

EXHIBIT A

LIST OF MATTERS FOR SCHEDULING IN CHAPTER 13 CASES (JUDGE WAITES CASES ONLY)

Chapter 13 Calendar	
Confirmation Hearings	
Objections to Amended Plan (after confirmation hearing)	Motions to Approve Settlement*
Motions to Value*	Objection to Exemptions (if by Trustee, passive*)
Motions to Assume or Reject*	Motions to Value Tax Claim & Establish Priority*
Motions to Avoid Judicial Lien*	First Motion to Extend Time to Object to Discharge or Dischargeability of Debt*
Motions for Moratorium*	
Motions to Change Venue*	Request for Chapter 13 Discharge (BAPCPA) pursuant to SC LBR 3015-5(a)*
Motions to Divide Case or for Joint Administration*	Trustee's Motion to Dismiss or Convert *
Motion for Exemption or Waiver from Credit Counseling or Financial Management Course*	Motions to Reconsider Dismissal or Reopen*
Motions to Obtain Credit*	Claims Objections*
Motions to Sell, Use, or Lease Property or to Prohibit or Condition the Use, Sale or Lease of Property*	Requests to Convert or Dismiss Case by Creditor or Other Non-Trustee Party*
Motions to use Cash Collateral*	Motion for Hardship Discharge and Notice/ Request pursuant to SC LBR 3015-5(b)*
Trustee's Application to Abandon Property*	Motion to Allow Continued Administration of Case After Death and/or Designate Person to Act for Debtor*
Motions to Substitute Collateral/Use Insurance Proceeds*	Motion to Convert/Dismiss by Debtor (previous conversion)*
	Motions to Employ Nunc Pro Tunc*
Application for Fees/Compensation*	
Motions to Withdraw as Attorney*	
Application for Administrative Expense*	
362 Calendar	
Motions for Relief from the Automatic Stay or Agreements related thereto*.**	
Co-debtor Stay Motions*.**	
Motions to Extend/Impose the Automatic Stay*.**	
Motions to Reconsider Relief from Stay*	
Matters arising under Rule 3002.1*	
Motion to Enforce the Order Requiring Loss Mitigation/Mortgage Modification	
Notice and Motion for Loss Mitigation/Mortgage Modification*	
"CATCH ALL" – motions not otherwise listed on the calendar.	

*Indicates motions on passive notice/self-scheduled list, which are set by counsel.

**The scheduling of motions for relief from or to extend/impose the automatic stay shall be governed by SC LBR 4001-1 and, where applicable, the § 362 calendar published on the Court's web page. Co-debtor stay relief motions should also be scheduled on the dates and times provided for other types of stay relief motions on the General Calendar.

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

Debtor.

C/A No.

JOINT STATEMENT OF DISPUTE
AND STIPULATION

The undersigned hereby certify that after consultation, the hearing on [type of hearing] originally scheduled for [date and time], after good faith efforts cannot be settled and remains contested so as to require the presentation of evidence and/or argument to the Court for determination. By entering into or filing this statement, the parties shall be limited to and bound by the positions provided herein. The following information is presented by way of stipulation of the parties:

1. Issues to be decided by the Court.
2. Position of Party/Parties (state w/ specificity).
3. Names of Witnesses to be called at the hearing.
4. Exhibits/Evidence to be presented (state whether admission is stipulated or any grounds for objection).
5. Statutory, Case Law or other Applicable Authority.
6. Estimated Length of Hearing.
7. Telephone and Facsimile Number, Electronic Mail address of Counsel/Party/Parties.
8. Final Authority. Unless otherwise indicated by a separately filed motion, filed simultaneously herewith, which requests that the Court determine whether this proceeding is subject to the entry of final orders or judgments by this Court, **the parties submitting this Joint Statement of Dispute consent to this Court entering final orders and judgments in this proceeding.**

(DATED)

(SIGNATURE)

(DATED)

(SIGNATURE)

EXHIBIT C

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

Debtor.

C/A No.

STATEMENT OF DISPUTE

The undersigned hereby certifies that after consultation, the hearing on [type of hearing] originally scheduled for [date and time], after good faith efforts cannot be settled and remains contested so as to require the presentation of evidence and/or argument to the Court for determination, and that the parties to this dispute made good faith efforts to enter into a joint statement of dispute and stipulation but could not because: [Insert reasons with specificity]. By entering into or filing this statement, the party shall be limited to and bound by the positions provided herein. Other issues or positions not included in the Statement of Dispute may be deemed abandoned by the Court.

1. Issues to be decided by the Court.
2. Position of Party/Parties (state w/ specificity).
3. Names of Witnesses to be called at the hearing.
4. Exhibits/Evidence to be presented (state whether admission is stipulated or any grounds for objection).
5. Statutory, Case Law or other Applicable Authority.
6. Estimated Length of Hearing.
7. Telephone and Facsimile Number, Electronic Mail address of submitting Counsel/Party.
8. Final Authority. Unless otherwise indicated by a separately filed motion, filed simultaneously herewith, which requests that the Court determine whether this proceeding is subject to the entry of final orders or judgments by this Court, **the parties submitting this Statement of Dispute consent to this Court entering final orders and judgments in this proceeding.**

(DATED)

(SIGNATURE)

EXHIBIT D

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

IN RE:

[*Debtor(s)' Name*],

Debtor(s).

C/A No. [*Case No.*]

Chapter 13

**CERTIFICATION AND
PRESUMPTIVE FEE REQUEST**

I hereby certify that I represent the debtor(s) in this chapter 13 case and that the debtor(s) and I have established a fee agreement in an amount greater than the amount permitted for an expedited fee under SC LBR 2016-1(b)(1) and the Chamber Guidelines for Judge Waites. I certify that this agreement is included in a written fee agreement and the agreed upon fee amount is \$_____. I have reviewed the issues in this case and believe the higher fees are necessary for the following reasons:

[List reasons and provide explanation of additional work that will be necessary]

For these reasons, I request the Court approve these attorney's fees in the above amount. I acknowledge that I must comply with all other provisions of SC LBR 2016-1(b)(1) and understand that I will have the burden of proof in any contested hearing where these fees are being challenged.

[Name of Debtor's Counsel]
ATTORNEY FOR THE DEBTOR(S)

EXHIBIT E

Consent for Payment Method of Post-Confirmation Payments to the Trustee

Case Number: _____

Debtor 1 Name: _____

Debtor 2 Name: _____

Debtor 1 Address:

Debtor 2 Address:

I/We hereby consent to:

- A Wage Order**, so that my payments due to the Chapter 13 Trustee (“Trustee”) will be drafted from my/our paycheck and sent by my/our employer to Trustee. I/We understand that the wage order will direct the employer(s) to pay the Trustee, but that if the employer does not send the payment to the Trustee, even after taking them out of my/our pay, it is up to me/us to contact my/our employer to send in the payments.

This is the current address for the pay roll department of my/our employer(s). If this address ever changes, of if I/we change jobs, I/we will let you know where to reissue the wage order.

The wage order will be deducted from:

Debtor 1 Name:	Name of employer and address of payroll department:	I want: <input type="checkbox"/> all / <input type="checkbox"/> ½ of the trustee payment taken out of my pay—the rest will be taken out of my spouses’ pay, below. If “all” selected, then do not fill in the below boxes.
Debtor 2 Name:	Name of employer and address of payroll department:	I want: <input type="checkbox"/> all / <input type="checkbox"/> ½ of the trustee payment taken out of my pay—the rest will be taken out of my spouses’ pay, above.

- (For cases assigned to Trustee Wyman only)* **Set up a TFS Bill Pay account**, so that my/our payments due to the Chapter 13 Trustee (“Trustee”) will be drafted automatically from my/our bank account and sent directly to the Trustee by the program.

I/We also understand that it will continue to be my/our responsibility to make sure that the payments are sent to Trustee Wyman. I/We further understand that until the commencement of the wage order or payment deduction by TFS Bill Pay, we will need to send the payments to Trustee Wyman at the below payment address:

[Trustee Payment Address]

Signed:

Debtor 1

Debtor 2

EXHIBIT F

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

IN RE:

[Debtor Name],

Debtor(s).

C/A No. _____

Chapter ____

**ORDER GRANTING MOTION TO
SUBSTITUTE COLLATERAL OR USE
INSURANCE PROCEEDS**

Before the Court is the Debtors' Motion to Substitute Collateral or Use Insurance Proceeds (the "Motion") regarding the secured claim of _____ (hereinafter "Creditor"). Having reviewed the pleadings and heard the arguments of counsel, it is hereby

ORDERED that Debtors' Motion be granted to allow Debtors to use insurance proceeds to purchase a vehicle of equal or greater value to the [description of wrecked vehicle] under lien to the Creditor under the condition that the new vehicle purchased by the Debtors will be substituted as collateral for the allowed secured claim of Creditor and the lien of Creditor will be properly noted on the title of the newly purchased vehicle;

IT IS FURTHER ORDERED that the insurance proceeds shall be forwarded to the Debtors' attorney, _____ for proper disbursement;

IT IS FURTHER ORDERED that Debtors and Debtors' attorney shall ensure that the seller of the new vehicle shall forward the title of said vehicle to Creditor so that Creditor may record its lien and hold it until either its claim has been satisfied or the Plan has been discharged;

IT IS FURTHER ORDERED that Creditor shall forward the title to the [description of wrecked vehicle] to the insurance company which distributes the proceeds, so that such insurance company may dispose of the wrecked vehicle. The name and address of the insurance company will be provided by Debtors and Debtors' attorney to Creditor; and

IT IS FURTHER ORDERED that Debtors' attorney shall timely monitor all transactions and hold the insurance proceeds in trust to be disbursed for the replacement vehicle and that Debtors' attorney shall ensure that the seller has notice of and complies with this Order.

AND IT IS SO ORDERED.

EXHIBIT G¹⁹

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

[Debtor Name],

Debtor(s).

C/A No. _____

Chapter 13

**ORDER GRANTING RELIEF FROM
AUTOMATIC STAY**

This matter comes before the Court pursuant to the motion of _____ (“Movant”), which seeks relief from the automatic stay in this case. According to the affidavit of Movant, no objection to the requested relief was filed by Debtor(s) or the Trustee, or any objections filed were subsequently withdrawn. It appearing that the motion should be granted, it is therefore

ORDERED that relief from the automatic stay is granted as to the property described as (insert brief description), and that Movant may proceed with its state court remedies against the property, including sending any required notice to Debtor(s). The Movant has agreed to waive any claim arising under 11 U.S.C. § 503(b) or § 507(b) as a result of this Order, and has further agreed that any funds realized in excess of all liens, costs, and expenses will be paid to the Trustee;

IT IS FURTHER ORDERED that:

- Based upon Debtor(s)’ failure to object to Movant’s request regarding the Fed. R. Bankr. P. 4001(a)(3) stay, this order is effective immediately.
- Pursuant to Fed. R. Bankr. P. 4001(a)(3), this order is stayed until the expiration of 14 days after its entry.

AND IT IS SO ORDERED.

¹⁹ This order may be automatically generated using the text only CM/ECF event “Certification of No Response and Request for 362 Default Order.”

EXHIBIT H

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

Debtor(s).

C/A No. _____

Chapter ____

**ORDER GRANTING
RELIEF FROM STAY
BASED UPON FAILURE TO COMPLY
WITH SETTLEMENT ORDER**

This matter comes before the Court upon the Affidavit of Default filed by _____ (“Movant”), which indicates that Debtor(s) have failed to comply with the terms of the Settlement Order entered on _____, by failing to make the payment(s) due on _____ in accordance with the Settlement Order. Therefore, it is

ORDERED that relief from the automatic stay is granted as to the property described as [insert brief description], and that Movant may proceed with its state court remedies against the property, including sending any required notice to Debtor(s). The Movant has agreed to waive any claim arising under 11 U.S.C. § 503(b) or § 507(b) as a result of this Order, and has further agreed that any funds realized in excess of all liens, costs, and expenses will be paid to the Trustee.

IT IS FURTHER ORDERED that:

- Based upon Debtor(s)’ prior agreement to Movant’s request regarding the Fed. R. Bankr. P. 4001(a)(3) stay, this order is effective immediately.
- Pursuant to Fed. R. Bankr. P. 4001(a)(3), this order is stayed until the expiration of 14 days after its entry).

AND IT IS SO ORDERED.

EXHIBIT I

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

[Debtor Name],

Debtor(s).

C/A No. _____

Chapter ____

**CONSENT ORDER GRANTING RELIEF
FROM STAY TO CONTINUE OR
PURSUE ACTION IN FAMILY COURT**

This matter comes before the Court upon the request of _____ for an Order granting relief from the automatic stay provided under 11 U.S.C. § 362(a) to permit _____ to adjudicate the following actions in Family Court:

- Divorce
- Child Support
- Alimony
- Equitable Distribution of Marital Property & Debts
- Other _____

The parties consent to relief from the automatic stay. It is therefore,

ORDERED that relief from the automatic stay is granted to allow the Family Court to adjudicate the above-referenced actions and to accord such other relief as is appropriate under state law. However, additional relief from stay is necessary for the enforcement of a marital obligation against property of the estate or to hold the Debtor in civil contempt. Notwithstanding any determination by the Family Court, property of the estate may be subject to further order of this Court.

AND IT IS SO ORDERED.

WE SO MOVE AND CONSENT:

/s/ Attorney for Movant _____
Attorney for Movant
District Court I.D. _____

/s/ Attorney for Debtor _____
Attorney for Debtor
District Court I.D. _____

/s/Chapter 13 Trustee _____
Chapter 13 Trustee