

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**

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In re:

Case No.

[NAME OF DEBTOR],

Chapter 13

_____ Debtor _____ /

Order Granting Agreed *Ex Parte* Motion to Abate 3002.1 Notices and Reconcile Annually [De # ____] and Amending Confirmation Order [De # ____]

THIS cause came on for consideration by the *Agreed Ex Parte Motion to Abate 3002.1 Notices and Reconcile Annually* [DE #____] (the "Motion"). Based on the agreement of the parties detailed in the Motion, the Court deems the relief requested by the parties to the Motion appropriate. Accordingly, it is **ORDERED that:**

1. The Motion is GRANTED.
2. In order not to burden the chapter 13 trustee and Debtor, Secured Creditor may file one 3002.1 Notice (the "Payment Change Notice") annually during the month of [*insert month in which the debtor's petition was filed*], as it

relates to the payment change(s) during the preceding year.

3. In each annual Payment Change Notice, Secured Creditor must include a table that describes the amount of the monthly payment at the beginning of the annual period, and for each payment change that occurred during the preceding year: the date of such payment change; the amount of such payment change; the reason for the payment change; and the aggregate amount Secured Creditor has not received from the chapter 13 trustee as a result of the Parties' election to remit the additional amount owed by the Debtor as a result of such payment change directly to Secured Creditor annually.
4. If the Debtor contests the amount due Secured Creditor as a result of a Payment Change Notice, Debtor must file an objection to such Payment Change Notice and request a hearing thereon, within 21 days of the date such Payment Change Notice is filed with the Court.
5. If the Debtor agrees with the Payment Change Notice, the Debtor must pay the additional amount due the Secured Creditor as reflected on the Payment Change Notice directly to the Secured Creditor within 28 days of the date on which the Payment Change Notice is filed.
6. The Debtor will be bound by its acknowledgement in the Motion that the chapter 13 trustee will not remit the additional amount(s) due the Secured Creditor as a result of the Payment Change Notice(s), and any such additional amount(s) due the Secured Creditor will not be subject to discharge unless paid in full by the Debtor outside the Plan.

7. The confirmation order previously entered in this case [DE #____] is amended so as to direct the Debtor to remit the amount of any payment change, either agreed to by the Debtor or approved by the Court, directly to the Secured Creditor outside the Plan.

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Service to: Debtor(s)
Debtor(s)' Attorney
Chapter 13 Trustee