

# Rule 3001 Claims

CONCURRENT SESSION

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U.S. Bankruptcy Court (N.D. Miss.); Aberdeen

***Whitney Warnke Groff***

Aldridge Connors LLP; Atlanta

***Timothy H. Ivy***

Chapter 13 Trustee; Jackson, Tenn.

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**PRACTICAL APPLICATION  
OF AMENDED BANKRUPTCY RULE 3001  
AND NEW RULE 3002.1**

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U.S. Bankruptcy Judge  
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## A CLOSER LOOK AT AMENDED RULE 3001 (Proof of Claim changes)

The amendments to Rule 3001 require additional information to be supplied on or with the Proof of Claim (POC) when it is filed in an Individual Debtor case. The new required information is as follows:

- If, in addition to its principal amount, a claim includes interest, fees, expenses, or other charges incurred pre-petition, an itemized statement of these additional amounts shall be filed with the POC. [3001(c)(2)(A)]
- If a security interest is claimed in property of the debtor and the debtor defaulted on the claim prior to the filing of the petition, the POC must be accompanied by a statement of the amount required to cure the prepetition default. [3001(c)(2)(B)]
- If a security interest is claimed in the debtor's principal residence, new Form B-10 (Attachment A) entitled *Mortgage Proof of Claim Attachment* shall be filed with the POC. If an escrow account has been established in connection with the loan, an escrow account statement prepared as of the petition date and in a form consistent with the requirements of nonbankruptcy law (e.g. Real Estate Settlement Procedure Act) shall also be filed with the POC. The creditor may provide the escrow account statement using the same form it uses outside of bankruptcy for this purpose. [3001(c)(2)(C)]

If the creditor fails to provide any of the new required information, or fails to include the new "Attachment A" with the POC if applicable, sanctions may be imposed. After notice and hearing, the court may take either or both of the following actions:

- Preclude the creditor from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless. [3001(c)(2)(D)(i)]
- Award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure. [3001(c)(2)(D)(ii)]

Note: Failure to provide the newly required information is not itself grounds for disallowance of the claim. However, the creditor may be prohibited from presenting the omitted information later if an objection to the claim is filed or if other litigation regarding the claim subsequently arises.

## A CLOSER LOOK AT NEW RULE 3002.1

New Rule 3002.1 is entitled *Notice Relating to Claims Secured by Security Interest in the Debtor's Principal Residence*. It applies in Chapter 13 cases when the debtor is curing a default and maintaining regular monthly payments on a principal residence over the course of a plan pursuant to §1322(b)(5). This rule is intended to address the situation of a Chapter 13 debtor receiving a full performance discharge only to find that the home loan is in arrears because changes in the monthly amount due, or additional fees and expenses which accrued during the life of the plan, were not communicated to the debtor or trustee so that they could be either disputed or paid through a plan modification. The Committee Note to this new rule states as follows: "Timely notice of these changes will permit the debtor or trustee to challenge the validity of any such charges, if appropriate, and to adjust postpetition mortgage payments to cover any disputed claimed adjustment. Compliance with the notice provision of the rule should also eliminate any concern on the part of a holder of the claim that informing a debtor of a change in postpetition payment obligations might violate the automatic stay." The Committee Note also states that the new Rule applies "regardless of whether the trustee or the debtor is the disbursing agent for postpetition mortgage payments" Important features of the new rule are as follows:

- **Notice of Payment Changes [3002.1(b)].** The creditor shall file with the court and serve on the debtor, debtor's counsel, and the trustee a notice of any change in the installment payment amount, including any change that results from an interest rate change or escrow account adjustment, no later than 21 days before a payment in the new amount is due. New form "B-10 (Supplement 1)" is to be used for this and is filed as a supplement to the Proof of Claim.
- **Notice of Fees, Expenses and Charges [3002.1(c)]** If the change is in the nature of post-petition fees, expenses or charges being added to the loan, the creditor shall file and serve on the debtor, debtor's counsel, and the trustee a notice itemizing all fees, expenses, or charges (1) that were incurred in connection with the claim after the bankruptcy case was filed, and (2) that the creditor asserts are recoverable against the debtor or against the debtor's principal residence. The notice shall be served within 180 days after the date on which the fees, expenses, or charges are incurred. New form "B-10 (Supplement 2)" is to be used for this.
- **Determination of Fees, Expenses, or Charges [3002.1(e)]** On motion of the debtor or trustee filed within one year after the creditor files a form B-10(Supplement 2), the court shall, after notice and hearing, determine whether payment of any claimed fee, expense, or charge is required by the underlying loan agreement and applicable nonbankruptcy law to cure a default or maintain payments in accordance with §1322(b)(5).
- **Notice of Final Cure Payment [3002.1(f)].** Within 30 days after the debtor completes all payments under the plan, the trustee (or the debtor if the trustee fails to do so) shall file and serve on the holder of the claim, the debtor, and debtor's counsel a notice stating that the debtor has paid in full the amount required to cure any default on the claim and that the creditor has an obligation to file a response .

- **Response to Notice of Final Cure [3002.1(g)].** Within 21 days after service of the Notice of Final Cure Payment by the trustee or debtor, the creditor shall file and serve on the debtor, debtor's counsel, and the trustee a statement indicating (1) whether it agrees that default has been cured, and (2) whether the debtor is otherwise current on all payments consistent with §1322(b)(5). If the creditor contends that all cure payments have not been made or that the debtor is not current on other payments, the response must itemize all amounts, other than regular future installment payments, that the creditor contends are due.
- **Determination of Final Cure and Payment [3002.1(h)].** If the creditor's response to the trustee's Notice of Final Cure contends that all cure payments have not been made or that regular installment payments are not current, the trustee or debtor may, within 21 days, move for a judicial determination.
- **Sanctions may be Imposed for Creditor's Failure to Notify [3002.1(i)].** If a creditor fails to provide the Supplement 1 or Supplement 2 forms if required, or if the creditor fails to respond to the Notice of Final Cure Payment after it is filed by the trustee or debtor, the court may take either or both of the following actions: (1) preclude the holder from presenting the omitted information as evidence in any contested matter or adversary proceeding in the case unless the court determines that the failure was substantially justified or is harmless, or (2) award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure.
- **A Committee Note** adds the following observation: "If, after the chapter 13 debtor has completed payments under the plan and the case has been closed, the holder of a claim secured by the debtor's principal residence seeks to recover amounts that should have been but were not disclosed under this rule, the debtor may move to have the case reopened in order to seek sanctions against the holder of the claim under subdivision (i)."

**NEW AND AMENDED FEDERAL RULES  
OF BANKRUPTCY PROCEDURE  
(Effective 12/01/2011)**

**Rule 1004.2 (New)** Applies in Chapter 15 cases. A petition for recognition of a foreign proceeding under chapter 15 must identify the countries where a foreign proceeding is pending against the same debtor and the country where the debtor has its “center of main interests.” Requires that a challenge to the debtor’s designation of the center of main interests be raised at least seven days before the hearing on the petition for recognition. [Official Form 1 (B-1 Voluntary Petition) has been amended to include a box for providing the information required by new Rule 1004.2.]

**Rule 2003(e) (Amended)** Requires a presiding official/trustee who adjourns a meeting of creditors to file a statement specifying the date and time to which the meeting is adjourned. This requirement ensures that the record clearly reflects whether the meeting of creditors was concluded or extended to another day and if extended, when it will resume. [The back or “Explanations” page of Official Forms 9A through 9I (all of the “B-9” forms) have been amended by adding the following language: “The meeting may be continued and concluded at a later date specified in a notice filed with the court.”]

**Rule 2019 (Amended)** Applies in Chapter 9 and Chapter 11 cases. The amendments require committees, groups, or entities that consist of or represent creditors or equity security holders who act in concert to identify their “disclosable economic interests” relating to the debtor. The amendments broadly define the term to include economic rights and interests that are affected by the value, acquisition, or disposition of a claim or interest. Every group, committee, or entity is required to provide a verified statement of, among other things, the nature and amount of each disposable economic interest relating to the debtor. In addition, each member of an unofficial group or committee that claims to represent any entity in addition to the member of the group or committee must disclose the acquisition date of each “disclosable economic interest” by quarter and year, unless the interest was acquired more than one year before the petition was filed.

**Rule 3001 (Amended)** Adds additional reporting requirements when filing a Proof of Claim in an Individual Debtor Case and provides sanctions for failure to comply. [The Proof of Claim Form (B-10) has been modified and a new form, “Form B-10 (Attachment A)-Mortgage Proof of Claim Attachment”, has been created.]

**Rule 3002.1 (New)** Applies in a Chapter 13 case when the debtor is curing a default and maintaining regular monthly payments on a home loan. This new rule provides that the holder of a home mortgage claim must give: (1) at least 21 days advance notice to the debtor, debtor counsel, and the trustee of any postpetition changes in the mortgage payment amount [a new form “B-10 (Supplement 1)” has been created for this] and, (2) a notice itemizing any postpetition fees, expenses, or charges assessed to the claim which the creditor asserts are recoverable against the debtor or the debtor’s principal residence [a new form “B-10 (Supplement 2) has been created for this]. The rule also establishes a procedure for determining whether the debtor has cured any pre-petition default and is otherwise current on mortgage payments at the close of a chapter 13 case. The rule provides for sanctions if the mortgage creditor fails to provide any of the required information.

**Rule 4004 (Amended)** A party may seek an extension of time, based on newly discovered information, to object to a debtor's discharge after the time for objecting expires but before discharge is granted.

**Rule 6003 (Amended)** Clarifies that the 21-day waiting period before a court can enter certain orders at the beginning of a case (including an order approving appointment of counsel) does not prevent the court from specifying in the order that it is effective on a date earlier than when the order is entered.

**New and Amended Forms (effective 12/01/2011)**

**B-1 Voluntary Petition (Official Form 1)** is amended to implement new Rule 1004.2 which requires a chapter 15 petition to state the country of the debtor's main interests.

**B-9A through B-9I (Official Forms 9A through 9I)** are amended to conform to Rule 2003(e) which requires the presiding official at an adjourned 341(a) meeting to file a statement specifying the date and time to which it is adjourned.

**Proof of Claim (Official Form 10)** is amended to clarify that writings supporting a claim, not just summaries, must be attached. The amended form includes a new section for reporting a uniform claim identifier which is used by some creditors and Chapter 13 trustee to facilitate electronic funds transfers. The signature box is revised to include a declaration under penalty of perjury by the person who completes the form.

**Form 10 (Attachment A)** entitled "Mortgage Proof of Claim Attachment" is new and is to be filed with the Proof of Claim as required by new Rule 3001(c)(2). The form includes a statement of the principal and interest due as of the petition date, a statement of prepetition fees, expenses, and charges, and a statement of the amount necessary to cure a default as of the petition date.

**Form 10 (Supplement 1)** entitled "Notice of Mortgage Payment Change" is new and is to be used by the holder of a home mortgage claim to provide the notice required by new Rule 3002.1(b) of any escrow account payment adjustment, interest payment change, and any other mortgage payment change while a Chapter 13 case is pending.

**Form 10 (Supplement 2)** entitled "Notice of Postpetition Mortgage Fees, Expenses, and Charges" is new and is to be used by the holder of a home mortgage claim to provide notice required by new Rule 3002.1(c) of the amount, and date incurred, of any postpetition fees, expenses and charges incurred in connection with the claim.

**25-A (Official Form 25A)** is amended to change the effective date provision in the model small business plan to reflect the 2009 amendments that increased from 10 to 14 days the time to file a notice of appeal and the duration of the stay of a confirmation order.

**How to find and print pending Federal Rules of Bankruptcy Procedure?**

- Go to [www.uscourts.gov](http://www.uscourts.gov)
- On top toll bar, click on "Rules & Policies"
- Click on "Federal Rulemaking"
- Click on "Pending Rule Amendments"
- Click on "Amendments Approved by Supreme Court (April 2011)"  
Scroll down to "Proposed Amendments to Federal Rules of Bankruptcy Procedure"

The new and amended rules are available in Word or pdf format. To see a complete history, including Committee Notes, click on "Excerpt to the Report of the Advisory Committee on Bankruptcy Rules".

**How to find and print Official Forms?**

- Go to [www.uscourts.gov](http://www.uscourts.gov)
- On top tool bar, click on "Forms & Fees"
- Click on "Bankruptcy Forms" for current Official and Procedural Forms, Instructions and Committee Notes.

To see pending changes to Bankruptcy Forms, click on "Links to Related Materials" then click on "Pending Changes".

**NACTT MORTGAGE COMMITTEE  
DRAFT – August 19, 2011**

**SUGGESTED PRACTICES FOR TRUSTEES and  
MORTGAGE SERVICERS IN CHAPTER 13 REGARDING:**

Amended Bankruptcy Rule 3001

New Bankruptcy Rule 3002.1

Proposed Amended Bankruptcy Form B10

Proposed Mortgage Proof of Claim Attachment (Attachment A to Form B10)

Proposed Notice of Mortgage Payment Change (Supplement 1 to Form B10)

Notice of Postpetition Mortgage Fees, Expenses & Charges (Supplement 2 to Form B10)

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**Application to Pending Cases, Triggering of Obligation in Converted Cases**

Amended Bankruptcy Rule 3001, new Bankruptcy Rule 3002.1 (“Rule Changes”) and the proposed forms and notice referred to above (“New Forms”) are applicable to all pending Chapter 13 cases, effective December 1, 2011, and to any cases converted from another chapter of the Bankruptcy Code after that date.

**Modifications to Existing Best Practices for Trustees and Servicers**

Among other things, the Rule Changes clarify the actions that servicers/mortgagees must take with regard to escrow statements; statement of amount necessary to cure defaults as of the filing date; notice of payment change; and notice of fees, expenses, and charges incurred post-petition.

The New Forms replace the “Notice of Payment Change,” “Notice of Protective Advance or Other Contractual Expense,” and “Notice of Assessed Contractual Expense” forms attached to the “Best Practices for Trustees and Mortgage Servicers in Chapter 13.”

Except as they are supplemented or amended by Amended Rule 3001 and Rule 3002.1, the “Best Practices for Trustees and Mortgage Servicers in Chapter 13” continue to provide important guidance on many practice issues, such as the inclusion of certain costs and fees; calculation of pre-petition default, mortgage arrears, and escrow balance; communication between servicers/mortgagees, Chapter 13 Trustees, and debtors’ counsel; collection of post-petition fees; tracking of post-petition payments; resolution of payment discrepancies; Trustee voucher checks; and posting of payment receipts.

**Escrow Account Statement**

Rule 3001(c)(2)(C) permits servicers/mortgagees to use the same RESPA form used outside of bankruptcy. The form must be “consistent with applicable nonbankruptcy law.”

Pre-petition escrow shortages or deficiencies should be provided for as part of the arrears claim filed in the case, and should not be added to post-petition payments. Escrow shortages should be itemized separately from escrow deficiencies on the proof of claim.

In conduit jurisdictions, to determine the correct post-petition escrow amount, servicers/mortgagees should include the RESPA low point, adding any resulting pre-petition shortage to the pre-petition arrears as the escrow deficiency amount. The post-petition escrow analysis may then be adjusted to account for any shortage or surplus.

### **Notice of Payment Changes / Notice of Fees, Expenses and Charges**

Servicers/mortgagees should file a proof of claim in every case, even in cases where debtors are current. This will allow servicers/mortgagees to supplement their proofs of claim in the event of a post-petition payment change, or if fees, expenses or charges are incurred during the pendency of the Chapter 13 case.

All notices should be issued within the time limits set forth under the Rule Changes. The Rule Changes provide penalties for failure to notify as required, and these penalties may also apply to untimely notification. Penalties may include barring the omitted information as evidence (unless the failure was substantially justified or harmless), or reasonable expenses and attorney fees caused by the failure to comply. Notices should include the most accurate, complete information currently available. Notices should be corrected or supplemented if the lender or servicer later becomes aware of errors, omissions or additional information.

In non-conduit jurisdictions, plan payments should not be increased, or the plan modified, in response to a notice of payment change or notice of fees, expenses and charges incurred, unless the plan includes specific provisions for doing so. Although the notices are treated as supplements to the proof of claim, they do not result in an automatic amendment to the amount of pre-petition arrears asserted in the proof of claim.

In both non-conduit and conduit jurisdictions, debtors should consider including plan provisions that provide for payment of any payment change, or notice of fees, expenses and charges incurred.

A fee, expense or cost should be treated as "incurred," as the term is used in Bankruptcy Rule 3002.1(c), when the service is assessed to the mortgagors' accounts. Such assessments should be completed timely after the service is performed. Servicers/mortgagees may have contractual arrangements that result in periodic invoicing or payment that may occur several months after the service giving rise to the fee, expense or cost has been performed. Servicers/mortgagees should be aware that if those fees, expenses and costs are being assessed to the accounts several months after the service giving rise to the fee, expense, or cost has been performed, such fee, expense, or cost may be deemed untimely and may bar recovery against the debtor, the debtor's principal residence, or the estate.

Servicers/mortgagees should stagger portfolios so that 180-day notices are issued evenly over the course of a calendar year.

Servicers/mortgagees should provide electronic, data-searchable copies of all notices required by the Rule Changes if requested by Trustees, debtors or debtor's counsel. If electronic copies of notices are provided, the requesting parties should agree that service of printed copies will not be required.

Where payments include interest based on an indexed rate determined on a date certain, compliance with the 21-day notice required by Rule 3002.1(b) may not be possible, or may prove impractical. In such cases, servicers/mortgagees should contact the debtor and debtor's counsel to discuss alternative methods of interest calculation, at least during the pendency of the Chapter 13 case. Servicers/mortgagees may agree to convert the interest rate to a fixed rate, or agree to a certain rate to be reassessed periodically, with advance notice of any change to be provided as required by Rule 3002.1(b).

**Notice of Final Cure Payment**

Rule 3002.1(f) requires the Trustee to serve the Notice of Final Cure Payment on “the holder of the claim” in addition to the debtor and debtor’s counsel. Where the holder of the claim is not clearly identified, serve the creditor listed in the proof of claim form under “Name of Creditor” at the address provided for notices on page one of the proof of claim form. If an authorized agent or servicer is identified in Item #8 of the proof of claim form, provide additional notice to the agent or servicer at the address provided in Item #8.

The Trustee’s duty and timeline to issue a Notice of Final Cure Payment is triggered by (1) the debtor’s completion of all payments under the Chapter 13 plan, and (2) the existence of a filed claim asserting a default that the debtor’s plan proposes to cure under Section 1322(b)(5) of the Bankruptcy Code.

The Trustee may issue an Interim Notice of Cure when all payments have been completed on the pre-petition arrearage claim and prior to completion of all plan payments, but the Notice of Final Cure Payment may still be required notwithstanding the issuance of an Interim Notice of Cure. The interim notice provides parties with an opportunity to raise and resolve issues at an earlier stage in the case.

Where the servicer/mortgagee fails to timely file a proof of claim, Bankruptcy Rule 3004 permits the debtor or Trustee to file a proof of claim on behalf of the servicer/mortgagee. While the servicer/mortgagee, as the holder of the claim, will be entitled to notice of the final cure payment, the servicer/mortgagee may be bound by the amounts set forth in the filed proof of claim, and may also be precluded by Rules 3001(c)(2)(D) and 3002.1(i) from presenting information previously omitted.

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**NEW OFFICIAL FORMS,  
ATTACHMENTS AND  
COMMITTEE NOTES**

Memphis Consumer Bankruptcy Conference

B 10 (Official Form 10) (12/11)

<b>UNITED STATES BANKRUPTCY COURT</b> _____ <b>DISTRICT OF</b> _____		<b>PROOF OF CLAIM</b>
Name of Debtor: _____		Case Number: _____
<p><i>NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.</i></p>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): _____		<b>COURT USE ONLY</b>
Name and address where notices should be sent: _____		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.  Court Claim Number: _____ <i>(if known)</i>  Filed on: _____
Telephone number: _____	email: _____	
Name and address where payment should be sent (if different from above): _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Telephone number: _____	email: _____	
<b>1. Amount of Claim as of Date Case Filed:</b> \$ _____  If all or part of the claim is secured, complete item 4.  If all or part of the claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
<b>2. Basis for Claim:</b> _____ (See instruction #2)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> _____	<b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a)	<b>3b. Uniform Claim Identifier (optional):</b> _____ (See instruction #3b)
<b>4. Secured Claim (See instruction #4)</b> Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____		Basis for perfection: _____
Value of Property: \$ _____		Amount of Secured Claim: \$ _____
Annual Interest Rate _____% <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ _____
<b>5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a).</b> If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. §507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).	<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____).
		Amount entitled to priority: \$ _____
<p><i>*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i></p>		
<b>6. Credits.</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

**7. Documents:** Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

**8. Signature:** (See instruction #8)

Check the appropriate box.

- I am the creditor.       I am the creditor's authorized agent.       I am the trustee, or the debtor, or their authorized agent.       I am a guarantor, surety, indorser, or other codebtor. (Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address and telephone number (if different from notice address above): \_\_\_\_\_

\_\_\_\_\_  
 (Signature) (Date)

Telephone number: \_\_\_\_\_ email: \_\_\_\_\_

*Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.*

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.*

**Items to be completed in Proof of Claim form**

**Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**3b. Uniform Claim Identifier:**

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

**4. Secured Claim:**

Check whether the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).**

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**7. Documents:**

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

**8. Date and Signature:**

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, attach a complete copy of any power of attorney, and provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS**

**INFORMATION**

**Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

**Claim**

A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.

A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C. §507(a)**

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

B 10 (Attachment A) (12/11)

**Mortgage Proof of Claim Attachment**

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See Bankruptcy Rule 3001(c)(2).

Name of debtor: \_\_\_\_\_ Case number: \_\_\_\_\_

Name of creditor: \_\_\_\_\_ Last four digits of any number you use to identify the debtor's account: \_\_\_\_\_

**Part 1: Statement of Principal and Interest Due as of the Petition Date**

Itemize the principal and interest due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on your Proof of Claim form).

1. Principal due (1) \$ \_\_\_\_\_

2. Interest due

Interest rate	From mm/dd/yyyy	To mm/dd/yyyy	Amount
_____ %	___/___/___	___/___/___	\$ _____
_____ %	___/___/___	___/___/___	\$ _____
_____ %	___/___/___	___/___/___	+ \$ _____
Total interest due as of the petition date			\$ _____ Copy total here ▶ (2) + \$ _____

3. Total principal and interest due (3) \$ \_\_\_\_\_

**Part 2: Statement of Prepetition Fees, Expenses, and Charges**

Itemize the fees, expenses, and charges due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on the Proof of Claim form).

Description	Dates Incurred	Amount
1. Late charges	_____	(1) \$ _____
2. Non-sufficient funds (NSF) fees	_____	(2) \$ _____
3. Attorney's fees	_____	(3) \$ _____
4. Filing fees and court costs	_____	(4) \$ _____
5. Advertisement costs	_____	(5) \$ _____
6. Sheriff/auctioneer fees	_____	(6) \$ _____
7. Title costs	_____	(7) \$ _____
8. Recording fees	_____	(8) \$ _____
9. Appraisal/broker's price opinion fees	_____	(9) \$ _____
10. Property inspection fees	_____	(10) \$ _____
11. Tax advances (non-escrow)	_____	(11) \$ _____
12. Insurance advances (non-escrow)	_____	(12) \$ _____
13. Escrow shortage or deficiency (Do not include amounts that are part of any installment payment listed in Part 3.)	_____	(13) \$ _____
14. Property preservation expenses. Specify: _____	_____	(14) \$ _____
15. Other. Specify: _____	_____	(15) \$ _____
16. Other. Specify: _____	_____	(16) \$ _____
17. Other. Specify: _____	_____	(17) + \$ _____
18. Total prepetition fees, expenses, and charges. Add all of the amounts listed above.		(18) \$ _____



B 10 (Attachment A)(Committee Note) (12/11)

**COMMITTEE NOTE**

This form is new. It must be completed and attached to a proof of claim secured by a security interest in a debtor's principal residence. The form, which implements Rule 3001(c)(2), requires an itemization of prepetition interest, fees, expenses, and charges included in the claim amount, as well as a statement of the amount necessary to cure any default as of the petition date. If the mortgage installment payments include an escrow deposit, an escrow account statement must also be attached to the proof of claim, as required by Rule 3001(c)(2)(C).

B 10 (Supplement 1) (12/11)

UNITED STATES BANKRUPTCY COURT

\_\_\_\_\_ District of \_\_\_\_\_

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_  
Chapter 13

**Notice of Mortgage Payment Change**

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: \_\_\_\_\_ Court claim no. (if known): \_\_\_\_\_

Last four digits of any number you use to identify the debtor's account: \_\_\_\_\_

Date of payment change: \_\_\_\_\_  
Must be at least 21 days after date of this notice

New total payment: \$ \_\_\_\_\_  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment**

Will there be a change in the debtor's escrow account payment?

- No
- Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

\_\_\_\_\_

Current escrow payment: \$ \_\_\_\_\_ New escrow payment: \$ \_\_\_\_\_

**Part 2: Mortgage Payment Adjustment**

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

- No
- Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_% New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change**

Will there be a change in the debtor's mortgage payment for a reason not listed above?

- No
- Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

- I am the creditor.       I am the creditor's authorized agent.  
(Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

**X** \_\_\_\_\_ Date   /  /    
Signature

**Print:** \_\_\_\_\_ Title \_\_\_\_\_  
First Name Middle Name Last Name

Company \_\_\_\_\_

Address \_\_\_\_\_  
Number Street

\_\_\_\_\_ City State ZIP Code

Contact phone (\_\_\_\_) \_\_\_\_-\_\_\_\_ Email \_\_\_\_\_

B 10 (Supplement 1) (Committee Note) (12/11)

**COMMITTEE NOTE**

This form is new and applies in chapter 13 cases. It implements Rule 3002.1, which requires the holder of a claim secured by a security interest in the debtor's principal residence—or the holder's agent—to provide notice at least 21 days prior to a change in the amount of the ongoing mortgage installment payments. The form requires the holder of the claim to indicate the basis for the changed payment amount and when it will take effect. The notice must be filed as a supplement to the claim holder's proof of claim, and it must be served on the debtor, debtor's counsel, and the trustee.

The individual completing the form must sign and date it. By doing so, he or she declares under penalty of perjury that the information provided is true and correct to the best of that individual's knowledge, information, and reasonable belief. The signature is also a certification that the standards of Rule 9011(b) are satisfied.

B 10 (Supplement 2) (12/11)

UNITED STATES BANKRUPTCY COURT

\_\_\_\_\_ District of \_\_\_\_\_

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_

Chapter 13

**Notice of Postpetition Mortgage Fees, Expenses, and Charges**

If you hold a claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any postpetition fees, expenses, and charges that you assert are recoverable against the debtor or against the debtor's principal residence. File this form as a supplement to your proof of claim. See Bankruptcy Rule 3002.1.

Name of creditor: \_\_\_\_\_ Court claim no. (if known): \_\_\_\_\_

Last four digits of any number you use to identify the debtor's account: \_\_\_\_\_

Does this notice supplement a prior notice of postpetition fees, expenses, and charges?

- No
- Yes. Date of the last notice: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Part 1: Itemize Postpetition Fees, Expenses, and Charges**

Itemize the fees, expenses, and charges incurred on the debtor's mortgage account after the petition was filed. Do not include any escrow account disbursements or any amounts previously itemized in a notice filed in this case or ruled on by the bankruptcy court.

Description	Dates incurred	Amount
1. Late charges	_____	(1) \$ _____
2. Non-sufficient funds (NSF) fees	_____	(2) \$ _____
3. Attorney fees	_____	(3) \$ _____
4. Filing fees and court costs	_____	(4) \$ _____
5. Bankruptcy/Proof of claim fees	_____	(5) \$ _____
6. Appraisal/Broker's price opinion fees	_____	(6) \$ _____
7. Property inspection fees	_____	(7) \$ _____
8. Tax advances (non-escrow)	_____	(8) \$ _____
9. Insurance advances (non-escrow)	_____	(9) \$ _____
10. Property preservation expenses. Specify: _____	_____	(10) \$ _____
11. Other. Specify: _____	_____	(11) \$ _____
12. Other. Specify: _____	_____	(12) \$ _____
13. Other. Specify: _____	_____	(13) \$ _____
14. Other. Specify: _____	_____	(14) \$ _____

The debtor or trustee may challenge whether the fees, expenses, and charges you listed are required to be paid. See 11 U.S.C. § 1322(b)(5) and Bankruptcy Rule 3002.1.

**Part 2: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

- I am the creditor.
- I am the creditor's authorized agent. (Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

**X** \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Signature

**Print:** \_\_\_\_\_ Title \_\_\_\_\_  
First Name Middle Name Last Name

Company \_\_\_\_\_

Address \_\_\_\_\_  
Number Street  
City State ZIP Code

Contact phone (\_\_\_\_) \_\_\_\_\_-\_\_\_\_ Email \_\_\_\_\_

B 10 (Supplement 2) (Committee Note) (12/11)

**COMMITTEE NOTE**

This form is new and applies in chapter 13 cases. It implements Rule 3002.1, which requires the holder of a claim secured by a security interest in the debtor's principal residence—or the holder's agent—to file a notice of all postpetition fees, expenses, and charges within 180 days after they are incurred. The notice must be filed as a supplement to the claim holder's proof of claim, and it must be served on the debtor, debtor's counsel, and the trustee.

The individual completing the form must sign and date it. By doing so, he or she declares under penalty of perjury that the information provided is true and correct to the best of that individual's knowledge, information, and reasonable belief. The signature is also a certification that the standards of Rule 9011(b) are satisfied.

**EXAMPLES OF COMPLETED  
FORMS AND ATTACHMENTS**

**CHAPTER 13 TRUSTEE'S  
NOTICE OF FINAL CURE PAYMENT  
AND COMPLETION OF PLAN PAYMENTS**

B 10 (Official Form 10) (12/11)

<b>UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: [REDACTED]		Case Number: [REDACTED]
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property): [REDACTED]		<b>COURT USE ONLY</b>
Name and address where notices should be sent: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] email:		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
Name and address where payment should be sent (if different from above): [REDACTED] [REDACTED] [REDACTED] email:		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
Telephone number: (818) 224-7401		
<b>1. Amount of Claim at Time Case Filed:</b> <u>\$528,296.00*</u>		*This amount was calculated by adding the total principal and interest due on Line 3, Part 1, of Attachment A, the total fees on Line 18, Part 2, and postpetition fees in Section 3, Part 3, minus any escrow shortage on Line 13, Part 2 and any unapplied funds listed in Part 3, Section 3. This figure cannot be relied upon as a payoff statement.
If all or part of your claim is secured, complete item 4.		
If all or part of your claim is entitled to priority, complete item 5.		
<input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		
<b>2. Basis for Claim:</b> <u>Money Loaned/Real Estate Mortgage</u> (See instruction #2)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> <u>7167</u>	<b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a)	<b>3b. Uniform Code Identifier (optional):</b> _____ (See instruction #3b)
<b>4. Secured Claim</b> (See instruction #4) Check the appropriate box if your claim is secured by a lien on property or a right of Setoff, attach required redacted documents, and provide the requested information.		<b>Amount of arrearage and other charges as of time case filed included in secured claim, if any:</b> <u>\$64,279.21</u>
<b>Nature of property or right of setoff:</b> <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <b>Describe:</b>		<b>Basis for perfection:</b> <u>Recorded Deed of Trust</u>
<b>Value of Property:</b> \$ _____		<b>Amount of Secured Claim:</b> <u>\$528,296.00*</u>
<b>Annual Interest Rate</b> <u>6.000%</u> <input type="checkbox"/> Fixed or <input checked="" type="checkbox"/> Variable (when case was filed)		<b>Amount Unsecured:</b> \$ _____
		<b>Property Address:</b> [REDACTED]
<b>5. Amount of claim Entitled to Priority under 11 U.S.C. §507(a).</b> If any portion of your claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B)	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*), earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. §507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5). <b>Amount entitled to priority:</b> \$ _____
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).	<input type="checkbox"/> Other-Specify applicable paragraph of 11 U.S.C. §507 (a)(____).
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

**7. Documents:** Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. *See instruction #7. and the definition of "redacted".*)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

**8. Signature:** (See instruction #8)

Check the Appropriate box:

- I am the creditor.     I am the creditor's authorized agent.     I am the trustee, or the debtor or their authorized agent.     I am a guarantor, surety, indorser, or other co-debtor.  
(Attach copy of power of attorney, if any.)    (See Bankruptcy Rule 3004.)    (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: [REDACTED]  
Title: Agent  
Company: Aldridge Connors LLP    [REDACTED]    1/9/2012  
Address and telephone number (if different from notice address above):    (Signature)    (Date)  
15 Piedmont Center  
3575 Piedmont Road, N.E., Suite 500  
Atlanta, GA 30305  
Telephone number: (404) 994-7400

*Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.*

B 10 (Attachment A)(12/11)

**Mortgage Proof of Claim Attachment**

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See Bankruptcy Rule 3001(c)(2).

Name of debtor: [REDACTED] Case number: [REDACTED]  
 Name of creditor: [REDACTED] Last four digits of any number you use to identify the debtor's account: 7167

**Part 1: Statement of Principal and Interest Due as of the Petition Date**

Itemize the principal and interest due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on your Proof of Claim form).

1. Principal due				\$464,836.96
2. Interest due	Interest rate	From	To	Amount
		mm/dd/yyyy	mm/dd/yyyy	
	6.000%	10/01/2009	09/09/2011	\$54,175.79
	Total interest due as of the petition date			\$54,175.79 Copy total here \$54,175.79
	Deferred Interest (if any)			\$0.00
	Escrow Advances Total			\$5,023.46
3. Total principal and interest due, plus escrow advances, if any.				\$524,036.21

**Part 2: Statement of Prepetition Fees, Expenses, and Charges**

Itemize the fees, expenses, and charges due on the claim as of the petition date (included except for Line 13, in the Amount of Claim listed in Item 1 on the Proof of Claim form).

Description	Dates Incurred	Amount
1. Late charges	See Attachment B	(1) \$1,510.73
2. Non-Sufficient funds (NSF) fees	"	(2) 0.00
3. Attorney's fees	"	(3) \$650.00
4. Filing fees and court costs	"	(4) \$182.56
5. Advertisement costs	"	(5) \$455.00
6. Sheriff/auctioneer fees	"	(6) \$0.00
7. Title costs	"	(7) \$765.00
8. Recording fees	"	(8) \$51.00
9. Appraisal/broker's price opinion fees	"	(9) \$404.00
10. Property inspection fees	"	(10) \$241.50
11. Tax advances (non-escrow)	"	(11) \$0.00
12. Insurance advances (non-escrow)	"	(12) \$0.00
13. Escrow shortage or deficiency (Do not include amounts that are part of any installment payment listed in Part 3.)	"	(13) \$0.00
14. Property preservation expenses. Specify: _____	"	(14) \$0.00
15. Other. Specify: See Attachment B	"	(15) \$0.00
16. Other. Specify: _____	"	(16)
17. Other. Specify: _____	"	(17)
18. Total prepetition fees, expenses, and charges. Add all of the amounts listed above.		(18) <b>\$4,259.79</b>

**Part 3. Statement of Amount Necessary to Cure Default as of the Petition Date**

Does the installment payment amount include an escrow deposit?

- No
- Yes. Attach to the Proof of Claim form an escrow account statement prepared as of the petition date in a form consistent with applicable non-bankruptcy law.

1.	<b>Installment payments due</b>	Date last prepetition payment received by creditor	10/30/2009	
		Number of installment payments due	23	
2.	<b>Amount of installment payments due</b>	23 installment(s) @	\$2,609.54	
		<b>Total installment payments due as of the petition date</b>	<b>\$60,019.42</b>	Copy total here (2) <b>\$60,019.42</b>
3.	<b>Calculation of cure amount</b>	<u>Add</u> total prepetition fees, expenses, and charges		Copy total from Part 2 here + <b>\$4,259.79</b>
		<u>Add</u> total of postpetition payments		+ <b>\$0.00</b>
		<u>Add</u> total of postpetition attorney fees/costs		+ <b>\$0.00</b>
		<u>Subtract</u> total of unapplied funds (funds received but not credited to account)		- <b>\$0.00</b>
		<u>Subtract</u> amounts for which debtor is entitled to a refund		-
		<b>Total amount necessary to cure default as of the petition date</b>		<b>(3) \$64,279.21</b>

Copy total onto Item 4 of Proof of Claim form

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: : Case No.: [REDACTED]  
 :  
 [REDACTED] : Chapter: 13  
 :  
 : Judge: [REDACTED]  
 :  
 Debtor(s) :  
 \_\_\_\_\_ :  
 :

Attachment B

DETAILED ITEMIZATION OF ARREARS

Payments	From	To	Amount	Total
Payment	11/1/2009	9/1/2011	\$2,609.54	\$60,019.42

List of Fees and Costs

Fee/Cost Type	Description	Date	Amount
Advertisement Costs	Publication	5/17/2011	455.00
Appraisal Fees		8/29/2011	65.00
Broker Price Opinion Fees		3/9/2010	84.00
Broker Price Opinion Fees		5/27/2011	160.00
Broker Price Opinion Fees		8/25/2011	95.00
Foreclosure Costs	Service Costs - Statutory Mailings	3/1/2011	29.44
Foreclosure Costs	Service Costs - Statutory Mailings	5/17/2011	29.44
Foreclosure Costs	Service Costs - Posting of NOS	5/17/2011	120.00
Foreclosure Costs	Service Costs - Statutory Mailings	5/17/2011	3.68
Foreclosure Fees	Foreclosure Attorney Fees	12/11/2010	650.00
Inspection Fees		3/17/2010	13.50
Inspection Fees		4/16/2010	13.50
Inspection Fees		5/17/2010	13.50
Inspection Fees		6/21/2010	13.50
Inspection Fees		7/20/2010	13.50
Inspection Fees		8/23/2010	13.50
Inspection Fees		9/20/2010	12.00
Inspection Fees		10/22/2010	13.50
Inspection Fees		11/18/2010	13.50
Inspection Fees		12/22/2010	13.50
Inspection Fees		1/19/2011	13.50

Memphis Consumer Bankruptcy Conference

Inspection Fees		2/16/2011	13.50
Inspection Fees		3/21/2011	13.50
Inspection Fees		4/21/2011	13.50
Inspection Fees		5/18/2011	13.50
Inspection Fees		6/17/2011	13.50
Inspection Fees		7/21/2011	13.50
Inspection Fees		8/17/2011	13.50
Recording Fees	Recording Costs - Substitution Recording	2/15/2011	11.00
Recording Fees	Recording Costs - NOD/Intent to Foreclose	2/16/2011	23.00
Recording Fees	Recording Costs - Notice of Sale	5/17/2011	17.00
Title Costs	Trustee Sale Guarantee	2/16/2011	765.00
Uncollected Late Charges		8/16/2010	116.21
Uncollected Late Charges		9/16/2010	116.21
Uncollected Late Charges		10/18/2010	116.21
Uncollected Late Charges		11/16/2010	116.21
Uncollected Late Charges		12/16/2010	116.21
Uncollected Late Charges		1/17/2011	116.21
Uncollected Late Charges		2/16/2011	116.21
Uncollected Late Charges		3/16/2011	116.21
Uncollected Late Charges		4/18/2011	116.21
Uncollected Late Charges		5/16/2011	116.21
Uncollected Late Charges		6/16/2011	116.21
Uncollected Late Charges		7/18/2011	116.21
Uncollected Late Charges		8/16/2011	116.21

**Total Arrears: \$64,279.21**

Effective 11/1/2011, the total ongoing mortgage payment amount will be \$2,620.05.

Please send all correspondence and court pleadings to ALDRIDGE CONNORS LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, GA, 30305. Reference Matter No.: [REDACTED]

B 10 (Official Form 10) (12/11)

<b>UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: [REDACTED]	Case Number: [REDACTED]	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. §503		
Name of Creditor (the person or other entity to whom the debtor owes money or property): [REDACTED]		<b>COURT USE ONLY</b>
Name and Address where notices should be sent: [REDACTED]		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
Name and Address where payment should be sent (if different from above): [REDACTED]		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
<b>1. Amount of Claim as of Date Case Filed: \$ 275,111.87*</b>  If all or part of your claim is secured, complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach a statement that itemizes interest or charges. (See Exhibit B)  <i>* This is an estimated figure and is not to be relied upon as a payoff statement</i>		
<b>2. Basis for Claim: Money loaned (Real Estate Mortgage)</b>		
<b>3. Last four digits of any number by which creditor identifies debtor: 1642</b>	<b>3a. Debtor may have scheduled account as:</b> _____	<b>3b. Uniform Claim Identifier (optional):</b> _____
<b>4. Secured Claim</b> Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.  Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:  Value of Property: \$ _____  Annual Interest Rate <u>4.000</u> % <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable <input type="checkbox"/> Other (when case was filed)		Amount of arrearage and other charges, as of time case was filed, included in secured claim, if any:  <b>\$ 31,093.50</b>  Basis for perfection: <u>Recorded Security Deed</u>  Amount of Secured Claim: \$ <u>275,111.87</u>  Amount Unsecured: \$ _____
<b>5. Amount of Claim Entitled to Priority under U.S.C. §507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.</b>		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. §507(a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5).
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507(a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507(a)(____).
		Amount entitled to priority \$ _____
<i>*Amounts are subject to adjustment 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>		



B 10 (Attachment A) (12/11)

**EXHIBIT A**

**Mortgage Proof of Claim Attachment**

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See Bankruptcy Rule 3001(c)(2).

Name of debtor: [REDACTED] Case number: [REDACTED]  
 Name of creditor: [REDACTED] Last four digits of any number you use to identify the debtor's account: 1642

**Part 1: Statement of Principal and Interest Due as of the Petition Date**

Itemize the principal and interest due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on your Proof of Claim form).

1.	Principal due					(1)	\$ <u>251,847.77</u>
2.	Interest due	Interest rate	From mm/dd/yyyy	To mm/dd/yyyy	Amount		
		<u>4.000 %</u>	<u>12/1/2009</u>	<u>9/15/2011</u>	<u>\$ 18,050.24</u>		
	<b>Total interest due as of the petition date</b>				<u>\$ 18,050.24</u>	Copy total here ▶	(2) + \$ <u>18,050.24</u>
3.	<b>Total principal and interest due</b>					(3)	\$ <u>269,898.01</u>

**Part 2: Statement of Prepetition Fees, Expenses, and Charges**

Itemize the fees, expenses, and charges due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on the Proof of Claim form).

Description	Dates Incurred	Amount
	<i>Please see attached Exhibit(s)</i>	
1. Late Charges		(1) \$ 947.50
2. Non-sufficient funds (NSF) fees		(2) \$ 0.00
3. Attorney's fees		(3) \$ 1,200.00
4. Filing fees and court costs		(4) \$ 0.00
5. Advertisement costs		(5) \$ 0.00
6. Sheriff/auctioneer fees		(6) \$ 0.00
7. Title costs		(7) \$ 0.00
8. Recording fees		(8) \$ 0.00
9. Appraisal/broker's price opinion fees		(9) \$ 90.00
10. Property inspection fees		(10) \$ 187.25
11. Tax advances (non-escrow)		(11) \$ 0.00
12. Insurance advances (non-escrow)		(12) \$ 0.00

*Memphis Consumer Bankruptcy Conference*

B 10 (Attachment A) (12/11)

Page 2

13.	Escrow shortage or deficiency (Do not include amounts that are part of any installment payment listed in Part 3.) Not included in Total Debt – See Exhibit C	(13)	\$ 0.00
14.	Property preservation expenses. Specify: _____	(14)	\$ 0.00
15.	Other. Specify: <u>Pre Petition Foreclosure Costs</u>	(15)	\$ 748.50
16.	Other. Specify: _____	(16)	\$ 0.00
17.	Other. Specify: _____	(17)	\$ 0.00
18.	Total prepetition fees, expenses, and charges. Add all of the amounts listed above.	(18)	\$ 3,173.25

**Part 3: Statement of Amount Necessary to Cure Default as of the Petition Date**

**Does the installment payment amount include an escrow deposit?**

No

Yes. Attach to the Proof of Claim form an escrow account statement prepared as of the petition date in a form consistent with applicable nonbankruptcy law.

1.	<b>Installment payments due</b>	Date last prepetition payment received by creditor	<u>1/1/2010</u>	
		Number of prepetition installment payments due	(1) <u>21</u>	
2.	<b>Amount of installment payments due</b>	<u>18</u> Installments @ <u>\$ 1,336.19</u>	<u>\$ 24,051.42</u>	
		<u>3</u> Installments @ <u>\$ 1,289.61</u>	<u>\$ 3,868.83</u>	
		<b>Total installment payments due as of the petition date</b>	<u>\$ 27,920.25</u>	Copy total here ▶ (2) <u>\$ 27,920.25</u>
		<b>Total postpetition installment payments due</b>	<u>\$ 0.00</u>	Copy total here ▶ <u>\$ 0.00</u>
3.	<b>Calculation of cure amount</b>	<b>Add total prepetition fees, expenses, and charges</b>		Copy total from Part 2 here ▶ + <u>\$ 3,173.25</u>
		<b>Add total postpetition fees, expenses, and charges</b>		Copy total from Part 2 here ▶ + <u>\$ 0.00</u>
		<b>Subtract total of unapplied funds (funds received but not credited to account)</b>		- <u>\$ 0.00</u>
		<b>Subtract amounts for which debtor is entitled to a refund</b>		- <u>\$ 0.00</u>
		<b>Total amount necessary to cure default as of the petition date</b>	(3) <u>\$ 31,093.50</u>	

Copy total onto Item 4 of Proof of Claim form

Effective 10/1/2011, the monthly payment amount is \$ 1,297.48

B 10 (Attachment A) (12/11)

Page 3

The Interest Rate is: 4.000%

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

[REDACTED]

)  
) CASE NO. 1 [REDACTED]  
) CHAPTER 13  
) JUDGE [REDACTED]  
)

**EXHIBIT B**

ITEMIZATION OF CLAIM

Total Debt as of 9/15/2011

• Unpaid Principal Balance		\$ 251,847.77
• Interest on Principal Balance at: 4.000%		\$ 18,050.24
December 1, 2009 through September 15, 2011		
• Late Charges		\$ 947.50
12/16/2009	Late Charge	\$ 52.11
1/19/2010	Late Charge	\$ 52.67
2/16/2010	Late Charge	\$ 52.67
3/16/2010	Late Charge	\$ 52.67
4/16/2010	Late Charge	\$ 52.67
5/17/2010	Late Charge	\$ 52.67
6/16/2010	Late Charge	\$ 52.67
7/16/2010	Late Charge	\$ 52.67
8/16/2010	Late Charge	\$ 52.67
9/16/2010	Late Charge	\$ 52.67
10/18/2010	Late Charge	\$ 52.67
11/16/2010	Late Charge	\$ 52.67
12/16/2010	Late Charge	\$ 52.67
1/18/2011	Late Charge	\$ 52.67
2/16/2011	Late Charge	\$ 52.67
3/16/2011	Late Charge	\$ 52.67
4/18/2011	Late Charge	\$ 52.67
5/16/2011	Late Charge	\$ 52.67
• Escrow Advance		\$ 2,040.61
9/15/2011	Escrow Advance	\$ 2,040.61
• Inspection Fees		\$ 187.25
10/21/2009	Inspection Fee	\$ 6.75
5/26/2010	Inspection Fee	\$ 10.75
6/16/2010	Inspection Fee	\$ 10.75
8/16/2010	Inspection Fee	\$ 10.75
9/17/2010	Inspection Fee	\$ 10.75
10/18/2010	Inspection Fee	\$ 10.75
11/15/2010	Inspection Fee	\$ 10.75
12/17/2010	Inspection Fee	\$ 10.75
1/20/2011	Inspection Fee	\$ 10.75
2/16/2011	Inspection Fee	\$ 10.75
3/17/2011	Inspection Fee	\$ 10.75
4/15/2011	Inspection Fee	\$ 10.75
5/18/2011	Inspection Fee	\$ 10.75
6/10/2011	Inspection Fee	\$ 30.00
6/13/2011	Inspection Fee	\$ 10.75
9/12/2011	Inspection Fee	\$ 10.75
• Appraisal/BPO		\$ 90.00
5/18/2011	BPO	\$ 90.00
• Pre Petition Foreclosure Fees		\$ 1,200.00
5/4/2010	Foreclosure Attorney Fees	\$ 600.00
4/1/2011	Foreclosure Attorney Fees	\$ 600.00
• Pre Petition Foreclosure Costs		\$ 748.50

American Bankruptcy Institute

5/10/2010	Title Search	\$ 225.00
5/27/2010	Service cost - Statutory Mailings	\$ 5.71
6/11/2010	Publication	\$ 75.60
4/8/2011	Title Search	\$ 200.00
4/21/2011	Service cost - Statutory Mailings	\$ 5.79
5/13/2011	Publication	\$ 236.40

**TOTAL DEBT**

**\$ 275,111.87**

Effective 10/1/2011, the monthly payment amount is \$ 1,297.48.

The Interest Rate is: 4.000%

Please forward all payments to



Please forward all correspondence and court pleadings to McCalla Raymer, LLC, National Bankruptcy Department, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, 770-643-7200. File



Property Address:



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

[REDACTED]

)  
) CASE NO. [REDACTED]  
) CHAPTER 13  
) JUDGE [REDACTED]  
)

EXHIBIT C

ITEMIZATION OF CLAIM

Total Arrearage as of 9/15/2011

• Regular Monthly Installments of \$ 1,336.19 January, 2010 through June, 2011		\$ 24,051.42
• Regular Monthly Installments of \$ 1,289.61 July, 2011 through September, 2011		\$ 3,868.83
• Late Charges		\$ 947.50
12/16/2009 Late Charge	\$ 52.11	
1/19/2010 Late Charge	\$ 52.67	
2/16/2010 Late Charge	\$ 52.67	
3/16/2010 Late Charge	\$ 52.67	
4/16/2010 Late Charge	\$ 52.67	
5/17/2010 Late Charge	\$ 52.67	
6/16/2010 Late Charge	\$ 52.67	
7/16/2010 Late Charge	\$ 52.67	
8/16/2010 Late Charge	\$ 52.67	
9/16/2010 Late Charge	\$ 52.67	
10/18/2010 Late Charge	\$ 52.67	
11/16/2010 Late Charge	\$ 52.67	
12/16/2010 Late Charge	\$ 52.67	
1/18/2011 Late Charge	\$ 52.67	
2/16/2011 Late Charge	\$ 52.67	
3/16/2011 Late Charge	\$ 52.67	
4/18/2011 Late Charge	\$ 52.67	
5/16/2011 Late Charge	\$ 52.67	
• Inspection Fees		\$ 187.25
10/21/2009 Inspection Fee	\$ 6.75	
5/26/2010 Inspection Fee	\$ 10.75	
6/16/2010 Inspection Fee	\$ 10.75	
8/16/2010 Inspection Fee	\$ 10.75	
9/17/2010 Inspection Fee	\$ 10.75	
10/18/2010 Inspection Fee	\$ 10.75	
11/15/2010 Inspection Fee	\$ 10.75	
12/17/2010 Inspection Fee	\$ 10.75	
1/20/2011 Inspection Fee	\$ 10.75	
2/16/2011 Inspection Fee	\$ 10.75	
3/17/2011 Inspection Fee	\$ 10.75	
4/15/2011 Inspection Fee	\$ 10.75	
5/18/2011 Inspection Fee	\$ 10.75	
6/10/2011 Inspection Fee	\$ 30.00	
6/13/2011 Inspection Fee	\$ 10.75	
9/12/2011 Inspection Fee	\$ 10.75	
• Appraisal/BPO		\$ 90.00
5/18/2011 BPO	\$ 90.00	
• Pre Petition Foreclosure Fees		\$ 1,200.00
5/4/2010 Foreclosure Attorney Fees	\$ 600.00	
4/1/2011 Foreclosure Attorney Fees	\$ 600.00	
• Pre Petition Foreclosure Costs		\$ 748.50

American Bankruptcy Institute

5/10/2010	Title Search	\$ 225.00
5/27/2010	Service cost - Statutory Mailings	\$ 5.71
6/11/2010	Publication	\$ 75.60
4/8/2011	Title Search	\$ 200.00
4/21/2011	Service cost - Statutory Mailings	\$ 5.79
5/13/2011	Publication	\$ 236.40

**TOTAL ARREARS**

**\$ 31,093.50**

Effective 10/1/2011, the monthly payment amount is \$ 1,297.48.

The Interest Rate is: 4.000%

Please forward all payments to [REDACTED]

Please forward all correspondence and court pleadings to McCalla Raymer, LLC, National Bankruptcy Department, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, 770-643-7200. File [REDACTED] 3, Property Address: [REDACTED]

Memphis Consumer Bankruptcy Conference

B 10 (Official Form 10) (12/11)

<b>UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: [REDACTED]	Case [REDACTED]	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): [REDACTED]		<b>COURT USE ONLY</b>
Name and address where notices should be sent: [REDACTED]		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.
Telephone number: _____ email: _____		Court Claim Number: _____ (If known)
Name and address where payment should be sent (if different from above): [REDACTED]		Filed on: _____
Telephone number: _____ email: _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ 127,044.37		
If all or part of the claim is secured, complete item 4.		
If all or part of the claim is entitled to priority, complete item 5.		
<input checked="" type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: Money Loaned (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: 2549	3a. Debtor may have scheduled account as: (See instruction #3a)	3b. Uniform Claim Identifier (optional): (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ 15,134.22
Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: [REDACTED]		Basis for perfection: Mortgage
Value of Property: \$ _____		Amount of Secured Claim: \$ 127,044.37
Annual Interest Rate 7.125% <input checked="" type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. §507 (a)(4).	Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).
Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).	Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).	Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____).
		Amount entitled to priority: \$ _____
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

- I am the creditor.
- I am the creditor's authorized agent.  
(Attach copy of power of attorney, if any.)
- I am the trustee, or the debtor,  
or their authorized agent.  
(See Bankruptcy Rule 3004.)
- I am a guarantor, surety, indorser, or other codebtor.  
(See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name \_\_\_\_\_ Bar No. # \_\_\_\_\_

Title: Authorized Agent for Servicer, \_\_\_\_\_

Company: Pendergast & Associates, P.C. \_\_\_\_\_

\_\_\_\_\_  
(Signature) (Date)

Address and telephone number (if different from notice address above):

115 Perimeter Center Place \_\_\_\_\_

South Terraces, Suite 1000 \_\_\_\_\_

Atlanta, GA 30346 \_\_\_\_\_

Telephone number: (770) 392-0303 email: kclark@penderlaw.com

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

B 10 (Attachment A) (12/11)

**Mortgage Proof of Claim Attachment**

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See Bankruptcy Rule 3001(c)(2).

Name of debtor: \_\_\_\_\_

Case number: \_\_\_\_\_

Name of creditor: \_\_\_\_\_

Last four digits of any number you use to identify the debtor's account: 2549

**Part 1: Statement of Principal and Interest Due as of the Petition Date**

Itemize the principal and interest due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on your Proof of Claim form).

1. Principal due (1) \$ 111,899.18

2. Interest due	Interest rate	From mm/dd/yyyy	To mm/dd/yyyy	Amount
	<u>7.125</u> %	<u>7/1/2010</u>	<u>11/1/2011</u>	\$ <u>11,066.10</u>
	_____ %	<u>/ /</u>	<u>/ /</u>	\$ _____
	_____ %	<u>/ /</u>	<u>/ /</u>	+ \$ _____
<b>Total interest due as of the petition date</b>				\$ <u>11,066.10</u> Copy total here ▶ (2) + \$ <u>11,066.10</u>

3. Total principal and interest due (3) \$ 122,965.28

**Part 2: Statement of Prepetition Fees, Expenses, and Charges**

Itemize the fees, expenses, and charges due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on the Proof of Claim form).

Description	Dates incurred	Amount
1. Late charges (Uncollected=\$-; Accrued=\$498.30)	8/1/2010- 10/1/2011 @33.22 each	(1) \$ <u>498.30</u>
2. Non-sufficient funds (NSF) fees	_____	(2) \$ <u>0.00</u>
3. Attorney's fees	11/9/2010	(3) \$ <u>325.00</u>
4. Filing fees and court costs	_____	(4) \$ <u>0.00</u>
5. Advertisement costs	_____	(5) \$ <u>0.00</u>
6. Sheriff/auctioneer fees	_____	(6) \$ <u>0.00</u>
7. Title costs	11/15/2010	(7) \$ <u>275.00</u>
8. Recording fees	1/20/2011	(8) \$ <u>13.60</u>
9. Appraisal/broker's price opinion fees	10/22/2010, 7/1/2011, 2/19/2011	(9) \$ <u>249.00</u>
10. Property inspection fees	9/24/2010, 10/25/2010, 12/1/2010, 12/30/2010 1/25/2011, 3/1/2011, 3/25/2011, 4/25/2011, 5/24/2011, 6/23/2011, 7/21/2011, 8/23/2011, 9/22/2011, 10/26/2011,	(10) \$ <u>161.00</u>
11. Tax advances (non-escrow)	_____	(11) \$ <u>0.00</u>
12. Insurance advances (non-escrow)	_____	(12) \$ <u>0.00</u>
13. Escrow shortage or deficiency (Do not include amounts that are part of any installment payment listed in Part 3.)	***Not included in Total Claim Amount	(13) \$ <u>0.00</u>
14. Property preservation expenses. Specify: _____	_____	(14) \$ <u>0.00</u>
15. Other. Specify: _____	_____	(15) \$ <u>0.00</u>
16. Other. Specify: _____	_____	(16) \$ <u>0.00</u>
17. Other. Specify: _____	_____	(17) \$ <u>0.00</u>

B 10 (Attachment A) (12/11)

18. Total prepetition fees, expenses, and charges. Add all of the amounts listed above.

(18) \$ 1,521.90

**Part 3. Statement of Amount Necessary to Cure Default as of the Petition Date**

Does the installment payment amount include an escrow deposit?

- No
- Yes. Attach to the Proof of Claim form an escrow account statement prepared as of the petition date in a form consistent with applicable nonbankruptcy law.

1. Installment payments due	Date last payment received by creditor	11/1/2010	
	Number of installment payments due	(1) 16	
2. Amount of installment payments due	16 installments @	\$ 850.77	(P&I=\$664.40; Esc.=\$186.37)
	0 installments @	\$ 0.00	(P&I=\$-; Esc.=\$-)
	0 installments @	+ \$ 0.00	(P&I=\$-; Esc.=\$-)
	<b>Total installment payments due as of the petition date</b>	\$ 13,612.32	Copy total here ▶ (2) \$ 13,612.32
3. Calculation of cure amount	<b>Add total prepetition fees, expenses, and charges</b>		Copy total from Part 2 here ▶ + \$ 1,521.90
	<b>Subtract total of unapplied funds (funds received but not credited to account)</b>		- \$ 0.00
	<b>Subtract amounts for which debtor is entitled to a refund</b>		- \$ _____
	<b>Total amount necessary to cure default as of the petition date</b>		<b>(3) \$ 15,134.22</b>

Copy total onto Item 4 of Proof of Claim form

**\*\*See attached Total Claim Exhibit for complete itemization of Total Claim Amount.\*\***

**\*\*\*Post Petition Payment Amount beginning 12/1/2011 = \$859.89 (P&I=\$664.40; Escrow=\$195.49)**

**PLEASE SEND ALL NOTICES TO THE FOLLOWING ADDRESS:**

Pendergast & Associates, P.C.  
 115 Perimeter Center Place  
 South Terraces, Suite 1000  
 Atlanta, GA 30346

B 10 (Attachment B)

**TOTAL CLAIM EXHIBIT**

**Debtor:** [REDACTED]

**Case No. 1** [REDACTED]

**Total Secured Amount as of 11/9/2011:**

Principal Balance =	\$111,899.18
Interest =	\$11,066.10
Escrow Advance =	\$2,557.19
Accrued Late Charges =	\$498.30
Attorney Fees =	\$325.00
Title Costs =	\$275.00
Recording Fees =	\$13.60
Property Appraisal Fees =	\$249.00
Property Inspection Fees =	\$161.00

**TOTAL SECURED AMOUNT: \$127,044.37**

B 10 (Official Form 10) (12/11)

<b>UNITED STATES BANKRUPTCY COURT ALL DISTRICT OF COLORADO</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: [REDACTED]	Case Number: [REDACTED]	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. '503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property): [REDACTED]		
Name and address where notices should be sent: [REDACTED] email: _____		<b>COURT USE ONLY</b>
Name and address where payment should be sent (If different from above): [REDACTED]		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.  Court Claim Number: _____ (If known)  Filed on: _____
1. Amount of Claim at Time Case Filed: <u>                    \$ See Exhibit A                    </u>  If all or part of your claim is secured, complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
2. Basis for Claim: <u>          See Exhibit A          </u> (See instruction # 2)		
3. Last four digits of any number by which creditor identifies debtor: 2464	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Code Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if your claim is secured by a lien on property or a right of Setoff, attach required redacted documents, and provide the requested information.  Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:  Value of Property: \$ _____  Annual Interest Rate _____% <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges as of time case case filed included in secured claim, if any:  \$ _____  Basis for perfection: _____  Amount of Secured Claim: \$ _____  Amount Unsecured: \$ _____
5. Amount of claim Entitled to Priority under 11 U.S.C '507(a). If any portion of your claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*), earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. ' 507(a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. ' 507(a)(5).
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other--Specify applicable paragraph of 11 U.S.C. ' 507(a)(____).
Amount entitled to priority: \$ _____		
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

7. **Documents:** Attach **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. (See instruction 7 and definition of "redacted.")

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. **Signature:** (See instruction # 8)

Check the Appropriate box:

- I am the creditor.     I am the creditor's authorized agent.     I am the trustee, or the debtor.     I am a guarantor, surety, indorser, or other codebtor.  
(Attach copy of power of attorney, if any.)    (See Bankruptcy Rule 3004.)    (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: [REDACTED]

Title: Agent

Company: AldridgeConnors, LLP

Address and telephone number (if different from notice address above):

780 Johnson Ferry Road NE, Suite 600  
Atlanta, Georgia 30342

[REDACTED]  
(Signature)

12/7/11

(Date)

Telephone number: (877)319-8840

*Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. 152 and 3571*

**EXHIBIT A**

Property Address: [REDACTED]

A proof of claim has NOT previously been filed in this bankruptcy case by the Creditor with respect to the above-referenced Property, and Creditor is not asserting a claim based on amounts outstanding as of the date of the filing of the bankruptcy case.

However, as contemplated by new Rule 3002.1 of the Federal Rules of Bankruptcy Procedure, which will be effective as of December 1, 2011, the filing of payment change notices, post petition fee notices and responses to cure notices (collectively, the "Subsequent Filings") are to be filed as supplements to proofs of claim.<sup>1</sup>

Accordingly, this proof of claim is being filed in order to **provide a reference document, as contemplated by Rule 3002.1**, for the filing of any Subsequent Filings.

Given the nature of this proof of claim to serve as a **reference document**, this proof of claim is NOT filed with any usual details and attachments, and is not intended to independently assert a claim.

THE FILING OF THIS PROOF OF CLAIM SHALL NOT CONSTITUTE CONSENT BY THE CREDITOR TO THE BANKRUPTCY COURT'S AUTHORITY TO HEAR AND DETERMINE, OR OTHERWISE EXERCISE JURISDICTION OVER, ANY MATTER OTHER THAN THOSE MATTERS DIRECTLY IMPLICATED BY THE CLAIMS ALLOWANCE PROCESS.

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<sup>1</sup> This filing is made without prejudice to the right to contend, in an appropriate case, that under the terms of Rule 3002.1(a), the Rule is inapplicable in cases in which the debtor is current as of the petition date.

**U.S. Bankruptcy Court  
Northern District of Georgia (Atlanta)  
Bankruptcy Petition** [REDACTED]

Date filed: 12/24/2008

Assigned to: [REDACTED]  
Chapter 13  
Voluntary  
Asset

**Debtor**

[REDACTED]

represented by

[REDACTED]

[REDACTED]

[REDACTED]

**Trustee**

[REDACTED]

Filing Date	#	Docket Text

12/24/2008	<u>1</u>	Voluntary Petition (Chapter 13), Fee Collected filed by [REDACTED] on behalf of [REDACTED] )
12/24/2008	<u>2</u>	Chapter 13 Plan filed by [REDACTED] Associates on behalf of [REDACTED]
12/24/2008	<u>3</u>	Receipt of Initial Docs01: Voluntary Petition (Chapter 13) - [REDACTED] 14863311. Fee Amount 274.00 (U.S. Treasury)
12/24/2008	<u>4</u>	Notice of Meeting of Creditors (Chapter 13) 341 Meeting to be held on 02/02/2009 at 01:30 PM at Hearing Room 367, Atlanta. Objections for Discharge due by 04/03/2009. Non-Government Proof of Claims due by 05/04/2009. Confirmation Hearing to be held on 03/04/2009 at 01:30 PM at Courtroom 1404, Atlanta. (related document(s) <u>2</u> Chapter 13 Plan case upload) (Admin.)
12/29/2008	<u>5</u>	Notice of deficient filing regarding bankruptcy petition. Service by BNC. Credit Counseling Certificate Due 1/13/2009 Debtor Payment Advices Due:1/13/2009, 11 USC 521(i) Filings due by 2/12/2009. (slm, )
12/31/2008	<u>6</u>	Debtor(s) Payment Advices filed by [REDACTED] on behalf of [REDACTED]. (related document(s) <u>5</u> Notice of deficient filing regarding bankruptcy petition.)(Buff, G.)
12/31/2008	<u>7</u>	Credit Counseling Service Certificate filed by [REDACTED] on behalf of [REDACTED]. (related document(s) <u>5</u> Notice of deficient filing regarding bankruptcy petition.)(Buff, G.)
12/31/2008	<u>8</u>	Order for Debtor's Employer to Deduct Payments. Service by BNC. (Admin.)
12/31/2008	<u>9</u>	BNC Certificate of Service of Notice of Deficiency Service Date 12/31/2008. (Admin.) (Entered: 01/01/2009)
01/01/2009	<u>10</u>	BNC Certificate of Service for Notice of Meeting of Creditors Service Date 01/01/2009. (Admin.) (Entered: 01/02/2009)
01/01/2009	<u>11</u>	BNC Certificate of Service of Chapter 13 Plan Service Date 01/01/2009. (Admin.) (Entered: 01/02/2009)
01/02/2009	<u>12</u>	Notice of Appearance (Attorney) and Request for Service of Papers filed by Sean R. Quirk on behalf of WELLS FARGO BANK, NA. (Quirk, Sean)

01/02/2009	<u>13</u>	Certificate of Mailing by BNC of Order to Employer to Deduct Service Date 01/02/2009. (Admin.) (Entered: 01/03/2009)
01/31/2009	<u>14</u>	Amended Chapter 13 Plan filed by [REDACTED] on behalf of [REDACTED] upload)(Buff, G.)
02/02/2009	<u>15</u>	Request for addition to list of creditors and request for notices filed by Recovery Management Systems Corporation. (Recovery Management Systems Corp., )
02/02/2009		Section 341(a) meeting held and concluded. (mab, ) (Entered: 02/09/2009)
02/04/2009	<u>16</u>	BNC Certificate of Service of Amended Plan Service Date 02/04/2009. (Admin.) (Entered: 02/05/2009)
02/09/2009	<u>17</u>	Objection to Confirmation of Plan <i>and request for dismissal of case</i> Filed by [REDACTED]
02/09/2009	<u>18</u>	Debtor(s) Questionnaire Filed by [REDACTED] on behalf of [REDACTED]
03/02/2009	<u>19</u>	Amended Schedule I , Amended Schedule J , Amended Statistical Summary of Certain Liabilities, Amended Summary of Schedules filed by [REDACTED]
03/02/2009	<u>20</u>	Affidavit <i>Declaration Concerning Schedules</i> filed by [REDACTED] . (related document(s) <u>19</u> Schedule I - Current Income of Individual Debtor(s), Schedule J - Current Expenditures, Statistical Summary of Certain Liabilities, Summary of Schedules)( [REDACTED]
03/02/2009	<u>21</u>	Amended Chapter 13 Plan filed by [REDACTED] (related document(s) <u>2</u> Chapter 13 Plan case upload)(Buff, G.)
03/05/2009	<u>22</u>	BNC Certificate of Service of Amended Plan Service Date 03/05/2009. (Admin.) (Entered: 03/06/2009)
03/06/2009	<u>23</u>	Notice Rescheduling filed by [REDACTED] on behalf of [REDACTED] Confirmation Hearing to be held on 4/15/2009 at 01:30 PM at Courtroom 1404, Atlanta. (related document(s) <u>21</u> Chapter 13 Pre-Confirmation Plan Amendment filed by [REDACTED]

Memphis Consumer Bankruptcy Conference

04/15/2009	<u>24</u>	Order Confirming Chapter 13 Plan. Service by BNC. (jvs) (Entered: 04/16/2009)
04/18/2009	<u>25</u>	BNC Certificate of Service of Order Confirming Chapter 13 Plan Service Date 04/18/2009. (Admin.) (Entered: 04/20/2009)
04/18/2009	<u>26</u>	Notice to Debtor Re: Financial Mgmt. Certification. Served by BNC. Service Date 04/18/2009. (Admin.) (Entered: 04/20/2009)
04/18/2009	<u>27</u>	Notice to Debtor Re: Domestic Support Obligations with certificate of service by BNC. Service Date 04/18/2009. (Admin.) (Entered: 04/20/2009)
05/04/2009	<u>28</u>	Request for addition to list of creditors and request for notices filed by Beneficial Mortgage Company of Georgia. (Moss Codilis, LLP)
05/07/2009	<u>29</u>	Certification Regarding Review of Proof of Claims filed by G. [REDACTED]
11/03/2009	<u>30</u>	Notice of Appearance (Attorney) and Substitution for Counsel (Black, Craig)
01/07/2010	<u>31</u>	Notice of Payment Change filed by WELLS FARGO HOME MORTGAGE, INC.. (Wells Fargo Mortgage, Inc.)
03/26/2010	<u>32</u>	Motion to Incur Debt Other Than Under 364(b) and Certificate of Service filed by [REDACTED] on behalf of [REDACTED] [REDACTED] Hearing to be held on 4/28/2010 at 10:00 AM in Courtroom 1404, Atlanta. [REDACTED]
04/08/2010	<u>33</u>	Notice of Appearance (Attorney) filed by A. Michelle Hart on behalf of HSBC Consumer Lending Mortgage Services. (Hart, A.)
05/12/2010	<u>34</u>	Order GRANTING Motion to Incur Debt (Related Doc # <u>32</u> ) Service by BNC. Entered on 5/12/2010. (slm)
05/14/2010	<u>35</u>	Certificate of Mailing by BNC of Order on Motion to Incur Debt Service Date 05/14/2010. (Admin.) (Entered: 05/15/2010)
06/21/2010	<u>36</u>	Notice of Case Reassignment. Service by BNC. (diw)
06/23/2010	<u>37</u>	Certificate of Mailing by BNC of Case Reassignment Notice. Service Date 06/23/2010. (Admin.) (Entered: 06/24/2010)

08/02/2010	<u>38</u>	Notice of Intent to Pay Claim of NORTHBRIDGE ESTATES HOMEOWNERS ASSOCIATION, INC C/O DUNLAP GARDINER in the amount of \$1,094.85 unless objections are filed by debtor or debtor's attorney within 20 days. Filed by [REDACTED]
05/19/2011	<u>39</u>	Notice of Payment Change filed by WELLS FARGO HOME MORTGAGE. (Wells Fargo Mortgage, Inc.)
09/26/2011	<u>40</u>	Order for Debtor's Employer to Deduct Payments. Service by BNC. (Admin.)
09/28/2011	<u>41</u>	Certificate of Mailing by BNC of Employer Deduction Order Service Date 09/28/2011. (Admin.) (Entered: 09/29/2011)
12/27/2011	<u>42</u>	Joint Transfer of claim Transfer Agreement 3001 (e) 2 Transferor: Roundup Funding, LLC (Claim No. 3) To East Bay Funding, LLC . To East Bay Funding, LLC/o Resurgent Capital ServicesPO Box 288Greenville, SC 29603. filed by East Bay Funding, LLC.(Resurgent Capital Services)
12/28/2011	<u>43</u>	Notice of Transfer of Claim to East Bay Funding, LLC from Roundup Funding, LLC with objections due 21 days from the date of this notice. Service by BNC (rf)
12/30/2011	<u>44</u>	Certificate of Mailing by BNC of Notice of Transfer of Claim Notice Date 12/30/2011. (Admin.) (Entered: 12/31/2011)
02/16/2012	<u>45</u>	→ Notice of Final Cure Mortgage Payment re: Rule 3002.1 Filed by [REDACTED] on behalf of [REDACTED]
02/16/2012	<u>46</u>	Notice of Plan Completion 522(q) May NOT Apply Filed by [REDACTED] on behalf of [REDACTED] Certificate Due 4/4/2012. ([REDACTED])
03/05/2012	<u>47</u>	Final Report and Accounting Filed by [REDACTED] on behalf of [REDACTED]
03/14/2012	<u>48</u>	Notice of Appearance (Attorney) Filed by [REDACTED] on behalf of [REDACTED] Inc.. [REDACTED]
03/29/2012	<u>49</u>	Debtor's 11 U.S.C. Section 1328 Certificate filed by [REDACTED]
		Certification of Financial Management Course for Debtor filed

04/03/2012	sd	[REDACTED]
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PACER Service Center			
Transaction Receipt			
04/11/2012 15:21:05			
<b>PACER Login:</b>	[REDACTED]	<b>Client Code:</b>	[REDACTED]
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	[REDACTED]
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30

UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF GEORGIA  
 ATLANTA DIVISION

IN RE:

[REDACTED]

DEBTOR

:  
 : CHAPTER 13  
 : CASE NO. [REDACTED]  
 : JUDGE [REDACTED]  
 :  
 : **NOTICE OF FINAL CURE PAYMENT**

Pursuant to Federal Rule of Bankruptcy Procedure 3002.1(f), the Chapter 13 Trustee, [REDACTED] files this Notice of Final Cure Payment. The amount required to cure the pre-petition default in the claim listed below has been paid in full.

Name of Creditor: [REDACTED]

**Final Cure Amount**

<u>Court Claim #</u>	<u>Account Number</u>	<u>Claim Asserted</u>	<u>Claim Allowed</u>	<u>Amount Paid</u>
8	9683	\$464.42	\$464.42	\$464.42
Total Amount Paid by Trustee				\$464.42

**Monthly Ongoing Mortgage Payment**

Mortgage is Paid:

Through the Chapter 13 Conduit       Direct by the Debtor

Within 21 days of the service of the Notice of Final Cure Payment, the creditor MUST file and serve a Statement as a supplement to the holder's proof of claim on the Debtor, Debtor's Counsel and the Chapter 13 Trustee, pursuant to Fed.R.Bank.P.3002.1(g), indicating 1) whether it agrees that the Debtor has paid in full the amount required to cure the pre-petition default on the claim; and 2) whether the Debtor is otherwise current on all payments consistent with 11 U.S.C. § 1322(b)(5).

The statement shall itemize the required cure or post-petition amounts, if any, that the holder contends remain unpaid as of the date of the statement. The statement shall be filed as a supplement to the holder's proof of claim and is not subject to Rule 3001(f). Failure to notify may result in sanctions.

CASE NO. [REDACTED]

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Final Cure Payment was served on the parties listed below by ordinary U.S. Mail or served electronically through the Court's ECF System at the e-mail address registered with the Court on this 16th day of February, 2012.

[REDACTED]

ELECTRONIC SERVICE [REDACTED]  
[REDACTED]

[REDACTED]

ELECTRONIC SERVICE [REDACTED]

Date: February 16, 2012

[REDACTED]  
[REDACTED]  
Chapter 13 Trustee  
[REDACTED]  
[REDACTED]  
[REDACTED]

UNITED STATES BANKRUPTCY COURT  
Northern District of Georgia  
Atlanta Division

In re [REDACTED]  
Debtor(s)

Case [REDACTED]  
Chapter 13

**Statement by Creditor in Response to Notice of Final Cure Payment**

Name of creditor: [REDACTED]

Court claim no. (if known): 8

Last four digits of any number used to identify the debtor's 9683 account:

**Part 1: Pre-petition Arrearage Claim**

Does Creditor agree that the amounts required to cure the pre-petition default provided for in the Chapter 13 Plan have been paid in full?

- Yes
- No.

If not, Creditor alleges that the amount required to cure the pre-petition default is: \_\_\_\_\_, as more specifically set forth in the itemized listing attached hereto.

**Part 2: Post-Petition Charges, Fees and Payments**

**Amounts to be paid through the Chapter 13 Plan:**

Does Creditor agree that all post-petition amounts due to be paid through the Chapter 13 Plan have been paid in full?

- Yes
- No.

If not, Creditor alleges that the amount required to cure the post-petition default is: \_\_\_\_\_, as more specifically set forth in the itemized listing attached hereto.

**Amounts to be paid outside of the Chapter 13 Plan:**

Does Creditor agree that all post-petition amounts due to be paid directly to Creditor outside of the Chapter 13 Plan have been paid in full?

- Yes
- No.

If not, Creditor alleges that the amount required to cure the post-petition default is: \$3,977.82, as more specifically set forth in the itemized listing attached hereto. The loan is contractually due and post-petition due for 7/3/2010 – 3/3/2012 (21months) at \$189.42 each.

**Part 3: Signature**

The person completing this Response must sign it. Sign and print your name and title, if any, and state your address and telephone number.

Check the appropriate box.

- I am the creditor.     I am the creditor's authorized agent.  
(Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Response is true and correct to the best of my knowledge, information, and reasonable belief.

**X** [REDACTED] \_\_\_\_\_  
Signature

Date March 8, 2012

Print: [REDACTED] \_\_\_\_\_  
First Name Middle Name Last Name

Title: Agent for Creditor

Company Aldridge Connors LLP \_\_\_\_\_

Address Fifteen Piedmont Center  
3575 Piedmont Road, N.E., Suite 500 \_\_\_\_\_  
Number Street

Atlanta \_\_\_\_\_ GA 30305 \_\_\_\_\_  
City State Zip Code

Contact phone 1-888-475-3259 \_\_\_\_\_

Email [REDACTED]

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA

IN RE: : CASE NO. [REDACTED]  
[REDACTED] : CHAPTER: 13  
Debtor(s) :  
: JUDGE [REDACTED]

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**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing *Statement by Creditor in Response to Notice of Final Cure Payment* was sent (1) via electronic notice to parties who are ECF Filers and Consenting Users, (2) via electronic notice to ECF Filers and Consenting Users who represent parties, and (3) by first class U.S. Mail, with adequate postage prepaid to all other interested parties at their addresses shown below:

[REDACTED]

[REDACTED]

[REDACTED]

Dated: March 8, 2012

s/ [REDACTED]

## Northern District of Georgia Claims Register



**Judge:** [REDACTED]      **Chapter:** 13  
**Office:** Atlanta      **Last Date to file claims:** 05/04/2009  
**Trustee:** [REDACTED]      **Last Date to file (Govt):** 06/22/2009

**Creditor:** (11184819)  
DEPARTMENT STORES NATIONAL  
BANK/MACYS  
TSYS DEBT MGMT., INC.  
PO BOX 137  
COLUMBUS, GA 31902-0137  
**Claim No: 1**  
*Original Filed*  
Date: 01/23/2009  
*Original Entered*  
Date: 01/23/2009  
**Status:**  
*Filed by:* CR  
*Entered by:* TSYS Total Debt  
Management Inc  
*Modified:*  
Amount claimed: \$1310.89  
Unsecured claimed: \$1310.89

**History:**

Details 1-1 01/23/2009 Claim #1 filed by DEPARTMENT STORES NATIONAL BANK/MACYS, Amount claimed: \$1310.89 (TSYS Total Debt Management Inc)

**Description:**

**Remarks:**

**Creditor:** (13332754)  
Wells Fargo Bank, N.A.  
3476 Stateview Blvd.  
MAC# X7801-014  
Fort Mill, South Carolina  
29715 [Claimant History](#)  
**Claim No: 2**  
*Original Filed*  
Date: 01/23/2009  
*Original Entered*  
Date: 01/23/2009  
*Last Amendment*  
*Filed:* 07/30/2010  
*Last Amendment*  
*Entered:* 07/30/2010  
**Status:**  
*Filed by:* CR  
*Entered by:* Sean R. Quirk  
*Modified:*

Amount claimed: \$190212.26  
Secured claimed: \$190212.26

**History:**

Details 2-1 01/23/2009 Claim #2 filed by Wells Fargo Bank, NA, Amount claimed: \$190212.26 (Quirk, Sean )

Details 2-2 07/30/2010 Amended Claim #2 filed by Wells Fargo Bank, N.A., Amount claimed: \$190212.26 (Quirk, Sean )

**Description:** (2-1) Proof Of Claim  
(2-2) Amended Proof of Claim

**Remarks:**

**Creditor:** (15346889)  
East Bay Funding, LLC  
c/o Resurgent Capital Services  
PO Box 288  
Greenville, SC 29603      [Claimant](#)  
**Claim No: 3**  
*Original Filed*  
Date: 02/13/2009  
*Original Entered*  
Date: 02/13/2009  
**Status:**  
*Filed by:* CR  
*Entered by:* Steve Kane  
*Modified:*  
History

Amount claimed: \$322.57

Unsecured claimed: \$322.57

*History:*

Details 3- 02/13/2009 Claim #3 filed by Roundup Funding, LLC, Amount claimed: \$322.57 (Kane, Steve )  
1

42 12/27/2011 Joint Transfer of claim Transfer Agreement 3001 (e) 2 Transferor: Roundup Funding, LLC (Claim No. 3) To East Bay Funding, LLC . To East Bay Funding, LLCc/o Resurgent Capital ServicesPO Box 288Greenville, SC 29603. filed by East Bay Funding, LLC.(Resurgent Capital Services)

*Description:*

*Remarks:*

*Creditor:* (11346430)  
 Direct Loan Servicing Center  
 PO Box 5609  
 Greenville, TX 75403-5609

**Claim No: 4**  
*Original Filed*  
 Date: 02/19/2009  
*Original Entered*  
 Date: 03/03/2009

*Status:*  
 Filed by: CR  
 Entered by: mbr  
 Modified:

Amount claimed: \$122.62  
 Unsecured claimed: \$122.62

*History:*

Details 4-1 02/19/2009 Claim #4 filed by Direct Loan Servicing Center, Amount claimed: \$122.62 (mbr)

*Description:*

*Remarks:*

*Creditor:* (11348952)  
 PRA Receivables Management, LLC  
 As Agent Of Portfolio Recovery Assocs.  
 POB 41067  
 NORFOLK VA 23541

**Claim No: 5**  
*Original Filed*  
 Date: 03/04/2009  
*Original Entered*  
 Date: 03/04/2009

*Status:*  
 Filed by: CR  
 Entered by: Dolores Garcia  
 Modified:

Amount claimed: \$5929.58  
 Unsecured claimed: \$5929.58

*History:*

Details 5-1 03/04/2009 Claim #5 filed by PRA Receivables Management, LLC, Amount claimed: \$5929.58 (Garcia, Dolores )

*Description:*

*Remarks:*

*Creditor:* (11348952)  
 PRA Receivables Management, LLC  
 As Agent Of Portfolio Recovery Assocs.  
 POB 41067  
 NORFOLK VA 23541

**Claim No: 6**  
*Original Filed*  
 Date: 03/10/2009  
*Original Entered*  
 Date: 03/10/2009

*Status:*  
 Filed by: CR  
 Entered by: Dolores Garcia  
 Modified:

Amount claimed: \$2130.54  
 Unsecured claimed: \$2130.54

*History:*

Details 6-1 03/10/2009 Claim #6 filed by PRA Receivables Management, LLC, Amount claimed: \$2130.54 (Garcia, Dolores )

*Description:*

Remarks:

**Creditor:** (11382723)  
 PRA Receivables Management LLC As  
 Agent Of  
 Portfolio Recovery Associates LLC  
 POB 41067  
 Norfolk VA 23541

**Claim No: 7**  
*Original Filed*  
 Date: 03/13/2009  
*Original Entered*  
 Date: 03/13/2009

**Status:**  
*Filed by:* CR  
*Entered by:* Dolores Garcia  
*Modified:*


Amount claimed: \$920.82  
 Unsecured claimed: \$920.82

History:

Details 7-1 03/13/2009 Claim #7 filed by PRA Receivables Management LLC As Agent Of, Amount claimed: \$920.82 (Garcia, Dolores )

Description:





Remarks:

**Creditor:** (11579745) History  


**Claim No: 8**  
*Original Filed*  
 Date: 05/04/2009  
*Original Entered*  
 Date: 05/04/2009

**Status:**  
*Filed by:* CR  
*Entered by:* Moss Codilis, LLP  
*Modified:*

Amount claimed: \$15806.78  
 Secured claimed: \$15806.78

History:  
Details 8-1 05/04/2009 Claim #8 filed by , Amount claimed: \$15806.78 (Moss Codilis, LLP)  
 → doc 03/08/2012 Response to Notice of Final Cure Payment Rule 3002.1 (Claim # 8) with Certificate of Service filed by  on behalf of  INC.. (Attachments: # 1 Payment History) 

Description: (8-1) Loan number ending in 9683  
 Remarks: (8-1) Total amount of arrears \$464.42

**Creditor:** (11686145)  
 INTERNAL REVENUE SERVICE  
 PO BOX 21126  
 PHILADELPHIA, PA. 19114

**Claim No: 9**  
*Original Filed*  
 Date: 06/04/2009  
*Original Entered*  
 Date: 06/04/2009

**Status:**  
*Filed by:* CR  
*Entered by:* Internal Revenue Service  
*Modified:*

Amount claimed: \$1657.32  
 Secured claimed: \$0.00  
 Priority claimed: \$1657.32  
 Unsecured claimed: \$0.00

History:

Details 9-1 06/04/2009 Claim #9 filed by INTERNAL REVENUE SERVICE, Amount claimed: \$1657.32 (Internal Revenue Service)

Description:

Remarks:

**Creditor:** (13207612)                      **Claim No: 10**                      **Status:**

Northbridge Estates HOA, Inc.  
 c/o Dunlap Gardiner, LLP  
 3009 Chapel Hill Road Suite B  
 Douglasville, GA 30135

Original Filed  
 Date: 06/29/2010  
 Original Entered  
 Date: 06/29/2010

Filed by: CR  
 Entered by: Wesley C. Dunlap  
 Modified:

Amount claimed: \$1094.85  
 Secured claimed: \$1094.85

History:

Details 10-1 06/29/2010 Claim #10 filed by Northbridge Estates HOA, Inc., Amount claimed: \$1094.85  
 (Dunlap, Wesley )

Description: (10-1) HOA Lien

Remarks:

**Claims Register Summary**

Case Name: [REDACTED]  
 Case Number: [REDACTED]  
 Chapter: 13  
 Date Filed: 12/24/2008  
 Total Number Of Claims: 10

<b>Total Amount Claimed*</b>	\$219508.23
<b>Total Amount Allowed*</b>	

\*Includes general unsecured claims

	<b>Claimed</b>	<b>Allowed</b>
<b>Secured</b>	\$207113.89	
<b>Priority</b>	\$1657.32	
<b>Administrative</b>		

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
04/11/2012 15:16:59			
<b>PACER Login:</b>	[REDACTED]	<b>Client Code:</b>	
<b>Description:</b>	Claims Register	<b>Search Criteria:</b>	[REDACTED]
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20



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UNITED STATES BANKRUPTCY COURT  
Western District of Tennessee

IN RE: ) Chapter: 13  
 ) Case No:  
 ) RESPONSE TO NOTICE

RESPONSE TO NOTICE OF FINAL CURE PAYMENT

USDA, RURAL HOUSING SERVICE  
CENTRALIZED SERVICING CENTER  
P O BOX 66879  
ST LOUIS, MO 63166

THE ABOVE ACCOUNT IS CURRENT AS OF \_\_\_\_\_ UNDER THE NOTE INCLUDING ALL ESCROW PAYMENT, TAXES, INSURANCE AND FEES IF APPLICABLE OR OTHER AMOUNTS DUE UNDER THE NOTE.

OUR RECORDS DO NOT AGREE. AN ITEMIZATION OF THE ARREARS & COSTS IN THE AMOUNT OF \$ 496.51 HAS BEEN SENT AND SERVICED AS INDICATED.

REASON: Pre-Petition balance = \$496.51  
\_\_\_\_\_  
\_\_\_\_\_

ADDRESS WHERE DEBTOR SHOULD RESUME DIRECT PAMENT:

USDA, RURAL HOUSING SERVICE  
CENTRALIZED SERVICING CENTER  
P O BOX 790170  
ST LOUIS, MO 63179-0170

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice was sent to the following:

By U.S. Mail, postage prepaid:

Debtor: \_\_\_\_\_  
\_\_\_\_\_

VIA CM/ECF:

DEBTOR'S ATTORNEY OF RECORD:

CHAPTER 13 TRUSTEE: Timothy H. Ivy

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

In Re:  
JOHN DOE CASE & JANE DOE CASE  
Debtor(s)

Case No. 77-77777

Chapter 13

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ORDER REGARDING NOTICE OF FINAL CURE PAYMENT AND COMPLETION OF PLAN  
PAYMENTS AND RESPONSE TO NOTICE

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This cause came to be heard February 9, 2012 on the Trustee's Notice of Final Cure Payment and Completion of Plan Payments pursuant to Federal Bankruptcy Rule 3002.1(f) and Response to Notice of Final Cure Payment pursuant to Federal Bankruptcy Rule 3002.1(g) and absent a motion filed pursuant to Federal Bankruptcy Rule 3002.1(h), the Court hereby finds a balance is owed on the mortgage arrears in the amount of \$496.51.

The Chapter 13 Trustee may proceed to close the case.

Approved for Entry:

/s/Timothy H. Ivy  
Timothy H Ivy  
Chapter 13 Trustee

cc: Timothy H Ivy  
Debtor  
Debtor's attorney  
USDA Rural Housing Service, Centralized Servicing Center, USDA, PO Box 66879, St. Louis, MO 63166