

to ERISA § 502(l), 29 U.S.C. § 1132(l), and any proceedings related thereto), and said parties do now consent to entry of a Consent Order and Judgment by this Court in accordance therewith.

The parties agree that, if the Secretary assesses a penalty pursuant to ERISA § 502(l) in connection with the violations alleged in this matter, the “applicable recovery amount” shall include all amounts paid in accordance with this Consent Order and Judgment.

On December 19, 2017, the U.S. Bankruptcy Court for the Northern District of Illinois, Eastern Division, entered an *Amended Stipulated Judgment Determining Nondischargeability of Michael A. Lewis’s Debt Owed to the Acme Orthotics and Prosthetic Laboratories Inc. Profit Sharing 401(k) Plan and Trust in Secretary of Labor v. Michael A. Lewis* (Adv. Case. No. 16-00225) (Doc. No. 21). The Bankruptcy Court found that Defendant Lewis’s total debt to the Plan, consisting of unremitted employee salary deferral contributions, unremitted Plan participant loan repayments, liquidated Plan assets for non-Plan purposes, and associated lost opportunity costs, of \$128,535.75 is nondischargeable pursuant to 11 U.S.C. § 523(a)(4).

Upon consideration of the record herein, and as agreed to by the parties, the Court finds that it has jurisdiction to enter this Consent Order and Judgment.

IT IS THEREFORE ORDERED that:

1. Defendants Lewis and Fox are permanently enjoined and restrained from violating the provisions of Title I of ERISA, 29 U.S.C. § 1001 *et seq.*
2. Defendants Lewis and Fox are jointly and severally liable to the Plan in the total amount of \$58,531.72, representing the following principal losses to the Plan and associated lost opportunity costs:³

³ The lost opportunity costs, which represent the amount of money the Plan would have earned on the assets if the assets had been remitted to the Plan and/or not liquidated from the Plan, are based on the Internal Revenue Code § 6621(a) rate and have been calculated through July 14, 2015, the date that Defendant Lewis filed for bankruptcy protection.

a. A total of \$29,439.59 in unremitted employee salary deferral contributions withheld during the period from July 9, 2010, through April 27, 2012 (\$26,250.00 in principal losses and \$3,189.59 in lost opportunity costs); and

b. A total of \$29,092.13 in unremitted Plan participant loan repayments withheld during the period from July 9, 2010, through April 27, 2012 (\$25,940.18 in principal losses and \$3,151.95 in lost opportunity costs).

3. In addition to the amounts listed in paragraph 2 above, Defendant Lewis is also liable to the Plan in the total amount of \$70,004.03 in Plan assets that Defendant Lewis withdrew from the Plan during periods from April 19, 2012, to March 5, 2015, and used for non-Plan purposes (\$66,431.99 in principal losses and \$3,572.04 in lost opportunity costs).

4. Defendant Lewis shall restore the \$128,535.75 owed to the Plan in accordance with the Chapter 13 Plan filed on July 14, 2015, attached hereto and made part hereof as Exhibit A (Adv. Case No. 16-00225) (Doc. No. 8) (“Chapter 13 Plan”), as modified, and in accordance with the payment schedule attached hereto and made part hereof as Exhibit B.

5. Once Defendant Lewis’s Secured Creditors and Priority Creditors have been paid in full, which will be on or about September 1, 2017, payments to Defendant Lewis’s General Unsecured Creditors, which includes the Plan, will begin, and the General Unsecured Creditors will receive a monthly pro rata share of \$4,655.00.

6. The harmed Plan participants, excluding Defendants Lewis and Fox, will receive their pro rata share of the General Unsecured Creditor’s monthly pro rata share of \$4,655.00 beginning on or about September 1, 2017, until all Plan losses are repaid in full on or about August 1, 2020. Defendants Lewis and Fox shall begin receiving their pro rata shares, subject to

paragraphs 7 and 8 below, only after all Plan losses to the other harmed Plan participants have been repaid in full.

7. Included in the losses owed to the Plan as set forth in paragraph 2 above, Defendant Lewis is owed \$11,659.86 and Defendant Fox is owed \$12,945.34 as a result of their failure to remit employee salary deferral contributions to the Plan on their own behalf. Defendants Lewis and Fox hereby waive repayment of \$6,683.88 from each of their individual accounts in the Plan (a total of \$13,367.76) as part of the resolution of this matter.

8. Upon entry of this Consent Order and Judgment, pursuant to § 1502(a) of the Taxpayer Relief Act of 1997, codified at 29 U.S.C. § 1056(d)(4), Defendants Lewis and Fox shall be deemed to have authorized the Plan to cause \$6,683.88 from each of their individual accounts in the Plan (a total of \$13,367.76) to be reallocated to the affected participants and beneficiaries of the Plan in accordance with Exhibit B. The Plan is hereby amended to allow for forfeiture of the individual Plan accounts of Defendants Lewis and Fox. This Consent Order and Judgment shall be attached to the Plan document as an amendment.

9. Defendant Lewis shall comply with the guidance in EBSA Field Assistance Bulletin 2014-01, *Fiduciary Duties and Missing Participants in Terminated Defined Contribution Plans* (Aug. 14, 2014) available at <https://www.dol.gov/sites/default/files/ebsa/employers-and-advisers/guidance/field-assistance-bulletins/fab2014-1.pdf> in attempting to locate participants and handling missing participants. Defendant Lewis shall provide the Chapter 13 Bankruptcy Trustee with the names, addresses, and telephone numbers of all Plan participants in Exhibit B within ten (10) days of the entry of this Consent Order and Judgment.

10. The monies restored pursuant to paragraph 6 above shall be paid to the Plan participants by the Chapter 13 Bankruptcy Trustee in accordance with Exhibits A and B. The

participants listed on Exhibit B were Plan participants during the period July 9, 2010, through March 5, 2015, who had employee salary deferral contributions and/or Plan participant loan repayments withheld from their pay for contribution to the Plan during this period.

11. In reliance on representations made by Defendant Lewis, including the Chapter 13 Bankruptcy Petition he filed in the U.S. Bankruptcy Court for the Northern District of Illinois, Eastern Division, Case No. 15-23963, which show that he is currently unable to immediately pay the Plan the total remaining restitution amount of \$128,535.75 for which he is liable, the Secretary agrees to forbear immediate collection of the entire restitution amount and agrees that Defendant Lewis shall restore the restitution amount in accordance with the schedule set forth in Exhibit B.

12. In reliance on representations made by Defendant Fox in her financial declarations to the Secretary, which show that she is currently unable to immediately pay the Plan the total remaining restitution amount of \$58,531.72 for which she is liable, the Secretary agrees to forbear immediate collection of the entire restitution amount and agrees that the Secretary will first seek payment from Defendant Lewis to restore the amount in accordance with the schedule set forth in Exhibit B.

13. If Defendant Lewis fails to comply with the payment schedule in the Chapter 13 Plan (including failing to pay any of the installment payments described in Exhibit B on or before the dates set forth therein) or it is found that the documents Defendants Lewis and Fox provided or provide in the future regarding their financial status are untrue, the full amount of losses owed to the Plan up to \$58,531.72⁴ (less any payments made to restore losses to the Plan) shall immediately become due and payable by Defendant Fox together with post-judgment interest pursuant to 28 U.S.C. § 1961 with no further notice required by the Secretary to

⁴ This is the total amount for which Defendant Fox is personally liable. *See* paragraph 2 above.

Defendant Fox. Further, the Secretary would pursue collection of this matter against Defendant Lewis through the District Court in accordance with the Bankruptcy Code.

14. Defendants Lewis and Fox agree to pay 100% of any bequest, inheritance, gifts (over \$10,000), lottery and gambling winnings over \$10,000, or proceeds of any life insurance policy Defendants Lewis or Fox may receive to the Plan within 30 days of receipt by forwarding such funds to the Chapter 13 Bankruptcy Trustee, who shall in turn distribute such funds on a pro rata basis to the harmed Plan participants in accordance with Exhibits A and B. A copy of each check shall be submitted within three (3) days of issuance to Jeffrey A. Monhart, Regional Director of the Employee Benefits Security Administration (“Regional Director”) at 230 S. Dearborn St., Suite 2160, Chicago, Illinois 60604.

15. Defendants Lewis and Fox agree to submit to the Regional Director, his/her annual federal tax returns on or before May 15th of each year and if he/she is not required by federal law to file an annual federal tax return he/she will provide a statement under oath that such filing is not required until all Plan losses are restored.

16. Defendants Lewis and Fox agree that he/she will notify the EBSA Regional Director within 7 days of any change of his name, residence, telephone number, mailing address or employment until such time as all losses pursuant to this Consent Order and Judgment are restored.

17. Defendants Lewis and Fox shall be permanently enjoined from serving or acting as fiduciaries or service providers with respect to any employee benefit plan subject to ERISA.

18. Each party agrees to bear his or her own attorneys’ fees, costs and other expenses incurred by such party in connection with any stage of this proceeding to date including, but not

limited to, attorneys' fees which may be available under the Equal Access to Justice Act, as amended.

19. The Court shall maintain jurisdiction over this matter only for purposes of enforcing this Consent Judgment and Order.

20. Nothing in this Order is binding on any government agency other than the United States Department of Labor.

DATED January 8, 2018



HON. JOHN Z. LEE
UNITED STATES DISTRICT JUDGE

For Defendants:

s/Michael A. Lewis
MICHAEL A. LEWIS

s/Monica Fox
MONICA FOX

s/Michael A. Lewis
MICHAEL A. LEWIS

As trustee on behalf of the Acme Orthotics and
Prosthetic Laboratories Inc. Profit Sharing
401(k) Plan and Trust

For Plaintiff:

NICHOLAS C. GEALE
Acting Solicitor of Labor

CHRISTINE Z. HERI
Regional Solicitor

s/Kevin M. Wilemon
KEVIN M. WILEMON
Trial Attorney

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Attorneys for R. Alexander Acosta,
Secretary of Labor,
United States Department of Labor,

Model Plan
11/22/2013

Trustee: Marshall Meyer
 Stearns Vaughn

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

In re:

) Case No. 15 B _____

)

Michael A Lewis

)

)

Debtors.

) Original Chapter 13 Plan, dated 7/14/2015

A check in this box indicates that the plan contains special provisions, set out in Section G. Otherwise, the plan includes no provisions deviating from the model plan adopted by the court at the time of the filing of this case.

<p>Section A <i>Budget items</i></p>	<p>1. As stated in the debtor's Schedule I and J, (a) the number of persons in the debtor's household is <u>2</u>;</p> <p>(b) their ages are <u>72, 70</u>; (c) total household monthly income is \$ <u>16,965.93</u>; and (d) total monthly household expenses are \$ <u>6,714.17</u>, leaving \$ <u>10,251.76</u> available monthly for plan payments.</p> <p>2. The debtor's Schedule J includes \$ _____ for charitable contributions; the debtor represents that the debtor made substantially similar contributions for _____ months prior to filing this case.</p>
<p>Section B <i>General items</i></p>	<p>1. The debtor assumes only the unexpired leases and executory contracts listed in Section G of this plan; all other unexpired leases and executory contracts are rejected. Both assumption and rejection are effective as of the date of plan confirmation.</p> <p>2. Claims secured by a mortgage on real property of the debtor, set out in Section C or in Paragraph 2 of Section E of this plan, shall be treated as follows:</p> <p>(a) <i>Prepetition defaults.</i> If the debtor pays the cure amount specified in Paragraph 5 of Section E, while timely making all required postpetition payments, the mortgage will be reinstated according to its original terms, extinguishing any right of the mortgagee to recover any amount alleged to have arisen prior to the filing of the petition.</p> <p>(b) <i>Costs of collection.</i> Costs of collection, including attorneys' fees, incurred by the holder after the filing of this bankruptcy case and before the final payment of the cure amount specified in Paragraph 5 of Section E may be added to that cure amount pursuant to order of the court on motion of the holder.</p> <p>3. The holder of any claim secured by a lien on property of the estate, other than a mortgage treated in Section C or in Paragraph 2 of Section E, shall retain the lien until the earlier of (a) payment of the underlying debt determined under nonbankruptcy law, or (b) discharge under 11 U.S.C. § 1328, at which time the lien shall terminate and be released by the creditor.</p> <p>4. The debtor shall retain records, including all receipts, of all charitable donations listed in Schedule J.</p>
<p>Section C <i>Direct payment of claims by debtor</i></p>	<p><input checked="" type="checkbox"/> The debtor will make no direct payments to creditors holding prepetition claims. /or/</p> <p><input type="checkbox"/> The debtor will make current monthly payments, as listed in the debtor's Schedule J-increased or decreased as necessary to reflect changes in variable interest rates, escrow requirements, collection costs, or similar matters-directly to the following creditors holding claims secured by a mortgage on the debtor's real property:</p> <p>Creditor: _____, monthly payment, \$ _____;</p> <p>Creditor: _____, monthly payment, \$ _____.</p> <p>If this box is <input type="checkbox"/> checked, additional direct mortgage payments are listed on the overflow page.</p>

<p>Section D</p> <p><i>Payments by debtor to the trustee; plan term and completion</i></p>	<p>1. <i>Initial plan term.</i> The debtor will pay to the trustee \$ <u>4,900.00</u> monthly for <u>60</u> months [and \$ _____ monthly for an additional _____ months], for total payments, during the initial plan term, of \$ <u>294,000.00</u>. [Enter this amount on Line 1 of Section H.]</p> <p>2. <i>Adjustments to initial term.</i> If the amount paid by the debtor to the trustee during the initial plan term does not permit payment of general unsecured claims as specified in Paragraphs 8 and 9 of Section E, then the debtor shall make additional monthly payments, during the maximum plan term allowed by law, sufficient to permit the specified payments.</p> <p>3. <i>Plan completion.</i> <input type="checkbox"/> The plan will conclude before the end of the initial term, as adjusted by Paragraph 2, only at such time as all allowed claims are paid in full, with any interest required by the plan /or/ <input checked="" type="checkbox"/> The plan will conclude before the end of the initial term at any time that the debtor pays to the trustee the full amounts specified in Paragraphs 1 and 2.</p>
<p>Section E</p> <p><i>Disbursements by the trustee</i></p>	<p>The trustee shall disburse payments received from the debtor under this plan as follows:</p> <p>1. <i>Trustee's fees.</i> Payable monthly, as authorized; estimated at <u>5</u> % of plan payments; and during the initial plan term, totaling \$ <u>14,700.00</u>. [Enter this amount on Line 2a of Section H.]</p> <p>2. <i>Current mortgage payments.</i> Payable according to the terms of the mortgage, as set forth below, beginning with the first payment due after the filing of the case. Each of these payments shall be increased or decreased by the trustee as necessary to reflect changes in variable interest rates, escrow requirements, or similar matters; the trustee shall make the change in payments as soon as practicable after receipt of a notice of the change issued by the mortgage holder, but no later than 14 days after such receipt. The trustee shall notify the debtor of any such change at least 7 days before putting the change into effect. Any current mortgage payment made by the debtor directly to the mortgagee shall be deducted from the amounts due to be paid by the trustee under this plan.</p> <p>(a) To creditor _____, monthly payments of \$ _____. These payments, over the term of the plan, are estimated to total \$ <u>0.00</u>.</p> <p>(b) To creditor _____, monthly payments of \$ _____. These payments, over the term of the plan, are estimated to total \$ <u>0.00</u>.</p> <p>If this box <input type="checkbox"/> is checked, additional current mortgage payments are listed on the overflow page. The total of all current mortgage payments to be made by the trustee under the plan is estimated to be \$ <u>0.00</u>. [Enter this amount on Line 2b of Section H.]</p> <p>3.1. <i>Other claims secured by value in collateral.</i> All secured claims, other than mortgage claims treated above and claims treated in Paragraph 3.2, are to be paid in full during the plan term, with interest at the annual percentage rates and in the fixed monthly amounts specified below regardless of contrary proofs of claim (subject to reduction with the consent of the creditor):</p> <p>(a) Creditor: <u>Bank of America</u> Collateral: <u>2011 Kia Sorrento</u> Amount of secured claim: \$ <u>8,986.00</u> APR <u>5.25</u> % Fixed monthly payment: \$ <u>770.30</u> ; Total estimated payments, including interest, on the claim: \$ <u>9,243.60</u> <input type="checkbox"/> Check if non-PMSI</p> <p>(b) Creditor: <u>IRS - trust fund (941) taxes</u> Collateral: <u>lien recorded</u> Amount of secured claim: \$ <u>28,885.00</u> APR <u>3</u> % Fixed monthly payment: \$ <u>1,241.51</u> ; Total estimated payments, including interest, on the claim: \$ <u>29,796.24</u> <input checked="" type="checkbox"/> Check if non-PMSI</p>

Section E
Disbursements by the trustee

If this box is checked, additional secured claims are listed on the overflow page. [All claims in the debtor's Schedule D, other than mortgages treated above and claims for which the collateral has no value, must be listed in this paragraph.]

The total of all payments on these secured claims, including interest, is estimated to be \$ 39,039.84. [Enter this amount on Line 2c of Section H.]

3.2. *Other secured claims treated as unsecured.* The following claims are secured by collateral that either has no value or that is fully encumbered by liens with higher priority. No payment will be made on these claims on account of their secured status, but to the extent that the claims are allowed, they will be paid as unsecured claims, pursuant to Paragraphs 6 and 8 of this section.

(a) Creditor: _____ Collateral: _____

(b) Creditor: _____ Collateral: _____

If this box is checked, additional claims covered by this paragraph are listed on the overflow page.

4. *Priority claims of debtor's attorney.* Payable in amounts allowed by court order. The total claim of debtor's attorney is estimated to be \$ 4,000.00. [Enter this amount on Line 2d of Section H.]

5. *Mortgage arrearage.* Payable as set forth below, regardless of contrary proofs of claim, except that the arrearage payable may be reduced either with the consent of the mortgagee or by court order, entered on motion of the debtor with notice to the trustee and the mortgagee. Any such reduction shall be effective 14 days after either the trustee's receipt of a notice of reduction consented to by the mortgagee or the entry of a court order reducing the arrearage.

(a) To creditor _____, arrearage of \$ _____ payable monthly from available funds, pro rata with other mortgage arrearage, without interest /or/ with interest at an annual percentage rate of _____%. These arrearage payments, over the term of the plan, are estimated to total \$ _____.

(b) To creditor _____, arrearage of \$ _____ payable monthly from available funds, pro rata with other mortgage arrearage, without interest /or/ with interest at an annual percentage rate of _____%. These arrearage payments, over the term of the plan, are estimated to total \$ _____.

If this box is checked, additional mortgage arrearage payments are listed on the overflow page. The total of all mortgage arrearage payments to be made by the trustee under the plan is estimated to be \$ 0.00. [Enter this amount on Line 2e of Section H.]

6. *Allowed priority claims other than those of the debtor's attorney.* Payable in full, without interest, on a pro rata basis. The total of all payments on non-attorney priority claims to be made by the trustee under the plan is estimated to be \$ 21,350.00. [Enter this amount on Line 2f of Section H.] Any claim for which the proof of claim asserts both secured and priority status, but which is not identified as secured in Paragraphs 2, 3.1, or 3.2 of this section, will be treated under this paragraph to the extent that the claim is allowed as a priority claim.

7. *Specially classified unsecured claim.* A special class consisting of the following non-priority unsecured claim: shall be paid at _____% of the allowed amount. The total of all payments to this special class is estimated to be \$ _____. [Enter this amount on Line 2g of Section H.] Reason for the special class: _____.

	<p>8. <i>General unsecured claims (GUCs)</i>. All allowed nonpriority unsecured claims, not specially classified, including unsecured deficiency claims under 11 U.S.C. § 506(a), shall be paid, pro rata, <input type="checkbox"/> in full, /or / <input checked="" type="checkbox"/> to the extent possible from the payments set out in Section D, but not less than <u>100</u> % of their allowed amount. [Enter minimum payment percentage on Line 4b of Section H.] Any claim for which the proof of claim asserts secured status, but which is not identified as secured in section C, or Paragraphs 2, 3.1, 3.2 or 5 of this section, will be treated under this paragraph to the extent that the claim is allowed without priority.</p> <p>9. <i>Interest</i>. <input checked="" type="checkbox"/> Interest shall not be paid on unsecured claims /or / <input type="checkbox"/> interest shall be paid on unsecured claims, including priority and specially classified claims, at an annual percentage rate of _____%. [Complete Line 4d of Section H to reflect interest payable.]</p>																																																																			
Section F Priority	<p>The trustee shall pay the amounts specified in Section E of this Plan in the following order of priority, with claims in a given level of priority reduced proportionately in the event of insufficient plan payments: (1) trustee's fee; (2) current mortgage payments; (3) secured claims listed in Section E, Paragraph 3.1; (4) priority claims of the debtor's attorney; (5) mortgage arrears; (6) priority claims other than those of the debtor's attorney; (7) specially classified non-priority unsecured claims; and (8) general unsecured claims.</p>																																																																			
Section G Special terms	<p>Notwithstanding anything to the contrary set forth above, this Plan shall include the provisions set forth in the box following the signatures. The provisions will not be effective unless there is a check in the notice box preceding Section A.</p>																																																																			
Section H Summary of payments to and from the trustee	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">(1) Total payments from the debtor to the Chapter 13 trustee (subject to Paragraph 2 of Section D)</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: right;">\$ <u>294,000.00</u></td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>(2) Estimated disbursements by the trustee for non-GUCs (general unsecured claims):</td> <td></td> <td></td> </tr> <tr> <td> (a) Trustee's Fees</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>14,700.00</u></td> </tr> <tr> <td> (b) Current mortgage payments</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>0.00</u></td> </tr> <tr> <td> (c) Payments of other allowed secured claims</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>39,039.84</u></td> </tr> <tr> <td> (d) Priority payments to debtor's attorney</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>4,000.00</u></td> </tr> <tr> <td> (e) Payments of mortgage arrears</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>0.00</u></td> </tr> <tr> <td> (f) Payments of non-attorney priority claims</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>21,350.00</u></td> </tr> <tr> <td> (g) Payments of specially classified unsecured claims</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>0.00</u></td> </tr> <tr> <td> (h) Total [add Lines 2a through 2g]</td> <td></td> <td style="text-align: right;">\$ <u>79,089.84</u></td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>(3) Estimated payments available for GUCs and interest during initial plan term [subtract Line 2h from Line 1]</td> <td></td> <td style="text-align: right;">\$ <u>214,910.16</u></td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>(4) Estimated payments required after initial plan term:</td> <td></td> <td></td> </tr> <tr> <td> (a) Estimated total GUCs, including unsecured deficiency claims under § 506(a)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>211,582.00</u></td> </tr> <tr> <td> (b) Minimum GUC payment percentage</td> <td></td> <td style="text-align: right;"><u>100</u> %</td> </tr> <tr> <td> (c) Estimated minimum GUC payment [multiply line 4a by line 4b]</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>211,582.00</u></td> </tr> <tr> <td> (d) Estimated interest payments on unsecured claims</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u> </u></td> </tr> <tr> <td> (e) Total of GUC and interest payments [add Lines 4c and 4d]</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>211,582.00</u></td> </tr> <tr> <td> (f) Payments available during initial term [enter Line 3]</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><u>214,910.16</u></td> </tr> <tr> <td> (g) Additional payments required [subtract Line 4f from line 4e]</td> <td></td> <td style="text-align: right;">\$ <u>-3,328.16</u></td> </tr> </table>		(1) Total payments from the debtor to the Chapter 13 trustee (subject to Paragraph 2 of Section D)		\$ <u>294,000.00</u>				(2) Estimated disbursements by the trustee for non-GUCs (general unsecured claims):			(a) Trustee's Fees	\$	<u>14,700.00</u>	(b) Current mortgage payments	\$	<u>0.00</u>	(c) Payments of other allowed secured claims	\$	<u>39,039.84</u>	(d) Priority payments to debtor's attorney	\$	<u>4,000.00</u>	(e) Payments of mortgage arrears	\$	<u>0.00</u>	(f) Payments of non-attorney priority claims	\$	<u>21,350.00</u>	(g) Payments of specially classified unsecured claims	\$	<u>0.00</u>	(h) Total [add Lines 2a through 2g]		\$ <u>79,089.84</u>				(3) Estimated payments available for GUCs and interest during initial plan term [subtract Line 2h from Line 1]		\$ <u>214,910.16</u>				(4) Estimated payments required after initial plan term:			(a) Estimated total GUCs, including unsecured deficiency claims under § 506(a)	\$	<u>211,582.00</u>	(b) Minimum GUC payment percentage		<u>100</u> %	(c) Estimated minimum GUC payment [multiply line 4a by line 4b]	\$	<u>211,582.00</u>	(d) Estimated interest payments on unsecured claims	\$	<u> </u>	(e) Total of GUC and interest payments [add Lines 4c and 4d]	\$	<u>211,582.00</u>	(f) Payments available during initial term [enter Line 3]	\$	<u>214,910.16</u>	(g) Additional payments required [subtract Line 4f from line 4e]		\$ <u>-3,328.16</u>
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(f) Payments available during initial term [enter Line 3]	\$	<u>214,910.16</u>																																																																		
(g) Additional payments required [subtract Line 4f from line 4e]		\$ <u>-3,328.16</u>																																																																		

	(5) Additional payments available: (a) Debtor's monthly payment less trustee's fees and current mortgage payments made by the trustee \$ <u>4,655.00</u> (b) Months in maximum plan term after initial term <u>0</u> (c) Payments available [multiply line 5a by line 5b] <u>\$ 0.00</u>
Section I <i>Payroll Control</i>	<input type="checkbox"/> A check in this box indicates that the debtor consents to immediate entry of an order directing the debtor's employer to deduct from the debtor's wages the amount specified in Paragraph 1 of Section D and to pay that amount to the trustee on the debtor's behalf. If this is a joint case, details of the deductions from each spouse's wages are set out in Section G.
Signatures	Debtor(s) [Sign only if not represented by an attorney] _____ Date _____ Debtor's Attorney/s/ Jonathan D. Parker Date 7/14/2015
Attorney Information (name, address, telephone, etc.)	Geraci Law L.L.C. 55 East Monroe Street Suite 3400 Chicago, IL 60603 Phone: 312-332-1800 Fax: 877-247-1960 Email: ndil@geracilaw.com

Special Terms [as provided in Section G]

1. Debtor attorney disbursements will be paid at an E3 disbursement level.
2. Where total amount of a claim is less than the estimate specified in Section E, the creditor shall be paid the amount of its allowed claim, and the proof of claim shall constitute a notice of reduction consented to by the creditor.
3. Pre-confirmation adequate protection payments shall be made to Bank of America for the 2011 Kia Sorrento in the amount of \$770 per month.
4. The plan shall not be deemed completed until all secured claims have been paid in full with interest as provided for in the plan.
5. Debtor shall pay any delinquent real estate taxes directly.
6. Debtor assumes all executory contracts.
7. The real property located at 1840 E 71st. St., Chicago, IL 60649 to Harris Bank is listed for sale. In the event that this property is sold, the debtor shall pay in to the chapter 13 trustee any and all proceeds after the mortgage, property taxes and customary closing and other costs are paid.
8. Debtor shall surrender the real property located at 12533 Grandezza Cir., Estero, FL 33928 to Wells Fargo. However, this property is also listed for sale. In the event that this property is sold, the debtor shall pay in to the chapter 13 trustee any and all proceeds after the mortgage, property taxes and customary closing and other costs are paid.
9. Debtor disputes that he owes any student loan. Nevertheless, to the extent that a claim is filed for a student loan, debtor shall pay any such claim directly outside the plan. The trustee shall make no payment on any claim filed for an educational debt.

Overflow Page [Attach only if necessary]

Section C	Creditor: _____, monthly payment, \$ _____; Creditor: _____, monthly payment, \$ _____. Creditor: _____, monthly payment, \$ _____.
Direct payment of claims by debtor	
Section E	<p>2. Current mortgage payments.</p> (c) To creditor _____, monthly payments of \$ _____. These payments, over the term of the plan, are estimated to total \$ <u>0.00</u> . (d) To creditor _____, monthly payments of \$ _____. These payments, over the term of the plan, are estimated to total \$ <u>0.00</u> . (e) To creditor _____, monthly payments of \$ _____. These payments, over the term of the plan, are estimated to total \$ <u>0.00</u> .
Disbursements by the trustee	<p>3.1 Other claims secured by value in collateral.</p> (c) Creditor: _____ Collateral: _____ Amount of secured claim: \$ _____ APR _____% <input type="checkbox"/> Fixed monthly payment: \$ _____; Total estimated payments, including interest, on the claim: \$ _____. <input type="checkbox"/> Check if non-PMSI (d) Creditor: _____ Collateral: _____ Amount of secured claim: \$ _____ APR _____% <input type="checkbox"/> Fixed monthly payment: \$ _____; Total estimated payments, including interest, on the claim: \$ _____. <input type="checkbox"/> Check if non-PMSI (e) Creditor: _____ Collateral: _____ Amount of secured claim: \$ _____ APR _____% <input type="checkbox"/> Fixed monthly payment: \$ _____; Total estimated payments, including interest, on the claim: \$ _____. <input type="checkbox"/> Check if non-PMSI (f) Creditor: _____ Collateral: _____ Amount of secured claim: \$ _____ APR _____% <input type="checkbox"/> Fixed monthly payment: \$ _____; Total estimated payments, including interest, on the claim: \$ _____. <input type="checkbox"/> Check if non-PMSI
	<p>3.2 Other secured claims treated as unsecured.</p> (c) Creditor: _____ Collateral: _____ (d) Creditor: _____ Collateral: _____ (e) Creditor: _____ Collateral: _____ (f) Creditor: _____ Collateral: _____
	<p>5. Mortgage arrears.</p> (c) To creditor _____, arrears of \$ _____, payable monthly from available funds, pro rata with other mortgage arrears, <input type="checkbox"/> without interest /or/ <input type="checkbox"/> with interest at an annual percentage rate of _____%. These arrearage payments, over the term of the plan, are estimated to total \$ _____. (d) To creditor _____, arrears of \$ _____, payable monthly from available funds, pro rata with other mortgage arrears, <input type="checkbox"/> without interest /or/ <input type="checkbox"/> with interest at an annual percentage rate of _____%. These arrearage payments, over the term of the plan, are estimated to total \$ _____. (e) To creditor _____, arrears of \$ _____, payable monthly from available funds, pro rata with other mortgage arrears, <input type="checkbox"/> without interest /or/ <input type="checkbox"/> with interest at an annual percentage rate of _____%. These arrearage payments, over the term of the plan, are estimated to total \$ _____.

MONTHLY PAYMENTS	Participant:	Foster, Dion	Spear, Harold	Kellogg, Jamel	Washington, Keith	Lewis, Bette	Reese, Lula	Anderson, Jasmine	Jimenez, Guadalupe	Lewis, Dreina	King, David	Redmond, Rodney	Lewis, Michael	Fox, Monica	Total
1	\$4,655.00	\$180.02	\$249.88	\$299.02	\$490.76	\$490.76	\$490.76	\$490.76	\$490.76	\$490.76	\$490.76	\$490.76			\$4,655.00
2	\$4,655.00				\$167.59	\$502.24	\$555.80	\$614.96	\$703.61	\$703.60	\$703.60	\$703.60			\$4,655.00
3	\$4,655.00								\$1,050.83	\$1,201.40	\$1,201.39	\$1,201.38			\$4,655.00
4	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
5	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
6	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
7	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
8	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
9	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
10	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
11	\$4,655.00									\$1,551.67	\$1,551.67	\$1,551.66			\$4,655.00
12	\$4,655.00									\$1,002.98	\$1,826.01	\$1,826.01			\$4,655.00
13	\$4,655.00										\$2,327.50	\$2,327.50			\$4,655.00
14	\$4,655.00										\$2,327.50	\$2,327.50			\$4,655.00
15	\$4,655.00										\$2,327.50	\$2,327.50			\$4,655.00
16	\$4,655.00										\$2,327.50	\$2,327.50			\$4,655.00
17	\$4,655.00										\$2,327.50	\$2,327.50			\$4,655.00
18	\$4,655.00										\$22.93	\$4,632.07			\$4,655.00
19	\$4,655.00											\$4,655.00			\$4,655.00
20	\$4,655.00											\$789.42	\$1,146.92	\$2,718.66	\$4,655.00
21	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
22	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
23	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
24	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
25	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
26	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
27	\$4,655.00												\$1,381.14	\$3,273.86	\$4,655.00
28	\$4,655.00												\$844.97	\$2,005.78	\$2,850.75
TOTAL PAID		180.02	249.88	299.02	658.35	993.00	1,046.56	1,105.72	2,245.20	15,812.10	28,295.55	38,349.02	11,659.86	27,641.47	128,535.75