

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No.
	:	
<i>Debtor(s).</i>	:	Chapter
	:	
	:	Related to Dkt. No.
	:	
<i>Movant(s),</i>	:	
	:	
v.	:	
NO RESPONDENTS,	:	
	:	
<i>Respondent.</i>	:	
	:	

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the [*MOTION OF THE DEBTOR FOR POSTPETITION FINANCING*] [Dkt. No. ____] (“Motion”) filed by Debtors on [INSERT DATE MOTION FILED]. A Certificate of No Objection (“CNO”) was filed on [INSERT DATE CNO WAS FILED]. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Motion* [Dkt. No.] is **GRANTED** as provided by the terms of this *Order*. Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

- (a) the total amount of financing **shall not exceed [AMOUNT OF MAXIMUM LOAN ALLOWED]**; and

- (b) the monthly payments made under the financing agreement **shall not exceed [AMOUNT OF MAXIMUM MONTHLY PAYMENT ALLOWED]**.

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:

- (a) an amended chapter 13 plan; and
- (b) a report of financing [INCLUDING DETAILS OF AUTOMOBILE TRADE-IN OR SALE, IF APPLICABLE]

3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Upon the filing of the report of financing [INCLUDING DETAILS OF AUTOMOBILE TRADE-IN OR SALE, IF APPLICABLE], the chapter 13 trustee is authorized to cease making payments to [PREPETITION AUTOMOBILE LENDER] on account of [PREPETITION LOAN CLAIM NUMBER]. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to [POSTPETITION AUTOMOBILE LENDER] for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the [POSTPETITION AUTOMOBILE LENDER].

6. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by:

Dated:

UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:

Debtor(s)

Counsel for Debtor(s)

Ronda J. Winnecour, Esq.

Office of the U.S. Trustee