

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number   <i>Attorney for</i>	FOR COURT USE ONLY
<p style="text-align: center;"><b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA</b></p>	
In re:     <div style="text-align: right;">Debtor.</div>	CHAPTER _____  CASE NUMBER _____  <div style="text-align: right;">(No Hearing Required)</div>

**NOTICE OF MOTION AND MOTION TO AVOID LIEN  
UNDER 11 U.S.C. § 522(f) (PERSONAL PROPERTY)**  
**(Creditor Name: \_\_\_\_\_)**  
*(Insert Name of Creditor holding Lien to be Avoided)*

1. TO THE CREDITOR, CREDITOR'S ATTORNEY AND OTHER INTERESTED PARTIES:

2. NOTICE IS HEREBY GIVEN that the Debtor hereby moves this Court for an Order, without a hearing, avoiding a lien on the grounds set forth below.

3. **Deadline for Opposition Papers:**

Pursuant to Local Bankruptcy Rule 9013-1(o), any party objecting to Debtor's Motion may file and serve a written objection and request a hearing on this Motion. If you fail to file a written response within fifteen (15) days of the date of service of this Notice, the Court may treat such failure as a waiver of your right to oppose this Motion and may grant the requested relief.

4. **Type of Case:**

- a.  A Voluntary Petition under Chapter  7  11  12  13 was filed on:
- b.  An Involuntary Petition under Chapter  7  11 was filed on:  
 An Order of Relief under Chapter  7  11 was entered on:
- c.  An Order of Conversion to Chapter  7  11  12  13 was entered on:
- d.  Other:

5. **Procedural Status:**

- a.  Name of Trustee Appointed *(if any)*:
- b.  Name of Attorney of Record for Trustee *(if any)*:

*(Continued on next page)*

In re _____	CHAPTER: _____
Debtor(s). _____	CASE NO.: _____

6. Debtor claims an exemption in the subject personal property under:

- a.  California Code of Civil Procedure § \_\_\_\_\_ (Homestead): Exemption amount claimed on Schedules: \$ \_\_\_\_\_
- b.  California Code of Civil Procedure § \_\_\_\_\_ Exemption amount claimed on Schedules: \$ \_\_\_\_\_
- c.  Other Statute (*specify*): \_\_\_\_\_
- d.  Other Statute (*specify*): \_\_\_\_\_

7. Debtor's entitlement to an exemption is impaired by a non-judicial lien, the details of which are as follows:

- a. On (*specify date*): \_\_\_\_\_, Debtor obtained a consumer loan from Respondent in the principal amount of (*specify amount*): \$ \_\_\_\_\_
- b. As security for said loan, Debtor gave Respondent a security interest in certain personal property in Debtor's possession.
- c. The loan was neither obtained nor used for the purpose of buying the personal property described in Paragraph (b) above.
- d. The current balance due on the loan is (*specify amount*): \$ \_\_\_\_\_

8. On Schedule C, Debtor claimed an exemption in said personal property.

9. Debtor alleges that the fair market value of each individual item of the personal property claimed exempt is set forth in a declaration attached hereto. (*Attach Debtor's declaration to this motion*)

10. Debtor attaches the following documents in support of the motion (*as appropriate*):

- a.  Schedule C listing all exemptions claimed by Debtor(s)
- b.  Loan agreement
- c.  Security agreement
- d.  Declaration of Fair Market Value
- e.  Other (*specify*): \_\_\_\_\_
- f.  Other (*specify*): \_\_\_\_\_
- g.  Other (*specify*): \_\_\_\_\_

11. Total number of attached pages of supporting documentation: \_\_\_\_\_

12. Debtor declares under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this motion was executed on the following date at \_\_\_\_\_, California.

WHEREFORE, Debtor prays that this Court issue an Order (a copy of the form of which is submitted herewith and has been served) avoiding the subject lien.

Dated: \_\_\_\_\_  
*Debtor's Signature*

Dated: \_\_\_\_\_  
*Law Firm Name*

By: \_\_\_\_\_

Name: \_\_\_\_\_  
*Attorney for Debtor*



