 2024=\$2,950.00 (\$4,425.00 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2270278 LEE ANNE C. HARTBERGER

PN: 0

Atty: GILES AND LAMBERT PC

Projected %: 13%

Noticed %: 7%

Status:

Matter: TMTD (OGM)

4/10/2024-LDB--DEBTOR CALLED TO SEE IF PYMT POSTED; LET KNOW \$1400.00 POSTED TODAY; PER DEBTOR PLAN TO BE CURRENT BY 5/2/2024; LET KNOW \$1,720.00 WILL BE DUE BY HEARING; LET KNOW B/C WE ARE PAYING OGM, PYMTS NEED TO BE MADE BY 19TH/20TH OEM B/C OF 10 DAY OLD; LET KNOW TO CONTACT DEBTOR SINCE TMTD FILED SD OK. DEBTOR HAD QUESTIONS ABOUT IF SHE WENT OUT ON DISABILITY; LET KNOW TO DISCUSS THAT W/ATTY. SD OK

4/3/2024-LDB--NO PYMT SINCE 2/20/2024; ANY WORD FROM THE DEBTOR? THE MORTGAGE IS IN DEFAULT, IF SHE WISHES TO STAY IN THIS BKR., HOW MUCH OF THE DEFAULT CAN SHE CURE?

3/22/2024-LDB--(OGM); 3RD TMTD (2-DELINQUENCY, 1-TAXES); CURRENT DEFAULT THROUGH FEB. 2024=\$1,040.00. (\$3,120.00 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2370221 RODNEY L. SHEALOR & LISA G. SHEALOR

PN: 0

Atty: GILES AND LAMBERT PC

Projected %: 84%

Noticed %: 100% / LA \$5,489.00
joint

Status:

Matter: TMTD/RESPONSE/APP. FOR COMP.

NOTE: The Plan is no longer funded. The confirmed plan is only 49 months and allows for an automatic extension up to 60 months to fund the Plan. Based on my projections, the Plan's total funding needs to increase to about \$93,900 and a total term of 54 months. We need to review these numbers again if they make the payment as provided below. If the debtors can reduce the confirmed dividend, they will need to file an amended Plan. CTM

4/10/2024 CLS- TMDT (second hearing). Debtors to pay \$2,163.00 by 4/30 or appear and show cause.

4/1/2024 CLS- Order entered continuing to 5/6/2024 with conditions. Off Docket.

3/26/2024 CLS- Proposed Order Approved.

3/25/2024 MLG: Latisha calculated that the debtors could resume in April 2024 at \$2,163.00. The debtors have agreed for now. They assert they are having trouble paying this, and have higher expenses, but have agreed to pay the higher amount for now so that they can collect the proof I requested of the higher medical expenses, etc. I do understand at some undermined time in the future the husband will be off work for surgery for about 3 weeks with no short term disability or income. BUT, they have not set the date for the surgery yet. We will have to address that when we know more information. She is declining wdo. We will agree to drop dead terms with notice. Can we agree:

Continue to 5/6/24

Debtors to make full payment of \$2,163.00 to post to trustee's account no later than 4/30/24, or they have to appear and show cause on 5/6/24? REPLY CLS- YES WE CAN AGREE TO THOSE TERMS.

3/23/2024 MLG: I've met with them and am looking at options. REPLY CLS- WILL WAIT FOR A FOLLOW UP.

3/18/2024-LDB--REPLY TO ATTY.: I'm showing payments will need to be \$2,163.00/mo starting 4/2022 to pay 100% (with \$350.00 being filed for atty. Fees).

3/18/2024-LDB--EMAIL FROM ATTY.: I've been reviewing claims and debtors' pay due to reduction income and am meeting with them later this morning. Can you tell me your calculation to resume in April what it would take to pay 100%? I'm having a hard time matching up claim amount than normal. I'm certainly going to discuss wage deduction with them also. Please calculate in a standard fee for resolving the TMTD.

We might end up with an amended plan as income has dropped, but I've got to go over expenses with them also.

3/8/2024-LDB--1ST TMTD; NO PYMT SINCE 1/5/2024; CURRENT DEFAULT THROUGH FEB. 2024=\$4,400.00 (\$6,200.00 DUE BY HEARING); ARE THEY ABLE TO STAY IN THIS BKR.,? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: **2370369 ROBERT W. HODGES & ERIN C. HODGES** **PN: 0**
 Atty: **GILES AND LAMBERT PC** **Projected %:36%** **Noticed %:28%**

Status: **Matter: TMTD**

4/10/2024 CLS- TMDT (second hearing). Debtor is to Convert case or file an amended plan by 4/26/2024 or Debtor to appear and show cause.

4/2/24 Order entered this morning. CTM

4/1/2024 CLS- Agreed to: continue to 5/6/24 at 11:00 with condition case is converted by 4/26/24 or amended plan filed to address current default and a payment or April posts no later than 4/26/24, or debtor to appear and show cause on 5/6/24.

3/30/2024 MLG: So, we are really trying to convert to 7, but I am trying to work out agreements on cars.

Can we:

a) continue to 5/6/24 at 11:00 with condition case is converted by 4/26/24 or amended plan filed to address current default and a payment or April posts no later than 4/26/24, or debtor to appear and show cause on 5/6/24?

REPLY CLS- YES THAT IS AGREEABLE.

3/25/2024 CLS TO MLG: THERE IS ALSO A TMDT ON FILE FOR THIS CASE. IF CONVERTING TO CHAPTER 7 WILL ORDER BE TENDERED BEFORE HEARING?

3/21/2024-LDB--STILL NO PYMT, ANY WORD FROM THE DEBTORS?

3/8/2024-LDB--1ST TMTD; NO PYMT SINCE 12/15/2023; CURRENT DEFAULT THROUGH FEB. 2024=\$8,999.00 (\$10,499.00 DUE BY HEARING); ARE THEY ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am

Case: 2370407 KARL M. HICKS

Atty: GILES AND LAMBERT PC

Projected %: 19%

Noticed %: 11%

PN: 0

Status:

Matter: TMTD (OGM)

4/3/2024-LDB--DEFAULT HAS BEEN CURED THROUGH MARCH. 2024. IF HE REMAINS CURRENT, I'LL SEND OVER AN OR

3/19/2024-LDB (OGM)--1ST TMTD; CURRENT DEFAULT THROUGH FEB. 2024=\$1,850.00 (\$5,550.00 DUB BY HEARING); IS HE ABLE TO STAY IN THIS BKR.? CURE? IS HE STILL EMPLOYED? IS WDO POSSIBLE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2470033 GARY E. BOWEN, II

PN: 0

Atty: GILES AND LAMBERT PC

Projected %:4%

Noticed %:3%

Status: Call On Docket

Matter: CONFIRMATION

4/10/2024 CLS- Amended Plan/Pre-Confirmation (second hearing). This is a contested hearing to be called on the docket.

4/2/2024 CLS- CONT TO 5/6/2024 AT 11:00 FOR EVID. HEARING.

3/25/24 EM from MLG: I am writing about the above case. As you know, Mr. Bowen is a below median debtor and is not required to be in a five year plan. He shares custody of two children (ages 8 and 10) who are with him 50% of the plan.

When we filed, we first thought he had to be in a five year plan. But, as the IRS offset his 2023 tax refund, we shorted his plan to 36 months.

You are correct that we mistakenly had a line item in the budget of \$100 for the taxes, which we just forgot to adjust.

But, his budget is really not excessive at all considering the kids are with him 50% of the time. I think there are clearly areas we could absorb the \$100.

We are willing to offer a compromise and increase his payments from \$200 to \$250 starting in April 2024 for the remainder of the plan.

Otherwise, we can amend the schedules and just plan on a contested hearing. I think if he were in a five year plan, you would have a better argument.

But, how can you make him pay for five years when he is below median.

REPLY: I cannot accept the offer. I see no justification for paying the under secured portion in full while less than a 10% dividend to everyone else. I didn't write the provisions of the Code, I'm simply seeking enforcement of the provision that provides you cannot discriminate against creditors within the same class.

In preparation for the evidentiary hearing, I request the debtor provide the following no less than 21 days before the evidentiary hearing.

- 1) Payment history on the account owed to Capital One which includes dates payments posted and amount of the payments
- 2) Payment history on the account owed to the lender prior to Capital One.
- 3) How the debtor arrived at the value of the car of \$30,060. What documentation does the debtor have to support that? CTM

3/23/2024 MLG: Reviewing options with debtor, but we will likely need to schedule contested hearing on this.

REPLY CLS- I UNDERSTAND, WILL WAIT FOR A FOLLOW UP FOR POSSIBLE CONTESTED HEARING.

3/21/2024 CLS- From Trustee's Report: Unfair Discrimination: The Debtor owns a 2021 Jeep Grand Cherokee and the schedules state the value is \$30,060.00 while also alleging the NADA trade-in value is only \$26,600.00. In either event, the loan is undersecured and subject to cramdown because the loan was refinanced and is not a purchase money security interest. The Plan also provides this claim will be paid in full and directly by the Debtor. The Debtor thus prefers Capital One's claim and will pay the unsecured portion in full while other unsecured creditors will receive an estimated 3% dividend.

- Disposable Income: The Debtor's Schedule J includes a \$100.00 monthly payment to the IRS. Based on the Amended Plan, it appears this will not continue since the IRS offset the taxes owed. The last tax return provided shows that his side work generates negative income for tax purposes so there should be no need to separately withhold quarterly taxes for this employment. It thus appears the monthly net income should increase by \$100.00 per month.

If the Debtor's earnings from his side work increased, he should provide proof that the first quarterly payment was made to the IRS and VA Department of

Taxation or alternatively should show a bank account which currently holds this money.

- NEED Loan documents related to Capital One, DMV transcript, payment history of Capital One, Documents to support Debtor's value and proof the IRS offset debtors tax liability.

3/8/2024 MLG: The underfunding is due to the IRS liability on E. But, the IRS satisfied the 2022 liability 100% by taking an offset of the 2023 tax refund. I am filing an amended E to show this once I get endorsement from debtor. Additionally, I have emailed the IRS regional bky manager to ask if the IRS can confirm there is \$0.00 liability. Not sure if they will do that, but I've asked. This should solve underfunding issue. REPLY CLS- OKAY HOPEFULLY THEY CAN AMEND THE POC BEFORE THE HEARING. REPLY MLG- They have not filed a claim and I do not think they will file one as nothing owed. I think ya'll are basing liability off of Schedule E, which is why we will amend that.

3/5/2024 CLS- Amended Plan/Pre-Confirmation (first hearing).

- Underfunded.

- Coversheet notices 2% while Part 5 of Plan shows 3%.

SPECIAL LANGUAGE:

1) Future Interest

2) FUNDING.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: **2170717 BERNARD G. GRANGER, JR.** **PN: 9999**

Atty: **GILES AND LAMBERT PC**

Projected %:6%

Noticed %:0-3%

Status: **Off Docket**

Matter: **TMTD/RESPONSE/APP. FOR COMP.**

4/23/2024 CLS- Order entered. Off Docket.

4/22/2024-LDB--OR SENT TO ATTY. 4/22/2024

4/18/2024-LDB--REPLY TO ATTY.: The base will need to increase to \$15,806.74 and his payments will need to increase to \$78.00/mo starting 5/2024. If ok, let me know and I'll prep. The order and send over for approval.

4/18/2024-LDB--EMAIL FROM ATTY.: Mr. Granger mistakenly missed it looks like two payments and thought (incorrectly) that he was caught up. I'm intending to file a Response and fee app. Would it be agreeable for him to increase payments starting in May to cure the arrearage?

4/3/2024-LDB--1ST TMTD; CURRENT DEFAULT THROUGH MARCH 2024=\$120.00 (\$180.00 DUE BY HEARING); IS HE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2370136 PAUL A. BARBOUR & ELIZABETH A. HUTTON-BARBOUR** PN: **0**

Atty: **MICHAEL D HART ATTY**

Projected %:

Noticed %:10%

Status:

Matter: **POST CONFIRMATION**

4/23/2024 T/C JIM: JIM IS WAITING ON RESPONSE FROM DEBTORS.

4/17/2024 JIM: I was looking at your notes, are we looking at about 140 or so per month?
REPLY CLS- YES WE COULD INCREASE TO \$1,540.00 PER MONTH BEGINNING MAY 2024 OR EXTEND PLAN TO 53 MONTHS.

4/9/2024 CLS- To resolve funding we can keep the same payment just extend plan to 53 months. Does Debtors agree to extend plan?

3/21/2024 CLS- From Trustee's Report: The proposed Plan is underfunded by approximately \$5,000.00. The Plan erroneously accounts for \$11,614.42 as paid through February 2024, however, that is the gross amount and does not account for the \$4,100.00 refund issued in April 2023. Thus, only a net of approximately \$7,400.00 was available to creditors as of February 2024.

3/18/2024 CLS- Amended Plan (first hearing). Brings in mortgage to be paid through case administration.
- Plan underfunded by approx. \$5,000.00

SPECIAL LANGUAGE:

1) Out of the plan payments received, the Trustee shall disburse attorney's fees in the amount of \$4,072.00, previously approved and \$480.00 for the filing of this amended plan. The total attorney fees to be paid through case administration is \$4,552.00.

2) Out of payments received by the Trustee's office, the Trustee shall disburse \$3,091.81 pre-petition arrears and \$8,337.88 post-petition arrears to NewRez/Shellpoint Mortgage Servicing , pursuant to the Order Granting Modification of Stay entered March 1, 2024. The post-petition arrearage includes the Notice of Mortgage Payment Change increasing the mortgage payment from \$890.09 to \$1,022.01 beginning April 2024 that was filed March 7, 2024.

3) FUNDING???

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2370849 PAUL E. STCLAIR & CASEY N. STCLAIR** **PN: 0**
 Atty: **MICHAEL D HART ATTY** Projected %:
 Status: Matter: **CONFIRMATION** Noticed %:100% + 1.5% JOINT
 & HUSBAND/ 50%
 WIFE

4/23/2024 CLS- UPDATED NUMBERS: I get payments need to increase to \$4,468.00 per month beginning May 2024 to fund plan 100%.

4/23/2024 T/C JIM: WIFE SHOULD BE GETTING 100% RETAINING 3 CARS. WILL REDO NUMBER AND SEND TO JIM.

4/17/2024 JIM: I think we said about 6k to fix the trustee objection, then we have the 10% interest for Toyota.
 REPLY CLS- I CALCULATE WE NEED PAYMENTS TO INCREASE TO \$4,394.30 BEGINNING MAY 2024 TO FUND PLAN (INCLUDING THE 10% INTEREST TO TOYOTA)

4/9/2024 CLS- Chapter 13 Plan (third hearing). Payments need to increase to \$4,394.30 per month beginning May 2024 to fund plan. If debtor agrees can confirm early.

4/2/2024 CLS- CONT TO 5/6/2024 AT 9:30 WITH 5.

4/1/2024 CLS- If Order not entered call as agreed to continue to 5/6/2024 at 9:30 with 5 (payment just posted this morning).

4/1/2024 CLS- Proposed Order Approved.

4/1/2024 CLS to Jim: So I think on this one, while we have an agreement so the Debtors are not show caused, the plan is underfunded and we also need a PCA. I also want to point out that the Debtors have not made a full plan payment since the case was filed. We are showing there is a default of \$4,165.00 through March 2024. The best thing to do would be continue the hearing to 5/6/2024 at 9:30 with 5 and 7: THE DEBTOR SHALL TENDER A PAYMENT OF \$4,165.00 SO THAT SAID PAYMENT POSTS TO THE TRUSTEE'S ACCOUNT AND FILE A PRE-CONFIRMATION AFFIDAVIT NO LATER THAN APRIL 19, 2024, FAILING WHICH, THE DEBTOR SHALL APPEAR AT THE US BANKRUPTCY COURT, 210 CHURCH AVE, ROANOKE, VA 24011 ON DATE & TIME AND SHOW CAUSE WHY THE CASE SHOULD NOT BE DISMISSED. Does that work? Then I can work on funding for the next hearing.

3/28/2024 D SASSER: Our client has approved the 10% rate of interest with the full amount of the claim to be paid as secured.
 Will you reach out to the trustee's office regarding including this language in the confirmation order? REPLY TO JIM: PLAN IS UNDERFUNDED WILL NEED TO RUN NUMBERS TO FUND PLAN ON MONDAY.

3/26/2024 T/C WITH JIM: DEBTORS HAVE GIVEN AUTHORITY TO SETTLE. JIM STILL WORKING WITH TOYOTA TO FIGURE OUT INTEREST RATE (TILL SHOULD BE 10%). ONCE AGREED I CAN RUN NUMBERS AND SEE IF READY.

3/12/2024 CLS- Chapter 13 Plan (second hearing). Need authority to settle Trustee objection and Toyota Credit objection by 3/27 or Debtors to appear and show cause.
- NEED PCA.

3/4/2024 CLS- CONT TO 4/2/2024 WITH DEADLINE FOR AUTHORITY TO SETTLE BY 3/27 OR APPEAR AND SHOW CAUSE.

3/1/2024 JIM EMAIL: Still no word from them. If i don't hear anything, what about continuing with a deadline for them to provide authority for me to resolve your objection and the MFR or show caused? REPLY CLS- WE ARE LAVING AS CALL ON THE DOCKET, WE WOULD AGREE WITH SOME AUTHORITY TO SETTLE BY A DATE CERTAIN. ALSO WILL INCLUDE LANGUAGE FOR DEBTORS TO BE CURRENT (DEBTORS ARE IN DEFAULT OF \$3,860.00 THROUGH FEB 2024)

2/28/2024 T/C JIM: JIM IS GOING TO GO BACK TO THE DEBTORS, MIGHT INCREASE TO 100% AS A WHOLE. LEAVE ON THE DOCKET (BECAUSE OF THE OBJECTION TO CONFIRMATION).

2/23/2024 CLS- Objection to Confirmation filed by Toyota Motor Credit Company.

2/20/2024 CLS- From Trustee's Report: Disposable Income: The male debtor testified at the 341 hearing that he recently started a new position and while this new position is primarily managerial in nature, he is nonetheless entitled to bonuses. Because he has not been in the position long enough an accurate projection of his bonus income cannot be made and thus the calculation of the disposable income may not reflect all of the debtors' projected monthly income.

Disposable Income/Lack of good faith: The debtors' household maintains three cars, all encumbered by liens. The liens aggregate over \$97,000.00. Mr. St. Clair primarily drives the Tundra, Mrs. St. Clair primarily drives the Tiguan and the seventeen year old daughter primarily drives the Jetta. The Jetta is encumbered by a approximately \$28,000.00. The Plan proposes to pay the debt secured by the Jetta in full. Retention of a vehicle encumbered by a \$28,000.00 lien while Mrs. St. Clair's unsecured creditors will not be paid in full fails to provide unsecured creditors all of the debtors' disposable income or alternatively demonstrates a Plan filed with a lack of good faith.

The Trustee notes the objection is filed before the bar date expires. Should all allowed unsecured be paid in full after the bar date expires, then the objection may be moot.

12/26/2023 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Out of payments received by the Trustee's office, the Trustee will disburse the ongoing mortgage payment to PennyMac Loan Services LLC commencing with the March 2024 mortgage payment. The Trustee will also pay the pre-petition mortgage arrears through December 2023, and the post-petition arrears for January and February 2024.

2) FUNDING

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470011 TERESA G. SILER-LEE**

PN: 0

Atty: **MICHAEL D HART ATTY**

Projected %: UNDERFUNDED

Noticed %: 2%

Status:

Matter: CONFIRMATION

4/23/2024 T/C JIM: DEBTOR HAS CONTACTED A FEW PLACES BUT NO ONE WOULD LOOK AT IT. SHE WAS SUPPOSED TO TAKE PICTURES BUT JIM HASNT HEARD FROM HER OR SEEN THE PICTURES. SHE HAS ALSO NO MADE MARCH'S PMT.

4/9/2024 CLS- Chapter 13 Plan (second hearing). Any updates regarding the Nissan?

4/1/2024 CLS- Order entered. Off Docket.

4/1/2024 CLS- Proposed Order Approved to Continue to 5/6/2024 at 9:30 am.

3/26/2024 T/C WITH JIM: JIM WILL ASK TO CONTINUE THIS. JIM IS TRYING TO GET DEBTOR TO TAKE PICTURES OF THE NISSAN THEN TAKE THOSE TO A DEALER. THEY WILL NEED A LITTLE BIT OF TIME. CONT TO 5/6/2024 AT 9:30 AM.

3/26/2024 CLS- Also need March payment, and plan is underfunded.

3/15/2024 CLS- From Trustee's Report: Liquidation: The Plan states there is no liquidation requirement. However, the Trustee calculates the non-exempt value in the Cadillac and Murano may be as much as \$2,400.00. Debtor's counsel should provide his analysis as to why the vehicles produce no liquidation requirement.

Until the value of the Nissan 330ZX has been independently established, the Plan may not provide the non-exempt equity of this vehicle.

- NEED: An independent appraisal for the 1986 Nissan 300ZX.

2/14/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470050 JUANITA A. ROGERS

PN: 0

Atty: MICHAEL D HART ATTY

Projected %: 10%

Noticed %: 100% + 1.5% INT

Status:

Matter: CONFIRMATION

4/23/2024 CLS- UPDATED NUMBERS.

TO pay all claims in full we need \$2,631.83 per month beginning May 2024.

To pay all but the one student loan claim (paid direct/no check) payments need to be \$2,116.80 per month beginning May 2024.

4/23/2024 T/C JIM: JIM NEEDS TO FOLLOW UP BECAUSE DEBTOR TOLD HIM THE TAX PEOPLE ASKED FOR AN EXTENSION FOR THE 2023 TAXES. WILL GET NUMBERS TO JIM, BUT A SIGN. DEF. CLAIM FILED FOR CAPITAL ONE.

4/17/2024 JIM: What would be needed to fund and pay on student loans?

REPLY CLS- JIM THIS ONE IS GOING TO BE TRICKY. WE HAVE AN ESTIMATED IRS TAX CLAIM FOR 2023. ARE YOU TRYING TO PAY THE STUDENT LOAN CLAIMS IN FULL? IF SO RIGHT NOW WE ARE PROJECTING PAYMENTS NEED TO INCREASE TO ABOUT \$2,500.00. CURRENT FUNDING IS ONLY GIVING US ABOUT 12%.

4/9/2024 CLS- Chapter 13 Plan (second hearing). Debtor to file Amended I and J and provide a copy of the 2023 federal and state tax return by 4/30/2024.

4/1/2024 CLS- Order entered. Off Docket.

4/1/2024 CLS- Proposed Order Approved.

3/28/24 EM from Jim, he's okay with these additional conditions. CTM

3/27/24 I'm going through my notes and on this case, I see that the debtor will file amended schedules I and J, however,

- 1) How is the student loan creditor going to be addressed? If nothing is done, the claim renders the Plan underfunded.
- 2) Given the tax issues and income issues, I'd like to see a copy of the 2023 federal tax return, including all schedules.

Can the 2023 federal tax return and all schedules be provided by 4/30 also? Then for 5/6 there will need to be an action plan to address the funding issue. CTM

3/26/2024 T/C WITH JIM: JIM WILL FOLLOW UP. WILL NEED TO CONTINUE TO 5/6 WITH A DEADLINE OF 4/30 TO FILE AMENDED I AND J.

3/22/2024 T/C Chas: Arise Virtual Solutions is Debtor's 1099 income from self-employment with the nail business. Then she also gets cash from her clients. They will amend schedules.

3/15/2024 CLS- From Trustee's Report: Funding: A student loan creditor filed an unscheduled claim for almost \$24,000.00. The amount of this claim renders the Plan underfunded. If the Debtor asserts this claim should be separately classified and paid outside of case administration because the loan is

in deferment, then the Debtor should provide documentation demonstrating from the creditor stating the basis the loan is in deferment and the projected schedule for repayment.

- Disposable Income: While the Trustee acknowledges the proposed Plan should pay allowed unsecured claims in full, the paystubs provided to the Trustee suggest she has three jobs: one at Kroger, one at Arise Virtual Solutions and one self-employed as a nail technician. The Debtor's schedules suggest there are only two jobs: one at Kroger and one as a self-employed nail technician. The discrepancy between the pay stubs and schedules should be reconciled because if the Debtor is actually working three jobs, Schedule I may not include all of the Debtor's income.

- Feasibility: The Debtor's paystubs suggest she is not withholding anything for federal income taxes and minimal for state income taxes. In 2022 the Debtor incurred a tax liability that could not be paid. To ensure taxes returns are timely filed and any tax liability paid when it becomes due, the Debtor should provide proof all federal and state tax returns are timely filed and any liability timely paid.

2/12/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) The Debtor shall provide a copy of each federal and state tax return required to be filed while this case is pending in Chapter 13, to the Trustee, including all schedules required to be filed with such return, on or before April 30th of the respective year in which such return is required to be filed. If any return demonstrates a tax liability must be paid, then together with the return, the Debtor shall also provide proof the liability was timely paid.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470089 AMBER N. REED**

PN: 0

Atty: **MICHAEL D HART ATTY**

Projected %:8%/ LA \$8,004.50

Noticed %:9%/ LA \$8,560.17

Status:

Matter: **CONFIRMATION**

4/23/2024 T/C JIM: DEBTOR IS WORKING ON THE DOCUMENTATION. THEY ARE WORKING ON THE VALUATION OF THE PROPERTIES AGAIN. WILL FOLLOW UP.

4/12/2024 CLS- From Trustee's Report: Secured claims: Bank of Botetourt was listed in Schedule D and not provided for in the Chapter 13 Plan.

- Feasibility: On the Debtor's 2022 federal tax return, the Debtor's rental appears to lose money. If the rental is operating at a loss, the rental should be sold.

- Disposable Income/Lack of good faith: The Debtor shows a \$400.00 per month contribution from her boyfriend. Based upon her testimony at the 341 meeting the Debtor testified he has been living with her for 18 years and only the last six to eight months started contributing to the household expenses.

- Liquidation:

1) There may be as much as \$12,935.00 in non-exempt equity in the vehicles. The Debtor should provide her calculation as to how she arrived at non-exempt equity of only \$8,560.17.

2) The Debtor owns MAT Rental, LLC and based upon her testimony the LLC holds a single piece of rental real estate commonly known as 1042 Ethel Road SE. The Debtor's membership interest thus appears inherently tied to this piece of real estate and she valued it at only \$106,250.00 despite the tax assessment and online sources suggesting a greater value. The Debtor provided the Trustee with broker's price opinion and it appears to base the value based upon a "quick sale." Valuation based upon a "quick sale" is not the method by which a Chapter 7 trustee would sell the real estate and therefore the broker's price opinion is not reliable and non-exempt equity may exist.

- Liquidation/Lack of Good Faith: Based upon the Debtor's testimony at the 341 meeting, the loan in favor of Provident Funding was a refinance of the original loan to purchase the property. The loan in favor of Department of Commerce Federal Credit Union was a home equity loan which proceeds were used to pay off her father's debts from his probate estate and living expenses. Absent a more detailed accounting for how these proceeds were used, it is unclear whether the use of the funds could be avoided and any benefit provided to the estate or whether the use of the funds demonstrate any other reason over which the Court may deny confirmation.

- NEED: 1) Complete copy of the 2022 and 2023 federal tax return including all of the schedules.

2) Documentation demonstrating the Debtor's boyfriend's gross monthly income and his separate monthly expenses.

3) The Articles of Organization and Operating Agreement, and any modifications or amendments thereto, for MAT Rental, LLC.

4) The Debtor should provide an accounting for how the proceeds for the loan obtained from Department of Commerce Federal Credit Union were used.

2/12/2024 CLS- Chapter 13 Plan (first hearing).

- Bank of Botetourt listed in Sch D but not provided for in plan.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470020 RICHARD L. COOPER** Projected %: Noticed %:0% **PN: 9999**

Atty: **MICHAEL D HART ATTY**

Status: **Off Docket** Matter: **CONFIRMATION**

4/23/2024 CLS- Debtor did not make the payment nor appeared at the 341 hearing. The Trustee filed the Certification to Dismiss so this is now off the docket.

4/9/2024 CLS- Chapter 13 Plan (second hearing). Debtor to pay \$982.00 by 4/20 and appear at the continued 341 on 4/22 or the Debtor to appear and show cause.

4/1/2024 CLS- Order entered with conditions. Off Docket.

4/1/2024 CLS- Proposed Order Approved.

3/26/2024 T/C WITH JIM: WE AGREE TO CONTINUE TO 5/6 WITH CONDITIONS DEBTOR APPEAR AT THE 341 AND MAKE HIS APRIL PAYMENT.

3/15/2024 CLS- From Trustee's Report- Plan is underfunded, Debtor is in default of plan payments and need: The Debtor should provide documentation that supports the value assigned to 1414 Eastgate Ave NE, Roanoke, Virginia. The debtor asserts the value is less than suggested values assigned by online sources and as part of the requested documentation should provide estimates or other documentation to support the \$62,000.00 deviation in value.

1/12/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

9:30 am

Case: 2470020 RICHARD L. COOPER

Atty: MICHAEL D HART ATTY

Status: Off Docket

Matter: DISTRIBUTION

Projected %:

Noticed %:0%

PN: 9999

4/23/2024 CLS- Order should be entered granting fee app as Trustee Certified Case for Dismissal. Off Docket.

4/18/2024 CLS- Distribution (first hearing). Counsel for Debtor filed Motion for Distribution to pay attorney fees if case were to be dismissed.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 1871410 CANDICE E. HOYOS-TROUTT

PN: 0

Atty: MICHAEL D HART ATTY

Projected %:

Noticed %:3%

Status:

Matter: VACATE DISMISSAL

4/23/2024 T/C JIM: HE HAS EMAILED DEBTOR TO GET AN UPDATE. WILL FOLLOW UP.

4/10/2024 CLS- Vacate Dismissal (second hearing). Debtor shall provide proof loan modification has been approved by 4/30/2024 or appear and show cause.

4/2/24 Per EM from Jim. EM sent morning of court. She will be in court today. I'm willing to waive my fees so there is no underfunding. As to loan modification, she is supposed to have an answer this week. I would like to see my motion continued to May because we would know by then whether she has a loan modification. CTM

4/2/2024 CLS- CONT TO 5/6/2024 AT 11:00 AM, DEADLINE FOR A RESPONSE FROM MTG RE LOAN MOD BY 4/30/2024 OR CASE WILL STAY DISMISSED.

4/2/2024 JIM: She will be in court today. I'm willing to waive my fees so there is no underfunding. As to loan modification, she is supposed to have an answer this week. I would like to see my motion continued to May because we would know by then whether she has a loan modification.

3/26/2024 T/C WITH JIM: JIM NEEDS TO FOLLOW UP TO GET INFO FROM DEBTOR SO HE CAN FOLLOW UP WITH THE LOAN MOD SERVICER DIRECTLY.

3/18/2024 CLS- Response filed by Trustee. \$325.00 only pays non- mortgage creditor claims and does not include amounts owed towards attorney fees. Absent a more concrete action plan as to when a loan modification will be submitted to the Court for approval, reopening the case may not produce a successful outcome.

3/15/2024 CLS- Vacate Dismissal (first hearing). Case was dismissed at the hearing on March 4, 2024. The Debtor has since been informed she is eligible for the loan modification and Debtor will pay \$350.00 to finish her plan in order to receive a discharge.

Trustee Final Recommendation:

Attorney Notes:

11:00 am

Case: 2270038 MICHAEL J. SAUNDERS

Atty: MICHAEL D HART ATTY

Projected %:

Noticed %:9%

PN: 0

Status:

Matter: TMTD (OGM)

4/23/2024 T/C JIM: NOT HEARD FROM DEBTOR YET. DEBTOR HAD SIGNIFICANT HEALTH ISSUES LAST YEAR AND DEBTOR WAS THINKING OF APPLYING FOR SSI. WILL WAIT FOR A FOLLOW UP. (IF DEBTOR CAN GO FORWARD WE NEED AN AMENDED PLAN).

4/5/2024-LDB(OGM)--2ND TMTD; NO PYMT SINCE 2/22/2024; CURRENT DEFAULT THROUGH MARCH 2024=\$2,632.50 (\$3,555.00 DUE BY HEARING); IS HE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2470223 DAH-QUAN M EDRINGTON

PN: 0

Atty: MICHAEL D HART ATTY

Projected %:

Noticed %:10%

Status:

Matter: EXTEND

4/23/2024 T/C JIM: JIM WILL SEND AN ORDER WITHDRAWING.

4/22/2024 CLS- Can we get an Order granting through 4/12/2024?

4/2/2024 CLS- Extend (first hearing). Debtor filed an emergency petition on 3/29/2024 lacking the necessary information for filing supporting schedules and plan. April 15, 2024 was the first date available to meet to complete supporting plan and schedules.
Deadline to file schedules and plan is 4/15/2024.

Trustee Final Recommendation:

Attorney Notes:

9:30 am

Case: 2470122

BRENDA S. STONE

Projected %:

Noticed %:

PN: 9999

Atty: PRO SE

Status: Off Docket

Matter: Confirmation Hearing

Case Dismissed.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470126 SHEILA E. MUBEIDIN Projected %: Noticed %: PN: 9999
Atty: PRO SE
Status: Off Docket Matter: Confirmation Hearing
Case Dismissed.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470140 BRANDON D. RADFORD
Atty: PRO SE Projected %: Noticed %: PN: 9999
Status: Off Docket Matter: Confirmation Hearing
Case Dismissed

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2370681 JOSHUA B. ROSEBERRY

PN: 0

Atty: RICHARD D SCOTT ESQ

Projected %: UNDERFUNDED

Noticed %: 4% / LA \$500.00

Status:**Matter: CONFIRMATION**

4/17/2024 CLS- From Trustee's Report: Attorney fee's should be clarified as the Amended Disclosure was filed showing no balance of attorney fees to be paid through case administration when Plan proposes \$2,500.00 to be paid through case administration.

- Feasibility: The Debtor's Schedule I indicates the household income will average about \$5,000.00 per month from his participation in operating a business. Based on the Debtor's 2022 federal tax return, the business generates only about \$3,089.00 per month. It thus appears the Plan may not be feasible.

- Disposable Income: 1) The Debtor estimates paying \$250.00 per month for income tax liability, however, the 2022 federal and state taxes do not demonstrate the Debtor paid estimated tax payments. In fact, the Debtor received a refund from both the federal and state government.

2) The Debtor's Schedule J filed October 20, 2023 (Doc. No. 13) does not show a loan payment for the non-filing spouse. The Debtor's Amended Schedule J filed March 5, 2024 (Doc. No. 30) shows a \$250.00 per month loan payment.

Without further documentation or justification for these expenses, they do not appear reasonable or necessary.

- NEED PCA and 2023 tax return for River Rose LLC with reports the profit and loss and Documents or proof Debtor has saved the \$250.00 per month since petition.

3/6/2024 CLS- Chapter 13 Plan (first hearing).

- Need Amended Disclosure as Plan shows additional atty fees owed, while last Amended Disclosure shows no fees owed.

- Student Loan in Plan shows to pay in full with interest but also states in deferment.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470063 ROBERT P. BREIN, II & AMANDA L. BREIN**
 Atty: **SCOT S FARTHING PC** Projected %:

Noticed %: HUSBAND POOL
 \$16,134/ WIFE 1%

PN: 0

Status: **Matter: CONFIRMATION**

4/11/2024 CLS- Special Notice filed (no deadline for responses).

4/9/2024 CLS- Chapter 13 Plan (second hearing). Special Notice to be filed by 4/11/2024 and Market Analysis by 4/26/2024.

4/2/2024 CLS- CONT TO 5/6/2024 AT 9:30 WITH MARKET ANALYSIS BY 4/26 AND A SPECIAL NOTICE BY 4/11/2024.

4/1/2024 CLS- Agree to continue to 5/6/2024 at 9:30 am Market Analysis due to a date certain and a Special Notice to be filed to provide treatment to Claim 2 of VHDA no later than 4/11/2024.

3/25/2024 SH: The Breins are going to get a marking analysis done. Continue to May to get market analysis?
 REPLY CLS- YES CONTINUE TO MAY 6, 2024 AT 9:30. PLEASE NOTE WE NEED A SPECIAL NOTICE TO VHDA STATING NO PAYMENT WILL BE MADE (CLAIM 2 IS NOT PROVIDED FOR AND IS NOT DUE UNTIL MAIN MTG PAID IN FULL)

3/15/2024 CLS- From Trustee's Report: Online sources suggest the real estate could be worth between \$159,000 and \$216,000. At the 341 meeting the Debtor testified the home's value derived from tax assessment and considering the sale of a home on the same street. Given the disparity of the between the Debtor's value and the online sources, a comparative market analysis should be obtained to properly establish the value of the home.
 NEED PCA AND SPECIAL NOTICE FOR CLAIM 2.

3/4/2024 CLS- VHDA filed POC 2 that has not been provided for. Looks like no payments due until principal deed of trust paid in full. Can we get a Special Notice that VHDA will not receive payments during the life of the case?

2/2/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) Confirmation of Plan herein is subject to the modifications set forth in the Notice filed April 11, 2024, at Docket No. 12. The Court having found that no objections to such Notice were filed in the time set forth in the same, and notice having been afforded to all creditors and parties in interest, the Plan is confirmed with such modifications controlling any discrepancy in the Plan to the contrary.

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2370061 STEPHEN R TABOR

Atty: SCOT S FARTHING PC

Projected %:99%

Noticed %:100%

PN: 9999

Status: Off Docket

Matter: TMTD

4/5/2024 CLS- Order entered. Off Docket.

4/4/2024-LDB--OR SENT TO ATTY.

4/2/2024 CLS- CONT TO 5/6/2024 AT 11:00 AM BY DOCKET ENTRY.

4/1/2024 CLS- If payment clears tomorrow morning Trustee will submit an order withdrawing within 10 days.

3/25/2024 SH: Mr. Tabor will be making the March payment today or tomorrow. This case should be resolved once that payment posts. REPLY CLS- IF PAYMENT IS RECEIVED AND DOESNT GET RETURNED BY TUESDAY MORNING CAN CALL AS AGREED WITH ORDER FORTHCOMING.

3/21/2024-LDB--\$845.00 PYMT POSTED 3/4/2024, IF THE OTHER \$845.00 POST BY 3/29, I'LL SEND OVER OR ONCE CLEARED

3/13/2024 CLS- TMDT (second hearing). Debtor to pay \$845.00 by 3/15 and \$845.00 by 3/29 or Debtor to appear and show cause.

3/1/2024 CLS- Order entered. Off Docket.

3/1/2024-LDB--EMAIL/REPLY FROM/TO ATTY.: This is a Roanoke case, so would the court date be 4/2? You are absolutely correct, 4/2/2024.

3/1/2024 CLS- Proposed Order Approved.

3/1/2024-LDB--REPLY TO ATTY.:

We can continue to 4/2/2024 with conditions:

1. \$845.00 to post to Trustee's account by 3/15/2024; and
2. \$845.00 to post to Trustee's account by 3/29/2024; or
3. Debtor to show cause on 4/2/2024.

3/1/2024-LDB--EMAIL FROM ATTY.: Stephen Tabor has had two payments post in the last few days. He is now behind for February with March coming due. I spoke to him this morning and he said that he would make the February payment next week and would be able to make the March payment on time. Can we continue to April with a requirement to make these two payments?

2/28/2024-LDB--REPLY TO ATTY.: IF THAT PAYMENT POST TODAY, WE CAN ANNOUCE AS AGREED AND ONCE THE PAYMENT CLEARS, I'LL SEND OVER THE OR

2/28/2024 SHANE EMAIL: He is planning on making a payment today to bring him current. Do you want to continue to make sure payments clear?

2/26/2024-LDB--DEBTOR CALLED SD HAS SET UP PYMT FOR 1 PYMT TO COME OUT TODAY, THEN WILL PAY THE REMINING DEFAULT

AMOUNT ON WEDNESDAY FROM TAX REFUND; LET KNOW OK WILL NOTE HIS CASE BUT TO CONTACT HIS ATTY. AND LET KNOW WHAT HIS PLANS ARE SD OK
IF DEBTOR PAYS AS PROMISED, I'LL SEND OVER AN OR

2/6/2024-LDB--1ST TMTD; CURRENT DEFAULT THROUGH JAN. 2024=\$1,690.00 (\$2,535.00 DUE BY HEARING); IS HE ABLE TO STAY IN THIS BKR.? CURE? /////

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2270607 KARIN E. ANDERSON**

PN: 0

Atty: **SHANNON D COX ATTY**

Projected %: 100% + 4% INT

Noticed %: 100%

Status: **Pre-Court**

Matter: **POST CONFIRMATION**

4/23/24 Per T/C with Shannon, agrees ready for confirmation. CTM

4/9/2024 CLS- If no other objections and Counsel agrees case may be ready for confirmation after 4/29.

3/21/2024 CLS- From Trustee's Report: Feasibility: The Debtor's Plan assumes she will operate as the disbursing agent for all real estate taxes and insurance premiums as they become due. Because of the significant real estate tax defaults, the Debtor should be required to provide proof that all future real estate tax and insurance premium payments were timely paid throughout the life of the case.

3/19/2024 CLS- Amended Plan (first hearing). Suspends payments for March through May 2024.

SPECIAL LANGUAGE:

1) Absent further order of the Court or an amended claim, the Trustee shall pay all allowed unsecured claims in full together with 4% interest.

2) The Debtor shall be the disbursing agent for real estate taxes and homeowners insurance and shall remain current on each obligation as it becomes due. To implement this provision and so long as the case is pending, the Debtor shall provide the following to the Trustee:

1) On or before January 1st of each year, documentation demonstrating the Debtor has a homeowner's policy in place for the upcoming year. The documentation should include a policy declaration and demonstrate any voluntary lienholder is listed as a loss payee. The documentation should also include proof the annual insurance premium has been paid.

2) On or before January 1st and July 1st of each year the case is pending, the Debtor must provide proof the real estate taxes were timely paid. The proof should include a copy of the real estate tax bill paid and documentation of payment.

Should the due date of any item change during the life of the Plan, the date by which documentation of the item is due to the Trustee will adjust to thirty days after the item's due date and the Debtor must provide documentation to the Trustee evidencing the new due date for the item.

Should the Debtor fail to provide any of the documentation as provided herein, then confirmation is without prejudice to any party seeking appropriate relief from the Court.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2370715 ROBERT L. HOPSON, JR

PN: 0

Atty: SHANNON D COX ATTY

Projected %: UNDERFUNDED

Noticed %: 8.48%

Status:**Matter: CONFIRMATION & OBJ TO EXEMPT.**

4/23/24 Shannon said the support appeal order is circulating and is forthcoming. Catherine will need that to review and potentially amend the claim. Case may need to be continued one more time to get that worked out. If case is continued one more time, it needs to include condition to make a plan payment by a date certain. CTM

4/9/2024 CLS- Chapter 13 Plan (second hearing). See notes on Dismiss Case.
Debtor is also in default of plan payments of \$8,287.12 through March 2024.
- Objection to Exemptions- no amendments have been made yet.

3/18/24 Per EM from chambers: Judge Black asked me to contact you regarding the above referenced case. Harriett Hopson appeared in court today as she thought there was a matter scheduled for hearing in this case. Ms. Gring apparently incorrectly noticed a motion for relief for hearing for today's docket, but then later amended the notice of hearing and the matter is scheduled for hearing in April. Ms. Hopson told the Court that she is not divorced from Mr. Hopson, that she is owed spousal and child support and that she didn't have any knowledge of the bankruptcy until she received the motion for relief. She is apparently not listed on the schedules in this case. CTM

1/4/2024 CLS- Order entered continuing to 5/6/2024 at 9:30 am with conditions. Off Docket.

1/4/24 Continuance order approved and was to be sent to court. Waiting to see if it will be entered. CTM

1/2/2024 CLS- Debtor in default of Dec payment (payment for 12/5 was for Nov). Need PCA.

12/26/2023 CLS- Response to objection to Plan filed by Debtor.

12/19/2023 CLS- From Trustee's Report: The Debtor claims an exemption under 34-4.1 that exceeds the allowable amount. The Trustee submits the Debtor cannot claim in exemption in excess of \$5,500.00 under 34-4.1.

12/6/2023 CLS- Objection to Confirmation and Motion to Dismiss filed by Division of Child Support Enforcement.

11/15/2023 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:**Attorney Notes:**

9:30 am Case: **2370715 ROBERT L. HOPSON, JR** **Projected %: UNDERFUNDED** **Noticed %: 8.48%** **PN: 0**
Atty: **SHANNON D COX ATTY**

Status: **Matter: DISMISS CASE**

4/23/24 See confirmation. It may be that this needs to be continued one more time, but that will be determined by Catherine. CTM

4/9/2024 CLS- Dismiss Case (second hearing). Debtor was to pay \$1,090.08 to DSCE by 2/29/2024 and schedule a hearing on support appeal to be heard by 4/1/2024. Failure to meet conditions DCSE may certify case for dismissal.

1/4/2024 CLS- Order entered continuing to 5/6/2024 at 9:30 am with conditions. Off Docket.

1/4/24 Continuance order approved and was to be sent to court. Waiting to see if it will be entered. CTM

12/29/23 Catherine sent EM to parties with proposed structure for continuance and I responded. The EM is lengthy so it's attached to the case and not here. CTM

12/28/23 T/C with Catherine Mullins. We discussed ways to use the bankruptcy process to ensure the appeal is timely resolved. She will reach out to Shannon to see if there can be some agreement. If not she will likely move forward with the TMTD. CTM

12/28/23 Catherine Mullins emailed about procedure on the TMTD. Asked her to call me back. CTM

12/26/2023 CLS- Response to Dismiss filed by Debtor.

12/6/2023 CLS- Dismiss Case (first hearing). DCSE filed Motion as Debtor is in default of DSO payments. Debtor has not paid November and December DSO payments with last payment received April 2023. DCSE is seeking Court to dismiss the case.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470034 WILLIAM H. HAGLER & RENEE I. HAGLER** PN: 0
Atty: **SHANNON D COX ATTY** Projected %:3%/ LA \$1,569.50 Noticed %:24%/ LA \$4,760.00

Status: Matter: **CONFIRMATION**

4/23/24 T/C with Shannon. I think the plan may be confirmable.

1) We need to fund the plan to:

a) pay Franklin County secured claim plus 10% interest.

b) pay IRs the full priority claim including estimate. Then we need to include language about amending claim after bar date.

c) Play \$4760 to unsecured pool.

Carrie will figure out numbers and get to Shannon. CTM

4/19/2024 CLS- Need proof mortgage payments are current they were to be provided by 4/15 or Debtors to show cause.

- Also need PCA and April PMT (they pay towards end of the month).

4/9/2024 CLS- Chapter 13 Plan (second hearing). WDO to be filed by 4/15; provide proof mtg pmts are current; and file their 2023 tax return by 4/15/2024. (2023 liability may be paid through case admin).

3/28/2024 CLS- Order entered continuing to 5/6/2024 with conditions and 5. Off Docket.

3/27/2024 CLS- Proposed Order Approved.

3/26/24 1) WDO will issue.

2) 2023 federal tax claim is estimated. Shannon thinks these need to be included in the plan. We will need to increase funding if this is the case.

3) PCA needs to be filed.

Cont to May 6. Return filed by 4/15 WDO by 4/15. Confirm early. CTM

3/15/2024 CLS- From Trustee's Report: Need PCA, Proof of Feb and March mortgage payments, copies of 2022 and 2023 state and federal tax return and proof of any liability from the 2023 tax year. Also need WDO as Debtors testified wanting it.

3/13/24 NOTE: Republic Finance is judgment against Renee only and as such cannot attach to the T by E home. This claim is listed on Schedule E/F so we will treat it as unsecured unless debtors modify the Plan to do something else. CTM

2/1/2024 CLS- Chapter 13 Plan (first hearing).

- Need clarification of atty fees.

- Republic Finance filed judgement claim not provided for (was listed in Sch f).

SPECIAL LANGUAGE:

1) Absent further order of the Court, the secured portion of Franklin County's secured claim 3 will be paid in full and together with 10% interest.

Trustee Final Recommendation:

Attorney Notes:

9:30 am

Case: 2470084 ETHAN E. HOWELL & BRITTANY N. HOWELL

Atty: SHANNON D COX ATTY

Status: Agreed

Projected %:

Matter: CONFIRMATION

Noticed %:15.10%/ LA
\$5,949.00 HUSBAND
\$0 WIFE

PN: 0

4/23/24 Shannon is going to amend the plan to reduce the pool based on the change in liquidation value. CTM

4/11/24 After reviewing Amended C, I get liquidation value of only \$2900. Will debtors amend Plan to reduce the pool and base? We cannot do that in a confirmation order. If the Plan is not amended, I think they are stuck with a liquidation value of \$5949 as stated in the Plan. CTM

2/20/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470135 DANIEL S. GOODWIN**

PN: 0

Atty: **SHANNON D COX ATTY**

Projected %: 14%/ LA \$8,841.10

Noticed %: 14%/ LA \$1,875.00

Status: Pre-Court

Matter: CONFIRMATION

4/23/24 Shannon sent proof of the scheduled April payment. Given that I think we're ready to confirm. CTM

4/23/24 T/C with Shannon. There is no ePay payment scheduled. Shannon called the debtor to tell him to schedule the April payment and then we'll confirm so long as we see is scheduled. CTM

4/23/24 T/C with Shannon, the payment is scheduled at the end of the month. CTM

4/22/2024 CLS- Need April PMT. Then may be ready for confirmation.

4/12/2024 CLS- Need PCA.

3/4/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2470144 STEVEN L. HOLLAND**

PN: 0

Atty: **SHANNON D COX ATTY**

Projected %:

Noticed %:7.59%

Status: **Agreed**

Matter: **CONFIRMATION**

4/23/24 Per T/C with Shannon, Shannon mailed a payment and it still hasn't posted. Shannon is going to amend the Plan. Do NOT include conditions for payment because Shannon actually mailed the payment. CTM

4/12/2024 CLS- From Trustee's Report: Secured claim: Based on discussion at the 341 meeting, the Debtor will likely amend the Plan to provide for Toyota Financial Services claim to be paid in full during the term of the Plan and not as a long term debt to survive discharge.

- Default: As of April 11, 2024, no payments have been paid.

3/4/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470148 JULIE M. BERNARD & LARRY D. BERNARD, JR

PN: 0

Atty: SHANNON D COX ATTY

Projected %:27%

Noticed %:36.29%

Status:

Matter: CONFIRMATION

4/23/24

- 1) Need amended return for Mr. Bernard. Change filing status. They will likely owe money
 - 2) We'll need additional payroll data for Mrs to understand what her average income will be.
- Shannon to get back after he talks to debtors about the status of the 2023 amendment. CTM

4/17/2024 CLS- From Trustee's Report: Feasibility: Several years of tax returns were filed late and reflect significant tax liability. Given the history, timely filed federal and state tax returns should be provided throughout the life of the Chapter 13 case and if any tax return reflects taxes are owed, the Debtors should also provide proof of payment.

- Tax returns: The proof of claim filed by IRS indicates the 2023 tax return is estimated. The Trustee acknowledges the Debtors provided copies of their filed tax returns, however, they should ensure the claim is amended to reflect actual taxes owed. Additionally, the filing status claimed on the 2023 tax returns may not be accurate and therefore the Debtors should ensure the filed tax returns do not need to be amended.

- Disposable Income:

1) The Debtors are "above-median" Debtors for purposes of 11 U.S.C. sec. 1325(b). The Debtor, Julie Bernard, appears to have worked at least three different jobs prior to filing the case, but post-petition will only work one job. The Trustee concedes this forms a basis to deviate from the calculation of the Debtors' disposable income. Based on the paystubs from Mrs. Bernard's post-petition employer, she may earn as much as \$6,942.00 per month. The deviation should thus result in additional disposable income, not less.

2) The Debtors own a Dodge vehicle and will pay the claim secured by the vehicle through the Plan, thus, the Debtors should be entitled to claim an ownership expense on Line 13, Form 122C-2. The Debtors deduct the monthly contractual payment, rather than the average monthly payment to be paid during the term of the Plan. This results in an inflation of the expenses deducted from current monthly income. If the monthly payment were adjusted to match the average paid over the life of the Plan, it would reduce the expenses deducted from the current monthly income and increase the required amount to be paid to unsecured creditors.

- NEED PCA

3/4/2024 CLS- Chapter 13 Plan (first hearing).

SPECIAL LANGUAGE:

1) The Debtor(s) shall provide a copy of each federal and state tax return required to be filed while this case is pending in Chapter 13, to the Trustee, including all schedules required to be filed with such return, on or before April 30th of the respective year in which such return is required to be filed. If any return demonstrates a tax liability must be paid, then together with the return, the Debtor(s) shall also provide proof the liability was timely paid.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470150 ANTHONY M. GLASS & HEATHER P. GLASS

PN: 0

Atty: SHANNON D COX ATTY

Projected %:

Noticed %:83.16%

Status:

Matter: CONFIRMATION

4/23/24 Per T/C with Shannon, we are going to continue beyond the bar date.

- 1) IRS needs to amend claim to include 2023 taxes so we make sure Plan is properly funded.
- 2) Milan Rentals needs to file claim or Shannon needs to decide to file one for them or not filed and deal with possible consequences.
- 3) If debtors will retain camper we then need to see if they will agree to pay 100% based on actual claims filed or if we need to set for evidentiary hearing.

Shannon needs to get Sara John's agreement for continuance. During continuance he needs to either agree to pay requested interest or reach settlement on the interest rate. CTM

4/17/2024 CLS- From Trustee's Report: Funding: The Plan is not funded as noticed.

- Disposable income/Lack of Good Faith: The Debtors will retain and pay for a camper. This expense is not reasonable or necessary and therefore should increase the projected disposable income. Alternatively, retention and payment for this claim demonstrates a Plan filed with a lack of good faith.
- Liquidation: Allowed joint unsecured claims, if any, should be paid a pool of \$12,300.00.
- NEED PCA

4/16/2024 CLS- Objection to Confirmation filed by Ally Bank (they are objecting to interest rate of 8.25% stating it should be 10.50%).

3/15/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2370619 ANGELA R. SMITH

PN: 9999

Atty: SHANNON D COX ATTY

Projected %: 100% + 5% INT

Noticed %: 100% + 5% INT

Status: Off Docket

Matter: CONFIRMATION

4/23/2024 CLS- Confirmation Order entered. Off Docket.

4/9/2024 CLS- Amended Plan/Pre-Confirmation (second hearing). PCA to be filed by 4/19/2024, and a payment of \$705.00 by 4/19. Failure of either Debtor to appear and show cause. If done may confirm early.

3/28/2024 CLS- Order entered continuing to 5/6/2024 with conditions and 5. Off Docket.

3/27/24 Follow up call with Shannon. He thinks he may be able to get the things he needs but I suggested we still submit the continuance order that way if things go sideways with her he'll have breathing room to get this done.

Also, with the debtor's father passing, the debtor may inherit real estate. This case already has to be a 100% plan so my suggestion was to amend A/B as soon as possible but that won't change the Plan terms we already agreed. CTM

3/27/24 Per T/C with Shannon, the debtor's father passed away and she was at his funeral yesterday. Given that the debtor won't be able to sign the PCA before Tuesday. We discussed the following continuance order:

- 1) File PCA by 4/30/24
- 2) Pay \$1,410.00 so it posts to my account by 4/19/24. (this represents March and April Plan payments)
- 3) Select early confirmation
- 4) Show cause if 1-2 not done. CTM

3/26/24 T/C with Shannon:

- 1) PCA to be filed.
- 2) WDO will be submitted before 4/2.
- 3) Shannon agrees to language about code compliance
- 4) Agrees to include language including sewer and storm water fees. CTM

3/21/2024 CLS- From Trustee's Report: Lack of good faith: Upon information and belief the property may not be up to the City's code compliance. Any confirmation order should provide that within sixty days of the confirmation order the Debtor will bring the property into compliance with all city codes and ordinances. If the City of Roanoke files a post-petition claim for a fine for failure to maintain the property in accordance with codes or ordinances, the any party may file a pleading seeking appropriate relief which may include dismissal of the case.

- NEED PCA AND WDO

2/28/2024 CLS- Amended Plan/Pre-Confirmation (first hearing).

Trustee to pay ongoing real estate taxes through case admin.

- Debtor to remain current in plan payments or appear and show cause.

- NEED PCA

SPECIAL LANGUAGE:

1) Secured creditor/compliance with the Code: The Plan proposes for the Trustee to disburse the ongoing real estate taxes. The City of Roanoke also bills for sewer and storm water fees together with the real estate taxes. Any confirmation order should clarify that these are ongoing amounts are also to disburse.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: **2370737 TONY L. MCNEAL**

PN: 0

Atty: **STEPHEN E DUNN ATTY**

Projected %: 1%

Noticed %: 0%

Status:

Matter: **POST CONFIRMATION**

4/9/2024 CLS- Amended Plan (second hearing). Debtor is to provide proof that both Child Support payments are current through April 2024 by 4/26/2024 or appear and show cause.

4/2/2024 CLS- CONT TO 5/6/2024 WITH 5 AND DEBTOR TO PROVIDE PROOF OF DSO PMTS CURRENT THROUGH APRIL BY 4/26/2024 OR APPEAR AND SHOW CAUSE.

4/2/24 Met with Steve this morning:

- 1) Cont to 5/6 at 9:30 am
- 2) Select paragraph 5
- 3) Provide proof the two DSO payments are current through April by 4/26/24
- 4) Show cause if proof not provided. CTM

4/1/2024 CLS- Call on docket as I did not hear from counsel.

3/21/2024 CLS- From Trustee's Report: The Debtor should provide the order which establishes the \$391.00 per month support payment or if no order exists, then provide the Trustee with documentation as to how the Debtor arrived at this monthly payment amount. The Debtor should also provide proof that the \$391.00 monthly payment is current through March 2024 and well as provide proof the previous \$700.00 monthly payment is current through March 2024.

2/22/2024 CLS- Amended Plan (first hearing). Lowers plan payment from \$460.00 to \$300.00 (Amended I and J filed); and changes dividend from 4% to 0%.

SPECIAL LANGUAGE:

- 1) The total to be paid into the plan is \$18,020.00.

- 2) Out of the plan payments received, the Trustee shall disburse attorney's fees in the amount of \$4,795.35, previously approved and \$480.00 for the filing of this amended plan.

Trustee Final Recommendation:

Attorney Notes:

9:30 am Case: 2470099 ABIGAIL L. ROBINSON

PN: 0

Atty: STEPHEN E DUNN ATTY

Projected %:6%

Noticed %:3%

Status:

Matter: CONFIRMATION

4/19/2024 CLS- Debtor contacted Trustee-- see forum notes. Basically Debtor cannot make any payment as attorney set up her epay and she cannot get a hold of her counsel.

4/12/2024 CLS- From Trustee's Report: Feasibility: The Debtor testified at the 341 hearing that her budget and expenses have drastically changed since the filing of the petition. She is no longer working full time and anticipates earning only about \$2,00.00 per month because she is returning to school. Counsel for the Debtor should meet with the Debtor to see if staying in Chapter 13 is in the Debtors best interest because only \$2,000.00 per month in income cannot fund a \$1,775.00 monthly Plan payment.

- The Debtor is in default of plan payments of \$955.77 through March 2024.
- NEED PCA

3/4/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

11:00 am

Case: 2170701 BARBARA W. COLLINS

Atty: STEPHEN E DUNN ATTY

Projected %: UNDERFUNDED

Noticed %: 1%

PN: 0

Status:

Matter: TMTD (OGM)

4/3/2024-LDB--CURRENT DEFAULT THROUGH MARCH 2024=\$2,004.40; WHAT'S THE PLAN WITH THIS ONE? IS SHE TRYING TO STAY IN THIS BKR.? CURE? IF SHE WISHES TO REMAIN IN THIS BKR., I'M SHOWING PAYMENTS WILL NEED TO BE \$1,205.00/MO STARTING 4/2024

3/19/2024-LDB--(OGM); 3RD TMTD; CURRENT DEFAULT THROUGH FEB. 2024=\$1,944.00 (\$3,888.84 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am

Case: 2270518 TANYA R. DOYLE

Atty: STEPHEN E DUNN ATTY

Projected %:3%

Noticed %:3%

PN: 0

Status:

Matter: TMTD

4/3/2024-LDB--1ST TMTD; NO PYMT SINCE 1/3/2024; CURRENT DEFAULT THROUGH MARCH 2024=\$400.00 (\$600.00 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE?

Trustee Final Recommendation:

Attorney Notes:

11:00 am Case: 2370273 KAYLEY T. WHITFIELD

PN: 0

Atty: STEPHEN E DUNN ATTY

Projected %:34%

Noticed %:13%

Status: Call On Docket

Matter: TMTD

4/10/2024 CLS- TMDT (second hearing). Debtor was to pay \$2,487.00 by 3/27 and 4/24 and personally contact counsel by 3/15/2024. Debtor did not make 3/27 PMT and is now show caused.

3/4/2024 CLS- CONT TO 5/6 WITH CONDITIONS TWO PLAN PAYMENTS TO POST BY 3/27 AND SECOND BY 4/24; AND DEBTOR TO PERSONALLY CONTACT COUNSEL BY 3/15 REGARDING EMPLOYMENT STATUS, FAILING EITHER DEBTOR TO APPEAR AND SHOW CAUSE.

2/29/24 EM from Michelle about proposed conditions. REPLY:

I'm good with both or either of those. But Black errs towards really specific so how about this:

- 1) The debtor shall make two payments of at least \$2,487 each such that one posts to the trustee's account on or before March 27th and the other on or before April 24th.
- 2) The Debtor herself shall contact her attorney on or before March 15th to confirm whether the Debtor is still employed and by which employer. The Debtor shall also advise a wage deduction order may be issued.
- 3) Failing to meet either of these conditions and the debtor shall appear at the continued hearing and show cause why the case should not be dismissed.

As to the second one, you can change the requirements to exactly what you want to know about current employment. CTM

2/29/24 T/C with Michelle. I have concerns about debtor's performance. I've asked her to consider whether she'll agree to additional conditions:

- 1) Make a plan payment of at least \$2,487 by 3/22 and 4/19 or appear and show cause. also maybe:
- 2) The debtor must contact Michelle by a date certain or appear and show cause. CTM

2/29/2024 CLS- Proposed Order Approved.

2/27/2024-LDB--REPLY TO ATTY.: Through February 2024 her default will be \$7,461.00. The mortgage will be in default \$5,123.25. If/when the \$2,500.00 post that will leave the OGM in default \$2,623.25. Will she be able to come up with at least the \$2,623.25 \$1707.75 to post by 3/19/2024 to keep the OGM current. If not, let's continue this one with 14 days to file an amended plan and get the OGM back on track and to figure out what's going on with the WDO. The WDO was entered 10/11/2023.

2/27/2024-LDB--EMAIL FROM ATTY.: **COPY OF CASHIER CHECK FOR \$2,500.00 SENT IN EMAIL** Can we continue by order to figure out why the wage deduction order did not work and allow them a month to get the money together to bring the house current.

2/26/2024-LDB--STILL NO PYMT. ANY WORD FROM THE DEBTOR?

1/24/2024-LDB--(OGM); 2ND TMTD; NO PYMT SINCE 11/6/2023; CURRENT DEFAULT THROUGH DEC. 2023=\$2,487.00 (\$7,461.00 DUE BY HEARING); IS SHE ABLE TO STAY IN THIS BKR.? CURE? PER SCH. I, DEBTOR IS EMPLOYED. ANY RESOLUTION WILL NEED TO IMPLEMENT A WDO.

Trustee Final Recommendation:

Attorney Notes:

9:30 am

Case: 2470105 LORI L. GREER

Atty: TONYA L JANNEY ESQ

Status: Off Docket

Matter: CONFIRMATION

Projected %:

Noticed %:100%

PN: 9999

4/12/2024 CLS- A new Amended Plan filed changing confirmation to 6/3/2024. Should be off the docket.

2/22/2024 CLS- Chapter 13 Plan (first hearing).

Trustee Final Recommendation:

Attorney Notes:

11:00 am

Case: 2370661 DANIEL L. HINES

Projected %:

Noticed %:12%

PN: 0

Atty: TONYA L JANNEY ESQ

Status:

Matter: MRS (BRIDGECREST ACCEPTANCE CORP)/RESPONSE

4/11/2024-LDB--MRS BY BRIDGECREST ACCEPTANCE CORP. ; COLLATERAL=DEBTOR'S VEHICLE (16' CHEVY EQUINOX); PLAN PYMTS TO TRUSTEE ARE CURRENT (AS OF 4/11/2024)

Trustee Final Recommendation:

Attorney Notes: