

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA, WESTERN DIVISION

In re:

BK #04-70049-CMS-13  
CHAPTER 13

AQUA-DON UMOREN

Debtor(s)

**ORDER OF CONFIRMATION AND ORDER  
FOR PAYMENT OF FILING FEES IN INSTALLMENTS**

Notice of a hearing on confirmation under Chapter 13 of the Bankruptcy Code having been given to Debtor and all creditors listed in the schedules filed by the Debtor; the Debtor having filed a proposed plan dated **January 9, 2004**, and at the hearing on confirmation on **March 9, 2004**, all requirements for confirmation having been met; IT IS ORDERED THAT:

(1) The Debtor's plan is hereby confirmed. Debtor's application to pay filing fees in installments is approved. Debtor shall make no payment to his attorney as compensation for services in this case. Said compensation shall be paid by the Trustee from proceeds in this case.

(2) Each creditor must file a written proof of claim in the form provided by law in order to participate in disbursements herein. Claims will be paid as duly filed, without hearing, unless the Debtor or attorney for Debtor files a written objection, in which case a hearing will be held to determine the allowed amount of the claim. Secured creditors shall retain their liens securing such claim until such time as the filed and allowed claims of such creditors are paid under the terms of the Debtor's plan and said liens are released upon completion of the plan as confirmed or as amended. Any secured claim as to which a specific plan payment is not provided in Paragraph 3 below shall be paid along with unsecured claims, but without prejudice to the security of such claim.

**ALL CREDITORS WHO HAVE NOT FILED A CLAIM SHOULD FILE THEIR CLAIM IMMEDIATELY IN ORDER TO PARTICIPATE IN THE DISTRIBUTION.**

(3) The Debtor shall pay to C. David Cottingham, Standing Trustee, the sum of **\$1,153.00 per month for 60 months** beginning immediately, out of which amount the court costs and administrative fees of **\$194.00** shall be paid. From the monies paid to the Trustee, attorneys fees are allowed to **MARSHALL A. ENTELISANO** in the amount of **\$1,500.00** payable **\$1,200.00** as part of the initial costs of administration and the balance of **\$300.00** payable under **6** monthly installments of **\$50.00** each. The balance of the funds shall be paid as follows:

**IRS: \$907.00 per month on the priority portion of the timely filed and allowed claim;**

**STATE OF ALABAMA DEPARTMENT OF REVENUE: \$145.00 per month on the priority portion of the timely filed and allowed claim.**

**TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS WITHDRAWN.**

ENTERED 3/18/04  
United States  
Bankruptcy Court  
Tomball, Alabama  
By: [Signature]  
Deputy Clerk

The remaining balance of monies received by the Trustee shall be distributed pro rata among the Debtor's other creditors as proofs of claim have been filed and allowed, such distribution to continue until all unsecured claims have been paid 0% of their allowed amount.

(4) Property of the Estate - "[T]he plan upon confirmation returns so much of that property to the debtor's control as is not necessary to the fulfillment of the plan." In re Telfair, 216 F.3d 1333 (11th Cir. 2000). Debtor may not dispose of or place any lien upon any property without the consent of the Court. Pursuant to 11 U.S.C. Section 1305(c), the Debtor may not incur any new debts. The Court reserves jurisdiction to make additional findings of fact and conclusions of law in the event of an appeal on confirmation or modification thereof.

ALL CREDITORS ARE UNDER THE AUTOMATIC STAY PROVISION OF §362 of Title 11, United States Code. Each creditor is hereby enjoined from demanding, requesting, or attempting collection of any part of said claim from Debtor, his employer, his co-signer or joint obligator.

DONE AND ORDERED: MARCH 17, 2004



C. MICHAEL STILSON  
BANKRUPTCY JUDGE

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