

Mont. LBF 1. APPLICATION TO APPROVE EMPLOYMENT OF PROFESSIONAL; AND
AFFIDAVIT.

[Mont. LBR 2014-1]

Name of Trustee/Attorney

[Office Mailing Address]

Telephone Number: [number]

E-Mail Address: [address]

State Bar I.D. Number: [number]

(Chapter [number] Trustee or Attorney for [name])

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re NAME OF DEBTOR, NAME OF JOINT-DEBTOR, Debtor(s).	Case No. 0:00-bk-12345-ABC APPLICATION TO APPROVE EMPLOYMENT OF PROFESSIONAL; AND AFFIDAVIT
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The Application of [trustee, debtor in possession, or committee] (“Applicant”) pursuant to 11 U.S.C. § [327, ~~or~~ 1103, or 1203], and Mont. LBR 2014-1, respectfully represents:

1. On the [number] day of [month], 20[year], Debtor(s) filed a petition under Chapter [number] of the Bankruptcy Code.

2. Applicant wishes to employ [name] in the capacity of an [explain (e.g., attorney, accountant, etc.)] (“Professional”).

3. Applicant’s selected Professional ~~has selected Professional~~ is necessary for the following reasons: [specifically (s)State reasons for the employmentthe selection].

4. Professional will render the following services: [state services to be rendered].

5. To the best of Applicant’s knowledge, Professional has no connection with Debtor(s), creditors, or any other party in interest, including their respective attorneys and accountants, the United States Trustee, or anyone employed in the Office of the United States Trustee. Professional is a “disinterested person” as defined in 11 U.S.C. 101(14), except: [state any connections (e.g., the Applicant has previously prepared tax returns for Debtors in tax years 2015-2021) or potential conflicts. See LBR 2014(e) and 9013-f. If Applicant has no connections or conflicts, state,

None].

6. Subject to Court approval, Professional and Applicant have agreed to the following employment terms: [state terms of employment, including but not limited to the name and hourly rate of each professional to be employed; the name and hourly rate of each paraprofessional who may perform services; and the amount of any retainer paid].

7. Applicant believes Professional does not hold an adverse interest to Debtor(s) or bankruptcy estate in the matter(s) outlined in this Application, and Professional's employment would be in the best interest of this estate.

WHEREFORE, [trustee, debtor in possession, or committee] respectfully requests that the Court approve Professional's employment under the terms specified herein.

DATED this [number] day of [month] 20[year].

/s/ [name of person filing document]
[typed name of trustee/attorney]
(Chapter [number] Trustee, or Attorney for [name])

AFFIDAVIT OF PROPOSED PROFESSIONAL

STATE OF MONTANA)

:

County of [county name])

[name of person to be employed], being duly sworn upon [his/her] oath, deposes and states:

1. I am an [capacity of person to be employed and association with the firm, if appropriate].

2. I [and the firm of which Professional is a member, if appropriate] have no connections with Debtor, creditors, or any other party in interest, including their respective attorneys and accountants, the United States Trustee, or anyone employed in the Office of the United States Trustee; and I [and the firm of which Professional is a member, if appropriate] am a "disinterested person" as defined in 11 U.S.C. § 101(14). [State any exceptions.]

3. I [and firm of which Professional is a member, if appropriate] represent that I do not hold an adverse interest to Debtor or the bankruptcy estate in the matter(s) upon which I [and firm of which Professional is a member, if appropriate] am to be engaged.

4. I received a general retainer in the amount of \$[amount], which shall not be used to pay my compensation or for reimbursement of my expenses without prior approval of this Court.

/s/ [name of Professional]
[typed name of Professional]

Subscribed and sworn to before me this [number] day of [month], 20[year].

(Notary Seal)

Notary Public for the State of Montana
Residing At: _____
My Commission Expires: _____

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing]
[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

Mont. LBF 2. NOTICE OF WITHDRAWAL AS TEMPORARY COUNSEL FOR DEBTOR

[Mont. LBR 2090-5(be)]

Name of Attorney

[Office Mailing Address]

Telephone Number: [number]

E-Mail Address: [address]

State Bar I.D. Number: [number]

(Attorney for Debtor(s))

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re NAME OF DEBTOR, NAME OF JOINT-DEBTOR, Debtor(s).	Case No. 0:00-bk-12345-ABC NOTICE OF WITHDRAWAL AS TEMPORARY COUNSEL FOR DEBTOR
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[n~~N~~ame of Attorney], of [n~~N~~ame of Law Firm], (“Counsel”), temporarily represented [n~~N~~ame of Debtor(s)] (“Debtor”) at a [description of the event involving representation] held on the [number] day of [month], 20[year]. Counsel filed an attorney’s disclosure statement pursuant to Mont. LBR 2090-5(ce) and Fed. R. Bankr. P. 2016(b) before representing ~~the~~ Debtor at such [description of event involving representation]. Counsel provides this notice, pursuant to Mont. LBR 2090-5(b), that [he/she] is withdrawing from further representation of ~~the~~ Debtor in all other matters or proceedings in connection with this case, effective immediately.

DATED this [number] day of [month], 20[year].

/s/ (name of Attorney-person filing document)

[typed name of Debtor's Attorney]
(Attorney for Debtor(s))

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing]
[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed “under penalty of perjury” and by identifying the document served.)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the ____ day of _____, 20____, a copy of the foregoing was served by electronic means pursuant to Mont. LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

~~/s/ (name of person certifying the mailing)~~
~~[typed name of person certifying the mailing]~~

~~[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed “under penalty of perjury” and by identifying the document served.]~~

MONTANA CHAPTER 7 MODEL RETENTION AGREEMENT

Rights and Responsibilities Agreement Between Chapter 7 Debtors and Their Attorneys

Chapter 7 ~~gives~~provides ~~D~~Debtors with important benefits, ~~such as including~~ the opportunity to ~~obtain a discharge of~~ most debts. ~~However, it also—but Chapter 7 also imposes puts~~ ~~burdens responsibilities on~~ debtors, such as ~~the burden providing of making~~ complete and truthful disclosures of ~~their Debtors'~~ financial situation. It is ~~important essential~~ for ~~D~~debtors ~~who filing file~~ a Chapter 7 bankruptcy ~~case~~ to understand their rights and responsibilities in bankruptcy. In this ~~connection regard~~, ~~the advice of consulting with~~ an attorney is crucial. ~~While~~ Debtors are entitled to ~~expect~~ certain services from their attorneys, they also have responsibilities to fulfill. ~~will be performed by their attorneys, but debtors also have responsibilities to their attorneys. In order to~~ To ~~ease~~ ensure that ~~D~~debtors and their attorneys understand their rights and responsibilities in the Chapter 7 process, the Bankruptcy Court for the District of Montana has approved the following agreement, ~~setting outlining out~~ the rights and responsibilities of both ~~parties debtors in Chapter 7 and their attorneys~~. By signing this agreement, ~~D~~debtors and their attorneys ~~accept agree to these~~ the responsibilities outlined below.

I. BEFORE THE CASE IS FILED

A. THE DEBTORS AGREES TO:

1. Discuss with the attorney ~~their the debtor's~~ objectives in filing the case.
2. Provide the attorney with full, accurate, and timely information, financial and otherwise, including properly documented proof of income.
3. Review and discuss LBF 33 with ~~the attorney, and attorney and~~ begin compiling information and documents that ~~are to your attorney will be~~ delivered to the Trustee ~~prior to before any the~~ § 341(a) Meeting of Creditors.

B. THE ATTORNEY AGREES TO:

1. Personally meet with ~~the D~~debtors to discuss and analyze ~~the d the debtor's~~ situation and objectives in filing the case, and recommend a solution.
2. Personally counsel ~~the Debtors debtor on~~ regarding the advisability of filing either a Chapter 7 or a Chapter 13 case, discuss both bankruptcy procedures and ~~(as well as non-bankruptcy options,)~~ with the debtor, and answer ~~the all debtor's~~ questions.

3. Personally explain to ~~the debtor~~Debtors that the attorney is being engaged to represent ~~the debtor~~ on all matters arising in this case~~;~~, and explain how and when the attorney's fees and the trustee's fees are determined and paid.
4. Obtain ~~a Debtor's~~ credit report ~~pertaining to the debtor~~, and check the national PACER database to confirm whether ~~the debtor has~~Debtors have previously filed a bankruptcy case.
5. Timely prepare, revise, finalize, and file ~~the debtor's~~Debtors' petition, ~~statements, schedules, statements and~~ and other related forms, and other documents necessary for prosecuting ~~the Debtor's~~Debtors' bankruptcy case.
6. Carefully review with ~~the debtor~~Debtors and sign, as appropriate, the completed petition, ~~statements, and~~ schedules, ~~and statements, including as well as~~ all amendments thereto, whether filed with the petition or later.
7. Advise ~~the debtor~~Debtors of the need to maintain appropriate insurance.
8. Advise ~~the debtor~~Debtors of the need to file all ~~appropriate necessary~~ income and other tax returns.
9. Advise ~~the debtor~~Debtors ~~about as to~~ the steps necessary to obtain a discharge.

II. AFTER THE CASE IS FILED

A. THE DEBTORS AGREES TO:

1. Appear at the § 341(a) Meeting of Creditors (~~also called the "§ 341(a) meeting"~~) with ~~recent proof of income~~, picture identification, and proof of ~~the debtor's~~ social security number, and any other required information.
2. Notify the attorney and the trustee of any change in ~~the debtor's~~their address or telephone number.
3. Inform the attorney of any wage garnishment, levies, liens, or repossessions ~~of or on assets~~ that occur or continue after the filing of the bankruptcy case.
4. Contact the attorney immediately if ~~the debtor~~they loses employment, ~~has~~ have a significant change in income, or experiences any other significant change in financial situation (such as serious illness, lottery winnings, or an inheritance).
5. Notify the attorney if ~~the debtor~~they ~~are~~ is sued or wishes to file a lawsuit (including divorce).

6. Provide the attorney and the trustee with copies of income tax returns, and provide the trustee with any refunds received, as required by the Court's Income Tax Order. Inform the attorney if any tax refunds ~~to which the debtor is entitled~~ are seized or not received when due from the IRS, the State of Montana, or other entities.
7. Cooperate with the attorney and the trustee ~~in regard to~~ regarding questions about the allowance or disallowance of claims.

B. THE ATTORNEY AGREES TO:

1. Advise ~~the debtor~~ Debtors of the date, time, and requirement to attend the § 341(a) Meeting of Creditors, and notify the debtor of the date, time, and place of that meeting.
2. Inform ~~the debtor that the debtor~~ Debtors that they must be punctual and, in the case of a joint filing, that both spouses must appear at the same meeting.
3. Appear and provide knowledgeable legal representation for ~~the debtor~~ Debtors at the § 341(a) Meeting of Creditors and ~~at any~~ other hearing in the underlying case.
4. If the attorney finds it necessary for another attorney to appear and attend the § 341(a) Meeting of Creditors or any court hearing, personally explain to ~~the debtor~~ Debtors, in advance, the role and identity of the other attorney;³ obtain ~~the debtor's~~ Debtors' informed consent to the retention of co-counsel;³ and provide the other attorney with the file in sufficient time to review it, meet with ~~the debtor~~ Debtors, and properly represent ~~the debtor~~ them.
5. Ensure timely submission to the trustee of Debtors' properly documented proof of income ~~for the debtor~~, including business books, records, or reports for self-employed ~~debtors~~ Debtors.
6. Initiate and respond to all routine correspondence and calls to and from the trustee, the United States Trustee, ~~and/or~~ and creditors necessary ~~to for~~ the timely administration of the ~~debtor's~~ Debtors' case.
7. Timely prepare, file, and serve any necessary amended statements and schedules, and any change of address, in accordance with information provided by Debtors ~~the debtor~~.
8. Be available to respond to ~~the debtor's~~ Debtors' questions throughout the duration of the case.

9. Evaluate claims ~~which~~ that are filed and, where appropriate, notify the trustee of objectionable claims.
10. Timely respond to motions for relief from stay or valuation of property, or objections to ~~debtor's~~ Debtors' claims of exemptions.
11. Attend any hearings concerning relief from the automatic stay or valuation of property, or ~~concerning~~ objections to ~~the debtor's~~ Debtors' claims of exemptions.
- ~~12. Prepare, file, and serve all appropriate motions to avoid liens.~~
- ~~13. Represent the debtor~~ Debtors ~~in any adversary proceedings, unless otherwise authorized by the Court.~~
- ~~14.12.~~ Provide any other legal services necessary for the administration of this case before the Bankruptcy Court, ~~and to ensure that the debtor~~ Debtors ~~receives a discharge.~~

ALLOWANCE AND PAYMENT OF ATTORNEYS' FEES

Any attorney retained to represent ~~a debtor~~ Debtors in a Chapter 7 case is responsible for representing ~~the them debtor on all matters arising in the case, unless otherwise ordered by the court.~~ For such services, as set forth above, the attorney will be paid a fee not to exceed \$ _____ (exclusive of costs and court filing fees, which shall not exceed \$ _____).

In extraordinary circumstances, the attorney may request additional compensation. ~~The debtor is~~ Debtors are hereby informed that, in the event of such a request, fees shall be calculated or claimed at the following hourly rate: \$ _____ per hour.

~~The debtor~~ Debtors agree ~~agrees~~ to pay the attorney a retainer in the amount of \$ _____ before attorney starts working on the case. ~~the filing of the case.~~

If ~~the debtor~~ Debtors disputes the sufficiency or quality of the legal services provided or the amount of the fees charged by the attorney, including the fees or expenses charged, ~~the debtor~~ Debtors may file a motion with the Bankruptcy Court requesting the Court to examine the reasonableness of the fees and costs, and request a hearing.

If the attorney believes that ~~the debtor is~~ Debtors are not complying with ~~the debtor's~~ their responsibilities under this agreement or ~~is~~ are otherwise not engaging in proper conduct, the attorney may apply for an order allowing the attorney to withdraw from the case.

~~The debtor~~ Debtors may discharge the attorney at any time.

Debtor

Date:

_____ Date: _____
Joint Debtor (if applicable)

_____ Date: _____
Attorney for Debtor(s)

Mont. LBF 4. DEBTOR’S NOTICE OF AMENDMENT TO SCHEDULES.

[~~Fed. R. Bankr. P. 1009~~, Mont. LBR 1009-1(a)]

Name of Debtor/Attorney

[Office Mailing Address]

Telephone Number: [number]

E-Mail Address: [address]

State Bar I.D. Number: [number]

(Attorney for Debtor(s))

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re NAME OF DEBTOR, NAME OF JOINT-DEBTOR, Debtor(s).	Case No. 0:00-bk-12345-ABC DEBTOR NOTICE OF [NUMBER OF AMENDMENT] AMENDMENT TO SCHEDULES
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[~~n~~Name of ~~d~~Debtor(s)] (“Debtor”), by and through [~~n~~Name of ~~d~~Debtor’s ~~a~~Attorney], of
[~~n~~Name of ~~l~~Law ~~f~~Firm]] provides this Notice of [~~n~~Number of ~~a~~Amendment] Amendment of the
following Schedules originally filed at ECF No. [number—] [, as amended by ECF No[s].
[number(s)—]], pursuant to Fed. R. Bankr. P. 1009, Mont. LBR 1009-1(a):

<u>SCHEDULE</u>	<u>DESCRIPTION OF CHANGE</u>

A copy of the revised schedules and the summary of assets, liabilities, and exemptions are
attached to this Notice as **Exhibit 1**. Debtor has mailed the following applicable documents, along
with this Notice (check the applicable boxes):

- ☐ Copy of Amended List or Schedule
- ☐ Notice of Bankruptcy Case
- ☐ Any order of discharge
- ☐ Any other document affecting an added creditor's rights
- ☐ Any notice or order setting or extending deadlines for filing claims or complaints for determining dischargeability or exceptions to discharge.

UPCOMING DEADLINES IN THIS CASE

~~The~~ Debtor provides notice of the following deadlines:

[include any applicable deadlines, including notice of creditors, objections to discharge, etc.].

REASONS FOR THE AMENDMENT

~~The~~ Debtor is filing this [number of amendment] amendment because [identify reasons for the amendment].

DATED this [number] _____ day of [month] _____, 20[year]_____.

/s/ (name of Attorney filing document) _____
 [typed name of Debtor's Attorney]
 (Attorney for Debtor(s))

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing] _____
[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the ____ day of _____, 20____, a copy of the foregoing was served by electronic means pursuant to Mont. LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ (name of person certifying the mailing) _____
[typed name of person certifying the mailing]

[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.]

Mont. LBF 5. APPLICATION FOR CONTINUANCE OF § 341(a) MEETING OF CREDITORS.

[Mont. LBR 2003-4]

Name of Debtor/Attorney

[Office Mailing Address]

Telephone Number: [number]

~~Facsimile Number~~

E-Mail Address: [address]

State Bar I.D. Number: [number]

(~~Debtor, or~~ Attorney for Debtor(~~s~~)(~~s~~))

~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re IN RE: <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> 5 5 -Debtor(s).	Case No. <u>0:00-bk-12345-ABC</u> APPLICATION FOR CONTINUANCE OF § 341(a) MEETING OF CREDITORS
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The undersigned makes this application to ~~the Office of United States~~ Trustee pursuant to
Mont. LBR 2003-4 for a continuance of the § 341(a) ~~M~~meeting of ~~C~~reditors in the above-entitled
case, which is presently scheduled for the [number]_____ day of [month]_____,
20[year]____, at the hour of [number]_____ o'clock, [~~p~~ or ~~a~~]____.m. The circumstances
necessitating a continuance are as follows:

[include an explanation of why the meeting must be continued]

DATED the [number]_____ day of [month]_____, 20[year]_____.

/s/ [name of person filing document]
[typed name of debtor or attorney]

(Debtor(s), or Attorney for Debtor(s))

Debtor(s)/Attorney for Debtor(s)

{This Application is to be submitted only to ~~the Office of the United States~~ Trustee and is not to be filed with the Court.}

Mont. LBF 5-A. DISPOSITION OF APPLICATION FOR CONTINUANCE OF § 341(a) MEETING.

[Mont. LBR 2003-4]

~~Office of United States~~ Trustee

[Office Mailing Address]

Phone Number: [number]

~~Facsimile Number~~

E-Mail Address: [address]

State Bar I.D. Number: [number]

(~~Attorney for United States~~Chapter [number] Trustee)

~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re <u>RE:</u> <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> 5 5 -Debtor(s).	Case No. <u>0:00-bk-12345-ABC</u> DISPOSITION OF APPLICATION FOR CONTINUANCE OF § 341(a) MEETING <u>OF CREDITORS</u>
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The Application for Continuance of § 341(a) Meeting of Creditors is:

GRANTED DENIED

GRANTED DENIED

If granted, the § 341(a) Meeting of Creditors for the above-entitled case shall be continued until the [number] day of [month], 20[year], at the hour of [number] o'clock, [p or a] m. Pursuant to Mont. LBR 2003-4, ~~the~~ Debtor or Debtor's attorney must notify all creditors, the trustee, and other parties in interest, in writing using Mont. LBF 6, of the continuance and the new § 341(a) Meeting of Creditors date at least seven ~~(7)~~ days prior to the date of the originally scheduled § 341(a) Meeting of Creditors. Proof of service of the Notice of Continuance must be filed pursuant to Mont. LBR 9013-1(ed).

DATED this [number] day of [month] 20[year].

Mont. LBF 6. NOTICE OF CONTINUANCE OF § 341(a) MEETING OF CREDITORS.
[Mont. LBR 2003-4]

Name of Attorney

[Office Mailing Address]

Telephone Number: [number]

~~Facsimile Number~~

E-Mail Address: [address]

State Bar I.D. Number: [number]

(Debtor, or Attorney for Debtor(s))

~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re <u>RE:</u> <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> 5 5 -Debtor(s).	Case No. <u>0:00-bk-12345-ABC</u> NOTICE OF CONTINUANCE OF § 341(a) MEETING OF CREDITORS
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On the application of the Debtor(s) in the above-entitled case, and pursuant to Mont. LBR 2003-4, notice is hereby given of the continuance of the § 341(a) ~~M~~meeting of ~~C~~reditors which is presently scheduled for the [number] day of [month], 20[year], at the hour of [number] o'clock [p or a].m. For good cause, ~~the~~[trustee's name], Chapter [number]-Office of United States Trustee, has granted a continuance of such meeting, and the § 341(a) ~~M~~meeting of ~~C~~reditors in this case shall now be held on the [number] day of [month], 20[year] at the hour of [number] o'clock, [p or a].m., ~~at via Zoom as follows~~the location checked below:

Go to Zoom.us/join, Enter Meeting ID [number], and Passcode [number], OR call [phone number].

U.S. Attorney's Conference Room, 2nd Floor, Missouri River Federal

~~_____ Courthouse, 125 Central Avenue West, Great Falls, Montana
_____ Third Floor, Mike Mansfield Federal Building and Courthouse, 400 North
_____ Main, Butte, Montana
_____ Fifth Floor Courtroom, James Battin Federal Building, 316 North 26th St.,
_____ Billings, Montana
_____ 201 East Broadway, Russell Smith Federal Courthouse, Missoula, Montana
_____ Third Floor of the Justice Center, 920 South Main, Kalispell, Montana.~~

DATED this [number] day of [month], 20[year].

/s/ [name of person filing document]
[typed name of Debtor or Debtor's Attorney]
(Debtor, or Attorney for Debtor(s))

~~DATED this _____ day of _____, 20____.~~

~~_____

Debtor(s)/Attorney for Debtor(s)~~

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing]
[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

CERTIFICATE OF SERVICE

~~I, the undersigned, do hereby certify under penalty of perjury that on the _____ day of _____, 20____, a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:~~

~~_____

[Name of person certifying the mailing]~~

[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed “under penalty of perjury” and by identifying the document served.]

Mont. LBF 7. TRUSTEE'S NOTICE OF DEBTOR'S FAILURE TO APPEAR AT § 341(a) MEETING; AND REQUEST FOR DISPOSITION.
[Mont. LBR 2003-7]

Name of Trustee/Attorney

[Office Mailing Address]

Telephone Number: [number]

Facsimile Number

E-Mail Address: [address]

State Bar I.D. Number: [number]

(Chapter [number]—Trustee)

**~~IN THE U~~UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

<u>In re</u>IN RE: <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> _____ 5 5 -Debtor(s).	Case No. <u>0:00-bk-12345-ABC</u> TRUSTEE'S NOTICE OF DEBTOR'S FAILURE TO APPEAR AT § 341(a) MEETING OF CREDITORS; AND REQUEST FOR DISPOSITION
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The undersigned trustee ~~hereby~~ notifies the Court pursuant to Mont. LBR 2003-7 that the following named Debtor(s) failed to appear at the scheduled § 341(a) ~~M~~meeting of ~~C~~reditors: [names _____]. (If a joint petition was filed and one debtor appeared and one failed to appear, only the absent debtor is listed.)] ("Debtor").

_____ The trustee requests that the absent Debtor's case remain open and the Court order Debtor to appear and be examined at a continued § 341(a) Meeting of Creditors.

_____ The trustee requests that the absent Debtor's case be dismissed, and if a joint petition was filed, that the case be bifurcated and the absent Debtor's case be dismissed.

_____ The trustee requests that the absent Debtor's case remain open and the Debtor

be ordered to appear and be examined at a continued § 341(a) meeting of creditor

~~The trustee requests that the absent Debtor's case be dismissed, and if a joint petition was filed, that the case be bifurcated and the absent Debtor's case be dismissed.~~

DATED this ____ day of _____, 20__.

DATED this [number] day of [month], 20[year].

/s/ [name of trustee filing document] _____
[typed name of trustee]
(Chapter [number] Trustee)

Trustee

Mont. LBF 7-A. ORDER OF DISPOSITION.
[Mont. LBR 2003-7]

**~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re~~IN RE:~~

NAME OF DEBTOR,
NAME OF JOINT-DEBTOR,

Case No. 0:00-bk-12345-ABC

ORDER

5

5

Debtor(s).

ORDER

~~At Butte in said District this ____ day of _____, 20__.~~

~~In this Chapter 13 bankruptcy, t~~The Trustee filed a “Notice of Debtor’s Failure to Appear at § 341(a) Meeting of Creditors,” on [date] at ECF No. [number] (“Trustee’s Notice”). A
request for dismissal which Notice was accompanied ~~by the a~~ Trustee’s request for
~~dismissal~~Notice. -Mont. LBR 2003-7 provides:

If debtor fails to appear at the meeting of creditors scheduled pursuant to 11 U.S.C. § 341(a), the case may be dismissed or converted by the Court upon notification by trustee or U. S. Trustee of debtor’s failure to appear (See Mont. LBF 7 and 7-A), unless debtor or debtor’s attorney filed an application for continuance not later than 14 days before the scheduled meeting of creditors, as required under Mont. LBR 2003-4 and trustee granted such application. Failure to timely apply for continuance may result in the case being dismissed or converted unless trustee or other party in interest requests that the case remains open or in the present chapter. If one debtor in a joint case fails to appear, the Court may bifurcate the joint case and dismiss or convert the absent debtor’s case.
~~If a debtor fails to appear at the meeting of creditors scheduled pursuant to 11 U.S.C. § 341(a), the case may be dismissed or converted by the Court upon notification by the trustee or the U. S.~~

~~Trustee of debtor's failure to appear (see Mont. LBF 7 and 7-A), unless the debtor or the debtor's attorney filed an application for continuance not later than fourteen (14) days prior to the scheduled creditors' meeting, as required under Mont. LBR 2003-4 above, and such application was granted by the U. S. Trustee. Failure to timely file an application for continuance may result in the case being dismissed or converted, unless the trustee or other party in interest requests that the case remain open or in the present chapter. If one debtor in a joint case fails to appear, the Court may bifurcate the joint case and dismiss or convert the absent debtor's case.~~

Debtor failed to appear for the § 341(a) Meeting of Creditors, and as set forth above, Debtor's failure to appear at the § 341(a) Meeting of Creditors subjects Debtor's case to dismissal without further hearing or notice.- Accordingly,

IT IS ORDERED that the Trustee's request for dismissal filed [date]~~April 4, 2018~~, is granted; and this case is DISMISSED for Debtor's failure to appear at the § 341 Meeting of Creditors.

~~IT IS FURTHER ORDERED and NOTICE IS HEREBY GIVEN that Debtor shall have fourteen (14) days from the date of this Order to request reconsideration of the instant Order, with a showing of good cause set forth in the request for reconsideration as to why Debtor failed to appear at the § 341 Meeting of Creditors.~~

Mont. LBF 8. MOTION TO MODIFY STAY; AND NOTICE.
[Mont. LBR 4001-1(a)]

Name of Attorney
[Office Mailing Address]
Telephone Number: [number]
~~Faeximile Number~~
E-Mail Address: [address]
State Bar I.D. Number: [number]
(Attorney for [name of creditor] _____)

~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re <u>RE:</u> <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> 5 5 -Debtor(s).	Case No. <u>0:00-bk-12345-ABC</u> MOTION TO MODIFY STAY; AND NOTICE
---	--

The Motion of [name of creditor] _____ (“Creditor”) respectfully represents:

1. ~~The~~ Debtor(s) filed a Petition in this Court under Chapter [number] _____ of the Bankruptcy Code on the [day] _____ day of [month] _____, 20[year] ____.

2. Creditor is the holder of a secured claim against the Debtor(s), and pursuant to Mont. LBR 4001-1, provides the following information:

(a) Creditor is owed \$[amount], which is itemized as follows: ~~The present balancee owing to Creditor, excluding any precomputed interest or other unearned charges, is~~ \$ _____.

Principal: \$[amount]

Accrued Interest through Petition: \$[amount]

Accrued Interest Post-Petition: \$[amount]

Charges/Late Fees: \$[amount]

Other Expenses: \$[amount]

(a)

(b) The date upon which the subject debt was incurred was [date]_____.

(b)

(c) Creditor holds a security interest or lien upon the following ~~described~~ property of the estate:

(c) [describe].

(d) The nature of Creditor's security interest, the date upon which the security interest was obtained, and the date upon which the security interest was perfected are as follows: [describe]

[Creditor has attached copies of all security agreements, financing statements, titles, and other perfection documents necessary to prove the validity of its security interest to its Proof of Claim on file herein, as required by Mont. LBR 4001-1; or if no Proof of Claim has been filed, such documents are attached to this Motion.]

(e) Creditor has standing to file this Motion on the following grounds: [explain]

[Creditor has attached copies of all documents necessary to establish its standing to file this motion, including all assignments of claims, as appropriate.]

(f) A description of Creditor's collateral, including its location, is as follows: [describe]

(g) The fair market value of Creditor's collateral is \$[amount]_____.

(h) A description of, and the amounts due upon, any other security interests which have priority over that of Creditor are as follows: [describe]

(i) If ~~the~~ Debtor(s) is in default, the number of defaulted installments and the total amount in default are as follows: [number and amount]

(j) If ~~the~~ Creditor alleges Debtor(s) defaulted on a post-petition payment ~~default by the Debtor~~, the amount and date of the payments ~~the~~ Debtor(s) is alleged to have failed to make are as follows: [describe]

[Creditor attests that it responded promptly and thoroughly to ~~the~~ trustee's or ~~to the~~ Debtor's reasonable requests for account information.]

(k) This Motion is made ~~under and~~ pursuant to ~~the following subsection of~~ 11 U.S.C. § 362[subsection]_____.

(l) Other facts which are relevant in determining whether relief should be granted are as follows: [explain]

3. Creditor further represents that in the event the Court grants this Motion, Creditor will seek foreclosure and liquidation of the above-described collateral ~~in accordance with~~ pursuant to applicable non-bankruptcy law. Upon disposition of such collateral, Creditor will account for all proceeds to the Court₂₅ and trustee₂₅ if applicable, and agrees to turn over any proceeds in excess of Creditor's allowed secured claim to the Court, and trustee, if applicable.

4. To avoid the need for a preliminary telephonic hearing, Creditor [consents or does not consent]_____ ~~does or~~ ~~does not consent~~ to waiver of the 30-day rule ~~set forth~~ outlined in 11 U.S.C. § 362(e).

WHEREFORE, Creditor respectfully moves the Court to grant this Motion to Modify Stay, and to grant such other relief as the Court may deem appropriate.

DATED this [number]_____ day of [month]_____, 20[year]_____.

/s/ [name of person filing document]_____
[typed name of Creditor's Attorney]
(Attorney for Creditor)

[Name of attorney]
(Attorney for _____)

NOTICE OF OPPORTUNITY TO RESPOND AND REQUEST A HEARING

If you object to the motion, you must file a written responsive pleading and request a hearing within 14 days of the motion's date. The responding party shall schedule the hearing on the motion at least 21 days after the date of the response and request for a hearing and shall

include in the caption of the responsive pleading in bold and conspicuous print the date, time, and location of the hearing by inserting in the caption the following:

~~If you object to the motion, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the motion. The objecting party shall schedule the hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:~~

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

~~This contested matter shall be scheduled for hearing for the next hearing date scheduled in the division within which the case is filed. The date, time and location of the hearing can be obtained from the Clerk of Court or from the Court's website at www.mtb.uscourts.gov. If the motion indicates the creditor does not consent to waiver of the 30-day rule set forth in 11 U.S.C. § 362(e) and the next scheduled hearing date is thirty (30) days beyond the filing date of the motion for relief, then a preliminary hearing within such thirty (30) day period shall be scheduled by the responding party after such party contacts the Clerk of Court to confirm the preliminary telephone hearing date and time, which shall be set forth in the response.~~

If you fail to file a written response to the above Motion to Modify Stay with the particularity required by Mont. LBR 4001-1(c), and request a hearing, within fourteen (14) days of the date of this Notice, with service on the undersigned and all parties entitled to service under all applicable rules, then your failure to respond or to request a hearing will be deemed an admission that the motion for relief should be granted without further notice or hearing.

DATED this [number] day of [month], 20[year].

/s/ [name of person filing document] _____

[typed name of Creditor's Attorney]

(Attorney for Creditor)

DATED this ____ day of _____, 20____.

[Name of Attorney]
(Attorney for Creditor)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing]
[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

CERTIFICATE OF SERVICE

~~I, the undersigned, do hereby certify under penalty of perjury that on the ____ day of _____, 20____, a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:~~

[Name of person certifying the mailing]

~~[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.]~~

Mont. LBF 8-B. STIPULATION TO MODIFY STAY.
[~~11 U.S.C. § 362~~; Mont. LBR 4001-1(d)]

Name of Attorney
[Office Mailing Address]
Telephone Number: [number]
E-Mail Address: [address]
State Bar I.D. Number: [number]
~~Office Mailing Address~~
~~Telephone Number~~
~~E-Mail Address~~
~~State Bar I.D. Number~~
(Attorney for [name of creditor]_____)

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re NAME OF DEBTOR, NAME OF JOINT-DEBTOR, Debtor(s).	Case No. 0:00-bk-12345-ABC STIPULATION TO MODIFY STAY
---	--

[~~n~~Name of Creditor] (the “Creditor”), by and through [~~n~~Name of Creditor’s Attorney], of [~~n~~Name of Law Firm], [~~n~~Name of Debtor(s)] (“Debtor”), by and through [~~n~~Name of Debtor’s Attorney], of [~~n~~Name of Law Firm], and Trustee, [~~n~~Name of Trustee] (“Trustee”), (collectively, the Creditor, Debtor, and Trustee are referred to as the “Parties”) file this Stipulation to Modify Stay pursuant to 11 U.S.C. § 362[—subsection], Mont. LBR 4001-1(d), subject to the following terms:

1. Debtor(s) filed a Petition in this Court under Chapter [number] of the Bankruptcy Code on the [day] day of [month], 20[year]. Debtor filed for bankruptcy on _____, 20__.
ECF No. 1.

2. Creditor is the holder of a secured claim against Debtor that is more particularly

described as follows:

(a) Creditor is owed \$[amount], which is itemized as follows:

—— Principal: \$[amount]
—— Accrued Interest Thru Petition: \$[amount]
—— Accrued Interest Post-Petition: \$[amount]
—— Charges/Late Fees: \$[amount]
—— Other Expenses: \$[amount]

(b) The date upon which the subject debt was incurred was [date].

(b) The debt was incurred on _____.

(c) Creditor holds a security interest or lien upon the following property of the estate: [describe] ~~Creditor holds a security interest or lien upon the following described property of the estate: [insert description]~~ (the “Collateral”).

3. The Parties stipulate and agree as follows:

(a) [insert terms of the Stipulation].

4. Creditor further represents that in the event the Court grants ~~Creditor agrees that if the Court grants~~ the relief sought by this Stipulation, Creditor will seek foreclosure and liquidation of the above-described collateral pursuant to applicable non-bankruptcy law ~~the Collateral in accordance with applicable non-bankruptcy law~~. Upon disposition of the Collateral, Creditor will account for all proceeds to the Court, and trustee, if applicable, and agrees to turn over any proceeds in excess of Creditor’s allowed secured claim to the Court, and trustee, if applicable. ~~Creditor shall (i) account for all proceeds to the Court; and (ii) turn over any proceeds in excess of Creditor’s allowed secured claim to the [Court or Trustee].~~

WHEREFORE, the Parties respectfully request that the Court approve the Stipulation and enter an Order that the Parties ~~shall henceforth~~ be bound by the terms of this Stipulation.

DATED this [number] day of [month], 20[year]. ~~DATED this ____ day of _____, 20____.~~

/s/ [name of Creditor's or Creditor's Attorney]
[typed name of Creditor or Creditor's Attorney]

/s/ [name of Debtor or Debtor's Attorney]
[typed name of Debtor(s) or Debtor's Attorney]

/s/ [name of Trustee]
[typed name of Trustee]

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing]
[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the ____ day of _____, 20____, a copy of the foregoing was served by electronic means pursuant to Mont. LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ (name of person certifying the mailing)
[typed name of person certifying the mailing]

[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.]

Mont. LBF 8-C. ORDER APPROVING STIPULATION AND MODIFYING STAY.
[Mont. LBR 4001-1(d)]

~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re ~~N~~RE:

NAME OF DEBTOR,
NAME OF JOINT-DEBTOR,

5
5

Debtor(s).

Case No. 0:00-bk-12345-ABC

~~ORDER APPROVING STIPULATION~~
~~AND MODIFYING STAY~~

ORDER

~~At Butte in said District~~ this ____ day of _____, 20____.

In this Chapter [~~number-~~] case, Debtor(s), the Chapter [~~number-~~] Trustee, and Creditor [~~n~~Name of Creditor] entered into a Stipulation to Modify Stay which was filed with the Court on [mont~~h~~h, ~~date~~][~~day~~], 20[~~year~~]—. Upon review, the Court finds the Stipulation fair, equitable, and in the best interest of the parties. In addition, the Court finds that the Stipulation satisfies the requirements of 11 U.S.C. § 362(d)(~~[-insert applicable subsection]~~). Thus, pursuant to the Stipulation to Modify Stay,

IT IS ORDERED the stay afforded by § 362(a) of the Bankruptcy Code is modified to permit [~~n~~Name of Creditor] to foreclose and enforce its security interest in the following property of the estate:

[~~d~~Description of cCollateral]

Mont. LBF 9. DEBTOR'S CONSENT TO CREDITOR'S MOTION TO MODIFY STAY.
[Mont. LBR 4001-1(a)]

Name of Attorney
[Office Mailing Address]
Telephone Number: [number]
E-Mail Address: [address]
State Bar I.D. Number: [number]
(Attorney for [name of creditor])
~~Name of Debtor/Attorney for Debtor~~
~~Office Mailing Address~~
~~Telephone Number~~
~~Faeximile Number~~
~~E-Mail Address~~
~~State Bar I.D. Number~~
~~(Attorney for Debtor(s))~~

**~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

<u>In re</u>NRE: <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> _____ 5 5 Debtor(s).	Case No. <u>0:00-bk-12345-ABC</u> DEBTOR'S CONSENT TO CREDITOR'S MOTION TO MODIFY STAY
--	---

The undersigned Debtor(s) hereby consents to the Motion to Modify Stay filed herein by
[name of Creditor], _____ (Creditor), dated [month] [day], 20[year] the ____
day of _____, 20____. This cConsent is given pursuant to~~in accordance with~~ Mont.
LBR 4001-1(a).

DATED this [number] day of [month], 20[year].~~DATED this _____ day~~

of _____, 20____.

/s/ _____ [name _____ of
Debtor] _____

[typed name of Debtor]

/s/ _____ [name _____ of _____ Joint-Debtor]

[typed name of Joint-Debtor]

APPROVED:

/s/ [name of Debtor's Attorney] _____

[typed name of Debtor's Attorney]

(Attorney for Debtor(s))

Attorney for Debtor(s)

Mont. LBF 9-A. TRUSTEE’S CONSENT TO CREDITOR’S MOTION TO MODIFY STAY.

[Mont. LBR 4001-1(a)]

Name of Trustee

[Office Mailing Address]

Telephone Number: [number]

E-Mail Address: [address]

State Bar I.D. Number: [number]

~~Office Mailing Address~~

~~Telephone Number~~

~~Facsimile Number~~

~~E-Mail Address~~

~~State Bar I.D. Number~~

(Chapter [number] ~~—F~~ Trustee)

**~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

<u>In re</u>IN RE: <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> <u>Debtor(s).</u> _____ 5 5 Debtors.	Case No. <u>0:00-bk-12345-ABC</u> TRUSTEE’S CONSENT TO CREDITOR’S MOTION TO MODIFY STAY
---	--

The undersigned trustee hereby consents to the Motion to Modify Stay filed herein by [name of Creditor], _____ (Creditor), dated the _____ day of _____, 20___ [month] [day], 20[year]. This consent is given ~~in accordance with~~ pursuant to Mont. LBR 4001-1(a).

DATED this [number] day of [month], 20[year].

~~DATED this~~ _____ day of _____, 20___.

|

/s/ [name of Trustee] _____

[typed name of Trustee]

(Chapter [number] Trustee)

_____ Trustee

Mont. LBF 10. NOTICE OF CONVERSION TO CHAPTER 7.
[Mont. LBR 1017-1(a)(4)]

Name of Attorney
[Office Mailing Address]
Telephone Number: [number]
E-Mail Address: [address]
State Bar I.D. Number: [number]
~~Office Mailing Address~~
~~Telephone Number~~
~~Facsimile Number~~
~~E-Mail Address~~
~~State Bar I.D. Number~~
(Attorney for Debtor(s))

**~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

<u>In re</u> <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> <u>Debtor(s).</u> <u>IN RE: _____</u> <u>5</u> <u>5</u> Debtors.	<u>Case No. 0:00-bk-12345-ABC</u> Case No. NOTICE OF CONVERSION TO CHAPTER 7
---	--

The Debtor(s) hereby converts [his/her/~~its~~their] Chapter [12/13] case to a case under
Chapter 7 pursuant to Mont. LBR 1017-1(a)(4).

DATED this [number] day of [month], 20[year].
~~DATED this _____ day of _____, 20____.~~

/s/ [name of Debtor's Attorney] _____
[typed name of Debtor's Attorney]

(Attorney for Debtor(s))

[Name of attorney]

(Attorney for _____)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing]

[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the ____ day of _____, 20____, a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

[Name of person certifying the mailing]

[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.]

Mont. LBF 11. NOTICE OF TRUSTEE’S INTENT TO ABANDON PROPERTY; AND NOTICE.

[Mont. LBR 6007-1]

Name of Attorney

[Office Mailing Address]

Telephone Number: [number]

E-Mail Address: [address]

State Bar I.D. Number: [number]

Name of Trustee

Office Mailing Address Telephone Number Facsimile Number

E-Mail Address

State Bar I.D. Number

(Chapter [number] — T Trustee)

**~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

<u>In re</u> <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> <u>Debtor(s).</u> <u>IN RE: _____</u> <u>;</u> <u>;</u> <u>Debtors.</u>	<u>Case No. 0:00-bk-12345-ABC</u> <u>Case No.</u> NOTICE OF TRUSTEE’S INTENT TO ABANDON PROPERTY; AND NOTICE
---	--

Notice is given pursuant to 11 U.S.C. § 554(a) ~~is hereby given and~~ Mont. LBR 6007-1 that the Trustee of the above--named Debtor’s estate intends to abandon the following property as burdensome and of inconsequential value to the estate:

Description of Item	Scheduled or Estimated Value	Amount Secured or Exempt	Lienholder Name and Address	Estimated Liquidation Expenses	* Estimated Net Value to the Estate
------------------------	------------------------------------	--------------------------------	-----------------------------------	--------------------------------------	---

Reason for Abandonment: **[**]****

* Enter zero (\$0.00) if the estimated expenses and/or amount of secured interests exceed the actual or estimated value of the property.

** Explain all entries in the last column if zero (\$0.00) was not entered.

Objections to the above abandonment must be filed with the Court.

DATED this [number] day of [month], 20[year].

/s/ [name of Trustee]
[typed name of Trustee]
(Chapter [number] Trustee)

DATED this ____ day of _____, 20____.

Trustee

**NOTICE OF OPPORTUNITY TO RESPOND
AND REQUEST A HEARING**

If you object to the motion, you must file a written responsive pleading and request a hearing within 14 days of the motion's date. The responding party shall schedule the hearing on the motion at least 21 days after the date of the response and request for a hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time, and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

**NOTICE OF OPPORTUNITY TO RESPOND
AND REQUEST A HEARING**

~~If you object to the notice, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the notice. The objecting party shall schedule the hearing on the objection to the abandonment at least twenty-one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:~~

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

~~If no objections are timely filed, the Court may grant the request for abandonment as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.~~

DATED this [number] day of [month], 20[year].

/s/ [name of Trustee] _____

[typed name of Trustee]

(Chapter [number] Trustee)

~~DATED this _____ day of _____, 20____.~~

Trustee

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the [number] day of [month], 20[year], a copy of the foregoing was served pursuant to Mont. LBR 9013-1(e)(2), (3) by electronic means on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

/s/ [name of person certifying the mailing] _____

[typed name of person certifying the mailing]

(Must comply with Mont. LBR 9013-1(e)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.)

CERTIFICATE OF SERVICE

~~I, the undersigned, do hereby certify under penalty of perjury that on the _____ day of~~

_____, 20____, a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

[Name of person certifying the mailing]

[Must comply with Mont. LBR 9013-1(d)(2), by reflecting the name and address of each party served, and by being signed "under penalty of perjury" and by identifying the document served.]

Mont. LBF 12. NOTIFICATION BY U.S. TRUSTEE OF DEBTOR'S PAYMENT OF
QUARTERLY FEES
[Mont. LBR 3020-1]

Name of Attorney
Office of the United States Trustee
Liberty Center, Suite 204550 West Fort St
Room 698
301 Central Avenue
Boise, ID 83724Great Falls, MT 59401
Phone: (406208) 334-1300761-8777
Fax: (406) 761-8895
E-Mail Address: [email address]
State Bar I.D. Number: [number]
(Attorney for the United States Trustee)

~~IN THE~~ UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

<u>In re</u> <u>NAME OF DEBTOR,</u> <u>NAME OF JOINT-DEBTOR,</u> <u>Debtor(s).</u> <u>IN RE:</u> <u>5</u> <u>5</u> <u>Debtors.</u>	<u>Case No. 0:00-bk-12345-ABC</u> <u>Case No.</u> NOTIFICATION BY OFFICE OF UNITED STATES TRUSTEE OF DEBTOR'S PAYMENT OF QUARTERLY FEES
---	--

The Office of the United States Trustee hereby notifies the Court, pursuant to Mont. LBR 3020-1, that the above-named Debtor(s) has paid all fees due under 28 U.S.C. § 1930(a)(6) or has provided in its Plan that such fees will be paid on or before the Plan's effective date ~~of such Plan~~, as required by 11 U.S.C. § 1129(a)(12).

DATED this [number] day of [month], 20[year].

/s/ [name of person filing document] _____
[typed name of Attorney]

DATED this _____ day of _____, 20____.

[Name of Attorney]
(Attorney for the United States Trustee)

Mont. LBF 33. MATERIALS REQUIRED TO BE DELIVERED TO TRUSTEES
BEFORE THE § 341(a) MEETING OF CREDITORS.

[11 U.S.C. § 521, Fed. R. Bankr. P. 4002 and Mont. LBR 2003-5(b)]

MATERIALS FOR TRUSTEES

The debtor must provide copies of the following documents and materials to the appropriate panel or standing trustees (and to the U.S. Trustee, if requested) at least ~~seven~~ 14 days before the first date set for the debtor's § 341(a) meeting of creditors. If the debtor fails to provide these documents and materials, the trustee may continue the meeting of creditors until a later date, at which time the debtor and debtor's attorneys will be required to attend again in order to respond to inquiries related to such documents and materials; or, at the trustee's discretion, the trustee or U.S. Trustee may seek dismissal or conversion of a debtor's bankruptcy for failure to provide these documents and materials timely or may seek an order compelling the debtor to provide such materials.

The debtor must also provide a copy of this form to the trustee, which must be completed appropriately to reflect the documents and materials the debtor is and is not providing. The debtor must respond to each request with only one of the following four choices:

A = Attached

NA = Not Applicable

NP = Applicable but not in the debtor's possession

DNE = Applicable but does not exist

Leave no blank items.

1. _____ Tax Returns: Copies of the debtor's state and federal tax returns (including returns for any corporation, partnership, or other entity in which the debtor holds an interest) or tax return transcripts for the most recent two tax years ending immediately before the commencement of the bankruptcy and for which the debtor filed a return, including any attachments (or written statement that the documentation does not exist if filing a Chapter 7 bankruptcy).

2. _____ Documents for Real Property: Copies of the following documents for each parcel the debtor has an ownership interest in, had an ownership interest within two years before filing bankruptcy, or which the debtor intends to transfer or surrender following the bankruptcy filing.

_____ Trust Indenture, Contract for Deed or Mortgage (with proof of recording)

_____ Homestead Declaration (with proof of recording)

_____ Appraisal (or most recent year's county tax assessment statement)

_____ Loan Status (most recent month's loan statement)

3. _____ Documents for Personal Property: Provide the following for each item of personal property pledged as collateral to secure a debt, including those assets which the debtor transferred or surrendered within two years before filing bankruptcy or which the debtor intends to transfer or surrender following the bankruptcy filing.
- _____ Promissory Note, Security Agreement, or Retail Installment Contract
- _____ Proof of Perfection (e.g., UCC-1, with proof of filing)
- _____ Loan Status (most recent month's loan statement)
- _____ Appraisal (or proof of Fair Market Value, if possible)
4. _____ Vehicle and Other Titles or Registrations: Provide for each vehicle, trailer, ATV, motorcycle, RV, boat, personal watercraft, snowmobile, airplane, and other titled property.
- _____ Certificate of Title
- _____ Appraisal (or blue book valuation or other internet valuation)
- _____ Loan Status (most recent month's loan statement)
5. _____ Mobile Homes:
- _____ Promissory Note, Security Agreement, and Other Loan Documents
- _____ Certificate of Title
- _____ Homestead Declaration (with proof of recording)
- _____ Loan Status (most recent month's loan statement)
6. _____ IRA or Pension Plans: Most recent monthly or quarterly statements reflecting account balances; and copy of 401(k) or other plans, if applicable.
7. _____ Banking Information: Copies of statements for all bank, credit union, money transfer and cash apps (e.g., PayPal, Zelle, Venmo), or other financial institution checking, savings, money market, mutual fund, brokerage, and other depository and investment account statements for the ~~ninety~~90 days before the bankruptcy filing and reflecting all account balances as of the date of filing.
8. _____ Business Information: Provide for any business that the debtor operated within the two years before the bankruptcy filing:

_____ Copy of Most Recent Balance Sheet

_____ Copy of Most Recent Profit and Loss Statement

9. _____ Divorce: If the debtor divorced within two years before the bankruptcy filing, provide copies of the divorce decree and any marital settlement agreement.

DATED this _____ day of _____, 20____.

Debtor

Joint-Debtor

[The debtor must provide this form to the trustee but is not required to file it with the Court.]