

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

U.S. COURTS

In Re: )  
)  
JAMES/STEPHANIE PERRITTE )  
9273 W. CALICO ST. )  
BOISE, ID 83709 )  
)  
Debtor(s) )

Chapter 13 01 OCT -5 AM 8:09  
REC'D  
Case Number 01A01998  
CLERK CLERK STUBBINS  
IDAHO  
TRUSTEE'S FINDINGS  
AND RECOMMENDATIONS

TRUSTEE: Bernie Rakozy  
DEBTOR'S ATTORNEY: JON WILSON  
DATE OF HEARING: 10-09-01

TRUSTEE'S FINDINGS AND RECOMMENDATIONS

- (1) The Plan complies with requirements of Chapter 13. Title 11 USC.
- (2) Required fees have been paid.
- (3) Plan is proposed in good faith.
- (4) Value of property to be distributed is \$18900.00. The amount that would be paid to unsecured creditors under Chapter 7 is unknown.
- (5) Section 1325(a)(5) of the Bankruptcy Code is satisfied.
- (6) Debtor will be able to make payments and comply with the Plan.
- (7) Trustee recommendations as to Confirmation  Yes  No

MATTERS IN ISSUE:

- Debtors are current with plan payments.
- Need copies of last 3 pay stubs.
- Debtor indicated that she has approximately 40 Precious Moments figurines with on a \$50.00 value. Need pictures.
- Trustee objects to the \$50.00 value for the Precious Moments figurines. Attorney to review and amend with accurate values.
- Need to address in Order that the debtors will surrender the clarinet they own.
- Debtors have American Music and Circuit City listed as secured creditors in schedule "D" but they are not addressed. Please address in Order or Amended Plan.
- Need verification of \$170.00 a month auto insurance.
- First North American Bank filed a \$53.85 secured claim that is not addressed.
- Debtors indicated they have retirement and stock accounts at the 341 Meeting. Need to amend schedules to include these accounts.
- Trustee objects to the debtors having a \$424.00 a month auto lease for a \$39645.00 1999 Chevy Truck. The debtors are also cramming down a 2000 Leganza inside the plan with monthly payments of \$349.80. The debtor's monthly auto payments between the 2 are \$773.80, which the Trustee feels is excessive.
- This case has shown no forward motion toward confirmation since the first 341 Meeting on 08-13-01.

DATED: October 2, 2001

  
Trustee