

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor

**NOTICE OF MOTION AND MOTION FOR
HARDSHIP DISCHARGE AND STATEMENT
RE APPLICABILITY OF 11 U.S.C. § 522(q)(1)**

Notice of Motion

If you oppose the relief sought in this motion, you must file a written objection with the bankruptcy court no later than 14 days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice. Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the clerk of court at 1050 SW 6th Ave #700, Portland, OR 97204 or 405 E 8th Ave #2600, Eugene, OR 97401 by the deadline specified above or it may not be considered.

[*Check one*]:

Within that same time, you must also serve the objection on [*insert name, address, and phone number of movant*]:

You need not serve the objection because the movant's counsel is an ECF participant and will receive notice electronically.

Motion for Hardship Discharge

Debtor moves for entry of discharge under 11 U.S.C. § 1328(b) (if this case is a chapter 13 case) or § 1228(b) (if this case is a chapter 12 case). The attached declaration demonstrates that—

- debtor's failure to complete plan payments is due to circumstances for which debtor should not justly be held accountable,
- unsecured creditors have received payments that equal or exceed the total payments that they would have received in a chapter 7 case, and
- modification of the plan is not practicable.

