

LN 20190020

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Gene A. Restuccio

Case No.: 18-31271

Judge: ABA

Debtor(s)

Chapter 13 Plan and Motions

Original Modified/Notice Required Date: 3/7/19
 Motions Included Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ SW

Initial Debtor: /s/G.A.R

Initial Co-Debtor: /s/

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 906.00 per month to the Chapter 13 Trustee, starting on April 1, 2019 for approximately 55 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description:

Proposed date for completion: _____

Refinance of real property:

Description:

Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:

Description: 1011 Reading Ave Hammonton NJ 08037

Proposed date for completion: April 2019

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:

The following information is provided for the Chapter 13 Trustee's information and is not to be used for any other purpose. The debtor warrants that the information is true and correct to the best of their knowledge and belief.

		Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.	
Amount to be Paid	Claim Amount	Type of Priority	Creditor

U.S.C. 1322(a)(4):
 to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11
 The allowed priority claims listed below are based on a domestic support obligation that has been assigned

None

Check one:

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

		Taxes Taxes Taxes Child Support ADMINISTRATIVE ADMINISTRATIVE	Township of Winslow State of New Jersey Internal Revenue Service DOMESTIC SUPPORT OBLIGATION ATTORNEY FEE BALANCE CHAPTER 13 STANDING TRUSTEE Creditor
Amount to be Paid	AS ALLOWED BY STATUTE	Type of Priority	
BALANCE DUE: \$3,960.00	Notice Only	Notice Only	
	\$19,225.53		
	\$784.76		
	Notice Only		

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Part 3: Priority Claims (Including Administrative Expenses)

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
 b. Adequate protection payments will be made in the amount of \$ 2,670.46 to be paid directly by the debtor(s) outside the Plan; pre-confirmation to: Owen loan servicing _____ (creditor).

Part 2: Adequate Protection NONE