

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

BANKRUPTCY NO.

Debtor(s)

**REQUEST AND NOTICE OF HEARING REGARDING
CHAPTER 13 TRUSTEE'S NOTICE OF INTENT TO DISMISS CASE**

TO: ☐ MICHAEL KOCH, Chapter 13 Trustee

You are notified that _____, the debtor(s), hereby object to the Notice of Intent to Dismiss the Chapter 13 Case and request a hearing pursuant to the Notice of Intent.

Your Notice fixed _____¹ as the last date for serving and filing this Request and Notice of Hearing and the accompanying Declaration of the debtor² stating specific grounds for objection.

You are further notified that a hearing will be held in Dept. No. _____, Room _____, of the Jacob Weinberger United States Courthouse, located at 325 West F Street, San Diego, California 92101-6991, on _____, at _____m., or as soon thereafter as it can be held.

DATED:

[Attorney for] Debtor(s)

¹**IMPORTANT NOTICE:** Before this date, **you must file** the original and one copy of this Request and Notice of Hearing, together with your Declaration in Opposition and Proof of Service with the Clerk of the Bankruptcy Court at the address shown above, and serve a copy of the papers on the trustee. You may obtain a hearing date and time from the Court by calling the number specified in the Notice of Intent.

²**NOTE:** This form merely provides notice of the hearing and places it on the Court's calendar. You must also file supporting declaration of the debtor as required by LBR 9013-7(b).

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 _____ day of _____, 20____, I served a true copy of this REQUEST AND NOTICE OF HEARING REGARDING CHAPTER 13 TRUSTEE'S NOTICE OF INTENT TO DISMISS CASE, together with the following pleadings [describe any other papers] on the following persons listed below by the mode of service shown below:

List additional papers:

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:

☐ For Chapter 13 cases:
MICHAEL KOCH, TRUSTEE
mkoch@ch13.sdcoxmail.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 or adversary proceeding 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:

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 person(s) and/or entity(ies) 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:

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)