

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991	
In Re _____ Debtor.	BANKRUPTCY NO. _____ Date of Hearing: _____ Time of Hearing: _____ Name of Judge: _____

PRE-CONFIRMATION MODIFICATION DATED _____ TO CHAPTER 13 PLAN DATED _____

1. Sections 2.1 and 2.2 of the plan are amended to change the amount of the monthly payment required to \$ _____ for _____ months starting _____.
2. Section 2.4 of the plan is amended to provide that Debtor(s) will change the obligation to turn over to the trustee all federal and state income tax refunds, other than earned income or childcare tax credits, received during the remainder of the plan term, as follows: _____

3. Section 3.1 of the plan is amended as follows:

Name of creditor with last 4 digits of account number	Collateral	Amount of arrearage	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by Trustee
		\$	%	\$	\$
		\$	%	\$	\$

4. Section 3.2.2 of the plan is amended as follows:

Name of creditor with last 4 digits of account number	Amount of allowed secured claim	Interest rate as provided by law	Monthly payment to creditor	Estimated total monthly payments
	\$	%	\$	\$
	\$	%	\$	\$

5. Section 3.4 of the plan is amended to provide for the surrender of the collateral [describe] _____ to the secured creditor [describe] _____.
6. Section 4.8 of the plan is amended to provide for payment of the priority/secured tax claim of tax claimant [describe] _____ in the amount of \$ _____.

CSD 1330 [12/01/19]

PRE-CONFIRMATION MODIFICATION DATED: TO CHAPTER 13 PLAN DATED:
DEBTOR: CASE NO.:

- 7. Section 5.2.1 of the plan is amended to estimate the payment to allowed nonpriority unsecured claims not separately classified to \$ _____.
- 8. Section 5.2.2 of the plan is amended to require payments to allowed nonpriority unsecured claims in the amount of \$ _____. Interest as provided in Section 5.3 will be paid at the _____% to the extent of available funds.

Nonstandard additional provisions consistent with Part 9 are added to Part 9.

Except as amended, the plan will remain in full force and effect. This amendment is not effective unless signed by the Chapter 13 Trustee/Trustee's Attorney and approved by court order.

Acknowledged and Agreed:

 Debtor or Debtor(s) Attorney
(By signing, attorney represents he/she is authorized to sign on behalf of client)

Dated: _____

 Joint Debtor (pro se)

Dated: _____

 Chapter 13 Trustee/Trustee's Attorney

Dated: _____

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991	
In Re _____ Debtor.	BANKRUPTCY NO. _____ Date of Hearing: _____ Time of Hearing: _____ Name of Judge: _____

PRE-CONFIRMATION MODIFICATION DATED _____ TO CHAPTER 13 PLAN DATED _____

1. Sections 2.1 and 2.2 of the plan ~~is are~~ amended to change the amount of the monthly payment required to \$ _____ for _____ months starting _____.
2. Section 2.4 of the plan is amended to provide that Debtor(s) will change the obligation to turn over to the trustee all federal and state income tax refunds, other than earned income or childcare tax credits, received during the remainder of the plan term, as follows: _____
3. Section 3.1 of the plan is amended as follows:

Name of creditor with last 4 digits of account number	Collateral	Amount of arrearage	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by Trustee
		\$	%	\$	\$
		\$	%	\$	\$

4. Section 3.2.2 of the plan is amended as follows:

Name of creditor with last 4 digits of account number	Amount of allowed secured claim	Interest rate as provided by law	Monthly payment to creditor	Estimated total monthly payments
	\$	%	\$	\$
	\$	%	\$	\$

5. Section 3.4 of the plan is amended to provide for the surrender of the collateral [describe] _____ to the secured creditor [describe] _____.
6. Section 4.8 of the plan is amended to provide for payment of the priority/secured tax claim of tax claimant [describe] _____ in the amount of \$ _____.

CSD 1330 [12/01/19]

PRE-CONFIRMATION MODIFICATION DATED: _____ TO CHAPTER 13 PLAN DATED:
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- 7. Section 5.2.1 of the plan is amended to estimate the payment to allowed nonpriority unsecured claims not separately classified to \$ _____.
- 8. Section 5.2.2 of the plan is amended to require payments to allowed nonpriority unsecured claims in the amount of \$ _____. Interest as provided in Section 5.3 will be paid at the _____ % to the extent of available funds.

Nonstandard additional provisions consistent with Part 9 are added to Part 9.

Except as amended, the plan will remain in full force and effect. This amendment is not effective unless signed by the Chapter 13 Trustee/Trustee's Attorney and approved by court order.

Acknowledged and Agreed:

 Debtor or Debtor(s) Attorney
(By signing, attorney represents he/she is authorized to sign on behalf of client) Dated: _____

 Joint Debtor (pro se) Dated: _____

 Chapter 13 Trustee/Trustee's Attorney Dated: _____

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

BANKRUPTCY NO.

Debtor.

**NOTICE OF MODIFIED CHAPTER 13 PLAN
FILED BEFORE CONFIRMATION**

TO:

Because Debtor(s) seek to modify their Chapter 13 Plan dated _____ in a manner that might adversely affect a party in interest, you are hereby notified that a confirmation hearing on Debtor(s) Modified Plan filed contemporaneously with this notice will be heard on _____, at _____m., in Department No. _____, Room ____ of the Court. Any opposition or other response to the Modified Plan must be filed within 21 days and served upon the Debtor(s) and counsel, and the Chapter 13 Trustee, with a proof of service filed with the Clerk of the Court.

NOTE THAT THE CONTINUED HEARING ON CONFIRMATION OF THE MODIFIED PLAN DOES NOT SERVE TO ALSO RESCHEDULE ANY MOTION TO DISMISS ON CALENDAR AT THE SAME TIME. THAT HEARING CAN ONLY BE CONTINUED IN ACCORDANCE WITH THE COURT'S LOCAL RULES.

DATED:

[Attorney for] Debtor

If modifying the Chapter 13 Plan after confirmation per § 1329, use Local Form CSD 1149.

If modifying the Chapter 13 Plan before confirmation and where no party in interest is adversely affected, use Local Form CSD 1331.

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all relevant times was, more than 18 years of age;

That on the _____ day of _____, I served a true copy of the within NOTICE OF MODIFIED CHAPTER 13 PLAN FILED BEFORE CONFIRMATION on the following persons listed below by the mode of service shown below:

1. **To Be Served by the Court via Notice of Electronic Filing (“NEF”):**

Under controlling Local Bankruptcy Rules(s) (“LBR”), the document(s) listed above will be served by the court via NEF and hyperlink to the document. On _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the e-mail address(es) indicated and/or as checked below:

Attorney for Debtor:

For ODD numbered Chapter 13 cases:
THOMAS H. BILLINGSLEA, JR., TRUSTEE
Billingslea@thb.coxatwork.com

For EVEN numbered Chapter 13 cases:
DAVID L. SKELTON, TRUSTEE
admin@ch13.sdcoxmail.com
dskelton13@ecf.epiqsystems.com

2. **Served by United States Mail:**

On _____, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case by placing accurate copies in a sealed envelope in the United States Mail via 1) first class, postage prepaid or 2) certified mail with receipt number, addressed as follows:

Attorney for Debtor:

Debtor:

3. Served by Personal Delivery, Facsimile Transmission, Overnight Delivery, or Electronic Mail:

Under Fed.R.Civ.P.5 and controlling LBR, on _____, I served the following parties by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission, by overnight delivery and/or electronic mail as follows:

Attorney for Debtor:

Debtor:

I declare under penalty of perjury under the laws of the United States of America that the statements made in this proof of service are true and correct.

Executed on _____
(Date)

(Typed Name and Signature)

(Address)

(City, State, ZIP Code)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

Debtor.

BANKRUPTCY NO.

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NOTE THAT THE CONTINUED HEARING ON CONFIRMATION OF THE MODIFIED PLAN DOES NOT SERVE TO ALSO RESCHEDULE ANY MOTION TO DISMISS ON CALENDAR AT THE SAME TIME. THAT HEARING CAN ONLY BE CONTINUED IN ACCORDANCE WITH THE COURT'S LOCAL RULES.

DATED:

[Attorney for] Debtor

If modifying the **Chapter 13 Plan** after confirmation per § 1329, use Local Form CSD 1149.

If modifying the Chapter 13 Plan before confirmation and where no party in interest is adversely affected, use Local Form CSD 1331.

CERTIFICATE OF SERVICE

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2. **Served by United States Mail:**

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Attorney for Debtor:

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

BANKRUPTCY NO.

Debtor.

**NOTICE OF PRE-CONFIRMATION MODIFICATION DATED _____
TO CHAPTER 13 PLAN DATED _____**

TO:

You are hereby notified that the Debtor(s) have contemporaneously filed a Pre-Confirmation Modification dated _____ ("PCM") to the Chapter 13 Plan dated _____ with this notice. Because Debtor(s) represent that the PCM will not adversely affect any party in interest, confirmation of the Chapter 13 Plan as so modified will be considered at the following time:

- If no objection to the Chapter 13 Plan is currently pending, the PCM will be considered at the § 341(a) Meeting of Creditors set for _____, at _____ .m., at _____, at which the sufficiency of the proposed modification will be considered. No further notice need be given.
- The hearing set for _____, at _____ .m., in Department No. _____, Room _____, of the Jacob Weinberger United States Courthouse, on the objection(s) to confirmation already filed, located at 325 West F Street, San Diego, California 92101-6991 ("Court"). No further notice need be given.

IF A PARTY CONTENDS THAT THE CHAPTER 13 PLAN AS MODIFIED AFFECTS ITS INTERESTS, IT MUST FILE AN OPPOSITION AND REQUEST A HEARING FROM THE COURTROOM DEPUTY CLERK.

DATED:

[Attorney for] Debtor

If modifying the Chapter 13 Plan after confirmation per § 1329, use Local Form CSD 1149.

If modifying the Chapter 13 Plan in a manner that might adversely affect a party in interest, use Local Form CSD 1170.

CERTIFICATE OF SERVICE

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3. Served by Personal Delivery, Facsimile Transmission, Overnight Delivery, or Electronic Mail:

Under Fed.R.Civ.P.5 and controlling LBR, on _____, I served the following parties by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission, by overnight delivery and/or electronic mail as follows:

Attorney for Debtor:

Debtor:

I declare under penalty of perjury under the laws of the United States of America that the statements made in this proof of service are true and correct.

Executed on _____
(Date)

(Typed Name and Signature)

(Address)

(City, State, ZIP Code)

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SOUTHERN DISTRICT OF CALIFORNIA
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- Attorney for Debtor: Debtor:

I declare under penalty of perjury under the laws of the United States of America that the statements made in this proof of service are true and correct.

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