

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

at _____

IN RE:

*

Case No. _____
Chapter 13

Debtor(s)

*

*

*

Movant(s)

*

vs.

*

Respondent(s)

*

**ORDER GRANTING MOTION TO VALUE COLLATERAL
AND TO AVOID SECURITY INTEREST**

Having considered Debtor's motion, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. § 506, it is by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the value of the collateral securing Respondent's claim is \$ _____; and it is further,

ORDERED, that at such time as a discharge Order is entered in this case pursuant to 11 U.S.C. § 1328(a) in this case, the lien held in favor of Respondent on the Debtor's interest in the property described as: _____, is avoided to the extent of the Respondent's unsecured claim; and it is further,

ORDERED, that if the Respondent has filed a proof of claim, the claim of the Respondent be and hereby is allowed for purposes of distributions under the Debtor's plan as a secured claim in an amount not to exceed the value of the Respondent's collateral and as a general unsecured claim for the balance; and it is further,

ORDERED, that if the Respondent has not filed a proof of claim, the claim of the Respondent be and hereby is allowed for purposes of distributions under the Debtor's plan as a secured claim in an amount not to exceed the value of the Respondent's collateral and as a general unsecured claim for the balance if a proof of claim is filed on or before the later of (i) the claims bar date previously fixed by this court, or (ii) twenty-eight (28) days after entry of this order; and it is further,

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ORDERED, that at such time as a discharge order is entered pursuant to 11 U.S.C. § 1328(a) in this case, the lien held in favor of the Respondent on the Debtor's interest in the property described as: _____, is avoided to the extent of the Respondent's unsecured claim, and it is further,

ORDERED, that if the Respondent has filed a proof of claim, the claim of the Respondent be and hereby is allowed for purposes of distributions under the Debtor(s)' plan as a secured claim in an amount not to exceed the value of the Respondent's collateral and as a general unsecured claim for the balance: and it is further,

ORDERED, that if the Respondent has not filed a proof of claim, the claim of the Respondent be and hereby is allowed for purpose of distributions under the Debtor(s)' plan as a secured claim in an amount not to exceed the value of the Respondent's collateral and as a general unsecured claim for the balance if a proof of claim is filed on or before the later of (i) the claims bar date previously fixed by this court, or (ii) twenty-eight (28) days after entry of this order; and it is further,

ORDERED, that allowance of the claim of the Respondent pursuant to this order is without prejudice to objection to such claim on other grounds.

cc: Trustee
Debtor(s)
Debtor(s)' Attorney
Respondent
U.S. Trustee

End of Order

NOTE: Local Bankruptcy Rule 3012-2 requires a motion to value collateral and avoid a lien on a Chapter 13 debtor's property that is not debtor's principal residence to be filed with a proposed order conforming to this Local Bankruptcy Form L. The movant may revise the form to make the grammar appropriate for joint cases.

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