

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA**

IN RE:

C/A No. \_\_\_\_\_

Chapter \_\_\_\_

**SETTLEMENT ORDER  
ON  
MOTION FOR RELIEF FROM  
AUTOMATIC STAY**

Debtor(s).  
\_\_\_\_\_

This matter comes before the Court on the motion for relief from the automatic stay filed by \_\_\_\_\_ ("Movant"). Movant has waived any claim arising under 11 U.S.C. § 503(b) or § 507(b) and, in the event relief from the automatic stay is granted due to Debtor(s)' default under the terms of this settlement order, agreed that any funds realized from the disposition of its collateral in excess of all liens, costs, and expenses will be paid to the trustee or bankruptcy estate. The chapter 13 trustee has reviewed this order and consented to this settlement electronically. The property serving as collateral which is the subject of the motion is described as follows:

As of \_\_\_\_\_, Debtor has accrued a post petition arrearage in the amount of \$ \_\_\_\_\_. The post petition arrearage consists of:

Payments for the month(s) of \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ per month.

Late charges in the amount of \$ \_\_\_\_\_.

Attorney's fees and costs in the amount of \$ \_\_\_\_\_.

Other costs in the amount of \$ \_\_\_\_\_ as described: \_\_\_\_\_.

Upon Movant's certification of the agreement of the parties, it is hereby ORDERED:

Debtor(s) shall file an amended chapter 13 plan within 10 days of the entry of this order. The amended plan shall provide for regular monthly payment to Movant of \$ \_\_\_\_\_ and cure the above-listed post-petition arrears. The amended plan payment will be approximately an additional \$ \_\_\_\_\_ per month, for a total plan payment of \$ \_\_\_\_\_ beginning with the \_\_\_\_\_ payment to the chapter 13 trustee. Debtor(s) shall also provide the chapter 13 trustee with any requested documents to recommend approval of the amended plan.

The trustee will make payments to the Movant at:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If Debtor(s) fail to file an amended plan within 10 days of the entry of this order, relief from stay may be provided without further hearing upon the filing of an affidavit of default by Movant and the entry of the proposed order by the Court. Movant may then proceed with its state court remedies against the collateral, including sending any required notice to Debtor(s).

This settlement order and the amended plan shall be governed by Operating Order 16-02 of the United States Bankruptcy Court for the District of South Carolina, filed December 5, 2016, and any amendments thereto.

---

---

**AND IT IS SO ORDERED.**

**WE SO MOVE AND CONSENT:**

/s/ \_\_\_\_\_  
Attorney for Movant  
District Court I.D. \_\_\_\_\_

/s/ \_\_\_\_\_  
Attorney for Debtor  
District Court I.D. \_\_\_\_\_

**CERTIFICATION:**

Debtor's counsel represents that prior to consenting to this settlement order, the payment obligations set forth in this Order, including the amounts, method, and timing of payments, and consequences of default were reviewed with and agreed to by the Debtor(s) or the party obligated to pay.

/s/ \_\_\_\_\_  
Attorney for Debtor  
District Court I.D. \_\_\_\_\_