

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
DIVISION**

IN RE:

CASE NO.

DEBTOR(S)

**AMENDMENT TO PLAN:
ADDITION OF NON-EXEMPT PROCEEDS FROM
ACTIONS FOR PERSONAL INJURY, BREACH OF CONTRACT, ETC.**

1. The Debtor(s) have certain cause(s) of action identified below. Upon confirmation of the plan, these cause(s) of action shall revert in the Debtor(s) for prosecution during the pendency of the case; however, as provided below, all non-exempt proceeds the debtor receives or becomes entitled to receive shall be paid into the plan.

2. The cause(s) of action is/are described as follows: *(If a lawsuit has been filed, include the case number, jurisdiction, and other case-related information to adequately provide notice to all parties. Attach additional statements, if necessary).*

3. The Debtor(s) have/will retain(ed) counsel in the above-referenced cause of action whose name, address, and phone number are listed below. If counsel has not yet been retained, the Debtor(s) shall provide this information to the Trustee within thirty (30) days of retaining counsel:

4. Prior to accepting any offer to compromise or settle any cause(s) of action, the Debtor(s) shall provide appropriate notice and sufficient opportunity to object to the proposed compromise or settlement to all creditors, the Trustee and the Court pursuant to Rule 2002(a)(3) of the Federal Rules of Bankruptcy Procedure.

5. Any non-exempt recovery, net of attorney fees and costs, whether obtained by settlement, judgment, assignment, or otherwise, shall be paid to the Trustee for the benefit of the bankruptcy estate and disbursed as follows:

- (a) First, to administrative claimants and costs whose efforts and actions resulted in the sale benefiting the estate;
- (b) Second, to unsecured and undersecured creditors pro-rata pursuant to the priorities set forth in 11 U.S.C. Sec 726;
- (c) Third, to the secured creditors, pro-rata; and

(d) Fourth, after payment of all remaining claims, administrative costs and expenses of the estate, the balance shall be refunded to the Debtor(s).

6. All non-exempt proceeds shall be paid to the Trustee in addition to the plan payments and shall not alter or reduce the periodic payments due under the plan, nor shall the duration of the plan be shortened, except to the extent said proceeds shall result in payment in full to all creditors and administrative costs.

7. On or before **May 1st** of each calendar year, counsel for the Debtor(s) shall provide the Trustee with a status report of the aforementioned cause(s) of action. The status report shall contain generally a brief summary regarding the then current posture of the cause(s) of action, and shall further include proof of any sums received and the disposition of same.

Date: _____

Signature: _____

Date: _____

Signature: _____

Attorney: _____