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4 **UNITED STATES BANKRUPTCY COURT**
5 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

6 In re)
7)
8 CHAPTER 13 CASES,)
9)

10 **ORDER ESTABLISHING SAN FRANCISCO DIVISION PROCEDURES FOR**
11 **CHAPTER 13 PLAN AND PRE-CONFIRMATION ADEQUATE PROTECTION**
12 **PAYMENTS FOR CASES FILED ON OR AFTER AUGUST 1, 2013**

13 (1) The Order Establishing San Francisco Division
14 Procedures for Chapter 13 Pre-Confirmation Adequate Protection
15 Payments dated January 5, 2006 shall remain in effect for all
16 chapter 13 cases filed prior to August 1, 2013.

17 (2) The following shall be applicable to all chapter 13
18 cases filed on or after August 1, 2013:

19 (a) The initial plan payment by the debtor to the
20 trustee shall be paid no later than 30 days from the date of the
21 filing of the plan or the order for relief, whichever is
22 earlier. All subsequent plan payments by the debtor to the
23 trustee shall be paid by the 20th day of the month.

24 (b) The trustee is authorized to distribute pre-
25 confirmation adequate protection payments set forth in the
26 proposed plan pursuant to this order.

27 (c) Adequate protection payments pursuant to 11 U.S.C.
28 § 1326(a)(1)(C) and the proposed plan will not be paid until the
claim holder has filed a proof of claim.

1 (d) Beginning the calendar month following the filing
2 of the petition, the adequate protection payments required by 11
3 U.S.C. § 1326(a)(1)(C) and the proposed plan shall be paid by
4 the trustee, not the debtor, to the creditor. The trustee is
5 authorized to reduce the principal balance of an allowed claim
6 in an amount equal to all pre-confirmation adequate protection
7 payments made to the creditor.

8 (e) Notwithstanding 11 U.S.C. § 1326(a)(1)(C),
9 adequate protection payments shall be made by the trustee.

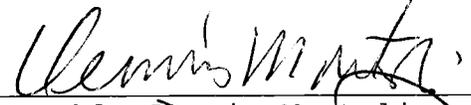
10 (f) The debtor shall not reduce payments to the
11 trustee under 11 U.S.C. §§ 1326(a)(1)(B) and (a)(1)(C) without
12 an order of the court.

13 (g) The creditor may file a motion requesting a change
14 in the amount of the pre-confirmation adequate protection
15 payments. Until the creditor's motion is resolved, the trustee
16 shall continue to make adequate protection payments as set forth
17 in the proposed plan.

18 (h) If a claimant is paid an adequate protection
19 payment prior to plan confirmation, that claimant shall not be
20 paid a monthly dividend for the same month after confirmation.

21 (i) If a case is dismissed prior to confirmation, the
22 trustee shall distribute any funds on hand in accordance 11
23 U.S.C. § 1326(a)(2).

24 Dated: August 1, 2013



Honorable Dennis Montali

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26
27 Dated: 8/1/2013



Honorable Hannah L. Blumenstiel

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****END OF ORDER****