

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

Case No.:

Hearing Date:

Judge:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**JOINT SCHEDULING ORDER REGARDING PAYMENT  
DISPUTE ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

The relief set forth on the following page is hereby ORDERED.

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The following order is hereby entered:

Upon the filing of the *Debtor's Certification of Opposition to Creditor's Motion or Certification of Default*, it appearing that a dispute has arisen regarding the post petition payment(s) made by the debtor(s) to the secured creditor outside the debtor's Chapter 13 Plan, and the parties having consented to an adjournment of the hearing scheduled in this matter, in order to allow for the exchange of payment information, on the terms and conditions set forth herein,

**IT IS ORDERED** as follows:

1. Hearing to resolve the dispute shall be conducted on \_\_\_\_\_ at \_\_\_\_\_m. The automatic stay shall continue in effect pending the conclusion of the hearing.

2. By \_\_\_\_\_, the secured creditor shall provide to the debtor(s) a payment history showing the receipt and application of all payments from the debtor(s) commencing with the date of the first alleged post petition default until the date of this order.

3. By \_\_\_\_\_, the debtor(s) shall provide to the secured creditor proof of all payments made to the secured creditor commencing with the date of the first alleged post petition default until the date of this order.

4. The payment history provided by the secured creditor and the proof of payments provided by the debtor(s) shall be admitted into evidence at the hearing unless an objection thereto has been filed with the court and served upon the adversary at least seven (7) days prior to the hearing date.

5. The secured creditor shall be required to accept debtor(s) post petition payments, and to apply those payments to debtor(s) account; any such acceptance shall be without prejudice to, waiver of, or estoppel as to the position of secured creditor in disputes with the debtor(s) including payment and accounting disputes.

rev.8/1/15