**UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF SOUTH CAROLINA**

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| IN RE:Debtor. | Case No. Chapter 13 |

**CONSENT ORDER**

The above-captioned debtor commenced a voluntary Chapter 13 bankruptcy case under Title 11 of the United States Code. Commencement of the case constitutes an “order for relief” under Chapter 13.

Prior to filing this bankruptcy case, the debtor transferred an interest in property, or took some other action, that may be subject to the trustee’s avoidance powers as set forth in 11 U.S.C. §§ 544, 545, 547, and 548.

The trustee alleges that the transfer(s) may be avoidable and recoverable for the benefit of the estate.

The trustee has not yet commenced a lawsuit against the transferee to avoid and recover the transfer(s).

The debtor’s proposed Chapter 13 plan provides, or will be amended to provide, for sufficient payments to the debtor’s unsecured creditors over the life of the plan such that it would not be necessary for the trustee to commence a lawsuit against the transferee to avoid and recover the alleged transfer(s); provided the debtor makes all payments required by the confirmed Chapter 13 plan and otherwise abides by the requirements of the plan, the confirmation order and the bankruptcy code.

The parties wish to settle this dispute without the need to file a lawsuit.

The transferee understands that she has the right to consult with an attorney of her choosing, and that she has either exercised this right or knowingly and voluntarily waived her right to consult an attorney; either way, she has entered into this stipulation freely and voluntarily.

With consent of the parties, it is therefore

**ORDERED** that the statute of limitations under 11 U.S.C. § 546, or applicable state law, for the current trustee, or any successor trustee, to commence a lawsuit against transferee to avoid and recover any alleged avoidable transfer is tolled, until this bankruptcy case is closed or dismissed.

**IT IS FURTHER ORDERED** that if the current trustee, or any successor trustee, timely commences a lawsuit, as set forth above, transferee does not waive any claim, defense, or counterclaim she may have, other than the statute of limitations defense that might otherwise be available under 11 U.S.C. § 546 or applicable state law.

**CONSENT SIGNATURES ON NEXT PAGE**

**WE CONSENT:**

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Transferee Date

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Transferee Date

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Debtor Date

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Debtor Date

STATE OF

COUNTY OF

 I, , a Notary Public of the aforesaid County and State do certify that (transferee) personally appeared before me and acknowledged the due execution of the foregoing instrument.

 Witness my hand and official seal, this the day of , 20 .

Notary Public

My Commission Expires:

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|  Gretchen D. Holland, Chapter 13 TrusteeChapter 13 Trustee Office20 Roper Corners Circle, Suite CGreenville, SC 29615864-242-0314 |  Debtor Attorney Name, Fed ID #\_\_\_\_law firm nameaddressphoneAttorney for Debtor(s) |