

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address	FOR COURT USE ONLY
<input type="checkbox"/> Attorney for Movant <input type="checkbox"/> Individual appearing without an attorney	

**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - \_\_\_\_\_ DIVISION**

In re:	CASE NO.: CHAPTER 13
	<b>DECLARATION RE POSTPETITION  PAYMENTS IN REPLY TO DEBTOR'S  OPPOSITION TO MOTION FOR  RELIEF FROM AUTOMATIC STAY</b>
	DATE: TIME: COURTROOM: PLACE:
Debtor(s).	

I, \_\_\_\_\_, declare as follows:  
*(Printed name of declarant)*

- I have personal knowledge of the matters set forth in this declaration and, if called upon to testify, I could and would competently testify thereto. I am over 18 years of age. I have knowledge regarding Movant's interest in the Property that is the subject of this Motion (Property) because I am the *(specify)*:
  - Movant and owner of the Property.
  - Assignee of the original holder of the beneficial interest in the Property.
  - Servicing or Subservicing Agent pursuant to a servicing agreement or other documented authorization to act as Movant for the owner of the beneficial interest.
  - Other *(specify)*:

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This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

2. I am one of the custodians of the books, records and files of Movant. I have examined that portion of those books, records and files that pertain to loans and extensions of credit given to Debtor concerning the Property. I know them to be true of my own knowledge, or I have gained knowledge of them from the business records of Movant. The books, records and files I examined were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of the matters contained in the books, records and files. The books, records and files were kept in the course of Movant's regularly conducted business activity, and it was the regular practice of Movant to make the books, records and files. The books, records and files are available for inspection and copies will be submitted to the court if required.
3. **Postpetition Payments Due:** Below is a list of all postpetition payments that have come due since the filing date, \_\_\_\_\_.

Payment Due	Late Charge Due:	Amount Due
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
<b>Total Amount of Postpetition Payments: \$</b>		

See attached continuation page for remaining postpetition payments that have come due.

4. **Postpetition Payments Received:** Below is a list of all postpetition payments that have been received. *Please note that Debtor's account statement received separately from the Movant may not reflect the same information; however, the following is a full and accurate accounting of all postpetition payments received by Movant. If Debtor made a payment postpetition not reflected here, please furnish the details to Movant's counsel.*

Date Received	Check No. (if possible)	Amount Received
		\$
		\$
		\$
		\$
		\$
		\$
<b>Total Amount of Postpetition Payments Received: \$</b>		

See attached continuation page for remaining postpetition payments that have been received.

5. **Postpetition Delinquency:**

**Total Postpetition Payments Due less Total Postpetition Payments Received**

(\$ \_\_\_\_\_ - \$ \_\_\_\_\_ ) = \$ \_\_\_\_\_

Additional Amounts due:

<b>Date:</b>	<b>Amount:</b>	<b>Description of Each Additional Charge:</b> <i>(Specify empowering provisions in deed of trust or promissory note, referencing the exhibits, page numbers, and paragraph numbers attached to motion.)</i>
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
<b>Total due: \$</b>		

Total Postpetition Delinquency:

(\$ \_\_\_\_\_ + \$ \_\_\_\_\_ ) = \$ \_\_\_\_\_

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed name of declarant*

\_\_\_\_\_  
*Signature*

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **DECLARATION RE POSTPETITION PAYMENTS IN REPLY TO DEBTOR'S OPPOSITION TO MOTION FOR RELIEF FROM AUTOMATIC STAY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* \_\_\_\_\_, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On *(date)* \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Signature*

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