

UNITED STATES BANKRUPTCY COURT
Middle District of Florida

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines

The debtor(s) listed below filed a chapter 13 bankruptcy case on 12/1/09 .

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Randall B Whitney
820 Indigo Court
Port Orange, FL 32129

Virginia B Whitney
820 Indigo Court
Port Orange, FL 32129

Case Number:
3:09-bk-10170-PMG

Social Security/Taxpayer ID/Employer ID/Other Nos.:
xxx-xx-9500
xxx-xx-7856

Attorney for Debtor(s) (name and address):

Aaron R. Wolfe
Doran, Wolfe, Ansay, & Kundid
444 Seabreeze Blvd., Suite 800
P.O. Drawer 15110
Daytona Beach, FL 32115-5110
Telephone number: 386-253-1111

Bankruptcy Trustee (name and address):

Douglas W. Neway
P O Box 4308
Jacksonville, FL 32201
Telephone number: 904-358-6465

Meeting of Creditors

Debtor(s) must present Photo ID and acceptable proof of Social Security Number at §§ 341 meeting.
You are reminded that Local Rule 5073-1 restricts the entry of cellular telephones and computers into the Courthouse.

Date: **January 11, 2010**

Time: **08:30 AM**

Location: **FIRST FLOOR, 300 North Hogan St. Suite 1-200, Jacksonville, FL 32202**

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): **4/12/10**

For a governmental unit (except as otherwise provided in Fed. R. Bankr. P. 3002 (c)(1)): **180 days from the date of filing**

Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Deadline to File a Complaint to Determine Dischargeability of Certain Debts: 3/12/10

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan

The plan or a summary of the plan will be sent separately. The hearing on confirmation will be held:

Date: **2/2/10**, Time: **01:30 PM**, Location: **By Video – Justice Center Courtroom 2, 251 N Ridgewood Ave, Daytona Bch FL, 32144 or 300 N Hogan St Courtroom 4A, or 4D, Jacksonville, FL 32202**

1. All exhibits must be pre-marked and listed in accordance with Local Rule 9070-1. 2. The hearing may be continued upon announcement made in open court without further notice. 3. Any party opposing the relief sought at this hearing must appear at the hearing or any objections or defenses may be deemed waived. 4. You are reminded that Local Rule 5072-1(b)(16) requires that all persons appearing in court should **dress in business attire**. 5. Secured Creditors are advised that the payment amount, frequency of payments and valuation of collateral as described in the debtor(s) plan will become effective with the Confirmation Order unless the affected secured creditor files an objection. Such objection must be filed with the Clerk, U.S. Bankruptcy Court, 300 North Hogan Street Suite 3-350, Jacksonville, Florida, 32202, and will be heard at the Confirmation Hearing.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

300 North Hogan Street Suite 3-350
Jacksonville, FL 32202
Telephone number: 904-301-6490

For the Court:

Clerk of the Bankruptcy Court:
Lee Ann Bennett

Hours Open: Monday – Friday 8:30 AM – 4:00 PM

Date: 12/2/09

EXPLANATIONS

FORM B91 (12/07)

Filing of Chapter 13 Bankruptcy Case	A bankruptcy case under Chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on the front of this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code §§ 362 and §§ 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. If you do not file a Proof of Claim by the "Deadline to file a Proof of Claim" listed on the front side, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Filing Deadline for a Foreign Creditor: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code §§ 523 (a)(2) or (4), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that deadline. **Individual debtors in Chapter 13 cases must complete an instructional course in personal financial management in order to receive a discharge under chapter 13. A statement regarding completion of the course must be filed no later than the last payment made by the debtor as required by the plan or the filing of a motion for entry of a discharge, the debtor must file a motion to reopen, with the appropriate filing fee, in order to file the statement and obtain a discharge of debts. **Applies to cases filed on or after October 17, 2005.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
-- Refer to Other Side for Important Deadlines and Notices --	
Voice Case Info. System (VCIS)	For use with a touch-tone phone only; using the dial pad VCIS will provide the caller with basic case information concerning deadlines such as case opening and closing date, discharge date and whether a case has assets or not. VCIS is accessible 24 hours a day except when routine maintenance is performed. To access VCIS toll free call 1-866-879-1286.