

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: Chapter 13
Case No.

APPLICATION FOR ORDER WAIVING REQUIREMENT FOR
BUSINESS EVALUATION; DECLARATION OF DEBTOR(S)

Debtor(s) _____ / BUSINESS NAME:

Debtor(s) herein request an order waiving the requirement pursuant to 11 U.S.C. 1302 (c) for an evaluation of the Debtor(s)' business for the following reasons [check all applicable]:

- The proposed chapter 13 plan provides for 100% repayment on unsecured claims.
- The Debtor(s)' business is of a *de minimus* nature. The income derived from the business is nominal and does not comprise the majority of the Debtor(s)' net income.
- The Debtor is an independent contractor.
- The Debtor either operates the business out of his/her home or does not lease commercial real property for the business.
- The Debtor is not incurring post-petition trade debt and is current on post-petition taxes.
- The Debtor is current on post-petition trade debt payments and post-petition taxes.
- The Debtor either has no employees or employs only members of his/her immediate family.
- Other:

In addition, the proposed plan provides for payment to the Trustee of all projected disposable income of the Debtor(s).

Dated: _____
Attorney for Debtor(s)

DECLARATION OF DEBTOR(S)

I/We, the undersigned Debtor(s) herein, declare, under penalty of perjury, that the foregoing description of the nature of my/our business is true and correct to the best of my/our knowledge.

Dated: _____
Debtor

Dated: _____
Debtor

I have reviewed and have no objection to the foregoing Application.

Dated: _____
DEVIN DERHAM-BURK, Trustee