

Docket No. 20-057-04  
DEU Appendix A

# DEU Appendix A

**This order is SIGNED.**

**Dated: April 23, 2015**



**R. KIMBALL MOSIER  
U.S. Bankruptcy Judge**



Kevin R. Anderson (4786)  
Tami Gadd-Willardson (12517)  
Ryan C. Cadwallader (13661)  
Sarah L. Olson (14006)  
OFFICE OF THE CHAPTER 13 TRUSTEE  
405 South Main Street, Suite 600  
Salt Lake City, Utah 84111  
Telephone: (801) 596-2884  
Facsimile: (801) 596-2898  
Email: kratrusteemail@ch13kra.com

**UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

<p>IN RE: RUSTY BAKER FRANKIE BAKER</p> <p style="text-align: center;">Debtors</p>	<p>CASE NO: 15-20056</p> <p>Chapter 13</p> <p>JUDGE R. KIMBALL MOSIER</p>
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**ORDER OF DISMISSAL PURSUANT TO TRUSTEE'S DECLARATION  
OF NON-COMPLIANCE WITH ORDER CONTINUING CONFIRMATION HEARING**

Based upon the Trustee's Declaration of Non-Compliance and it appearing that the Debtors have failed to comply with a previous Order of this Court, which Order contained an automatic default provision, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED, DECREED, AND ADJUDGED THAT

1. The Debtor's case is hereby dismissed without prejudice.

2. The Court did not award debtors' counsel any attorney's fees under 11 U.S.C. § 503(b).

3. Of the funds being held in this case, the Trustee shall pay, to the extent funds are available, the following claims in the following priority: (1) an allowed expense fee to the Trustee; (2) adequate protection payments stipulated to by the parties or ordered by the Court; (3) with the balance of such funds to be returned to the debtor(s) pursuant to 11 U.S.C. § 1326(a)(2) by a check made payable to the debtor(s) and mailed to the debtor(s)' most current address on file with the Bankruptcy Court.

END OF DOCUMENT

#### **CERTIFICATE OF MAILING**

The undersigned hereby certifies that true and correct copy of the foregoing Order of Dismissal was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on April 21, 2015:

**RUSTY BAKER and FRANKIE BAKER**, 2086 NORTH 100 WEST ,SUNSET, UT 84015

**TED K. GODFREY, ESQ.**, ECF Notification

**RUSTY BAKER and FRANKIE BAKER**, 2086 NORTH 100 WEST ,SUNSET, UT 84015

**This order is SIGNED.**

**Dated: August 5, 2016**



**JOEL T. MARKER  
U.S. Bankruptcy Judge**



Lon A. Jenkins (4060)  
Tami Gadd-Willardson (12517)  
Ryan C. Cadwallader (13661)  
Brian J. Porter (14291)  
OFFICE OF THE CHAPTER 13 TRUSTEE  
405 South Main Street, Suite 600  
Salt Lake City, Utah 84111  
Telephone: (801) 596-2884  
Fax: (801) 596-2898  
Email: utahtrusteemail@ch13ut.org

**UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

IN RE: RUSTY ALAN BAKER FRANKIE BAKER  <p style="text-align: center;">Debtors</p>	CASE NO: 15-29276  Chapter 13  Hon. JOEL T. MARKER
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**ORDER OF DISMISSAL PURSUANT TO TRUSTEE'S DECLARATION  
OF NON-COMPLIANCE WITH ORDER SUSTAINING OBJECTION TO DISMISSAL**

Based upon the Trustee's Declaration of Non-Compliance and it appearing that the Debtors have failed comply with a previous Order of this Court entered on June 07, 2016, the Court hereby  
**ORDERS** that the above captioned case be and hereby is dismissed; and,  
**FURTHER ORDERS** that the Trustee be and hereby is directed to disburse all remaining funds in this case as of the entry date of this order according to the terms of the Confirmation Order.

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that true and correct copy of the foregoing Order of Dismissal was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on August 05, 2016:

**RUSTY ALAN BAKER and FRANKIE BAKER**, 2086 NORTH 100 WEST ,CLEARFIELD, UT 84015

**TED K. GODFREY, ESQ.**, ECF Notification

**RUSTY ALAN BAKER and FRANKIE BAKER**, 2086 NORTH 100 WEST ,CLEARFIELD, UT 84015

/s/ Employee of Office of Chapter 13 Trustee

### **DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing Order shall be to all parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below are registered CM/ECF and will be served notice of entry of the foregoing Order through the CM/ECF system:

Lon A. Jenkins, Chapter 13 Trustee, ECF Notification

TED K. GODFREY, ESQ., ECF Notification

By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF System, the following parties should be served notice pursuant to FRCP 5(b):

RUSTY ALAN BAKER AND FRANKIE BAKER, 2086 NORTH 100 WEST ,CLEARFIELD, UT 84015

Creditor Mailing Matrix

**This order is SIGNED.**

**Dated: November 14, 2017**



**JOEL T. MARKER  
U.S. Bankruptcy Judge**



*mrb*

Lon A. Jenkins (4060)  
Tami Gadd-Willardson (12517)  
Brian J. Porter (14291)  
MaryAnn Bride (13146)  
OFFICE OF THE CHAPTER 13 TRUSTEE  
405 South Main Street, Suite 600  
Salt Lake City, Utah 84111  
Telephone: (801) 596-2884  
Facsimile: (801) 596-2898  
Email: [utahtrusteemail@ch13ut.org](mailto:utahtrusteemail@ch13ut.org)

**UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

<p>IN RE: RUSTY ALAN BAKER FRANKIE LAREE BAKER</p> <p style="text-align: center;">Debtors</p>	<p>CASE NO: 17-23552</p> <p>Chapter 13</p> <p>Hon. JOEL T. MARKER</p>
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**ORDER OF DISMISSAL PURSUANT TO TRUSTEE'S DECLARATION  
OF NON-COMPLIANCE WITH ORDER CONTINUING CONFIRMATION HEARING**

Based upon the Trustee's Declaration of Non-Compliance and it appearing that the Debtors have failed to comply with a previous Order of this Court, which Order contained an automatic default provision, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED, DECREED, AND ADJUDGED THAT

1. The Debtor's case is hereby dismissed without prejudice.
2. Of the funds being held in this case, the Trustee shall pay, to the extent funds are available, the following claims in the following priority: (1) an allowed expense fee to the Trustee; (2) adequate protection payments stipulated to by the parties or ordered by the Court; (3) allowed administrative expenses under 11 U.S.C. § 503(b), including an award of attorney's fees and costs to debtors' counsel in the total amount of \$1,500.00, less any retainer on the

Bankruptcy Rule 2016 statement; and (4) with the balance of such funds to be returned to the debtor(s) pursuant to 11 U.S.C. § 1326(a)(2) by a check made payable to the debtor(s) and mailed to the debtor(s)' most current address on file with the Bankruptcy Court.

END OF DOCUMENT

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that true and correct copy of the foregoing Order of Dismissal was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on November 14, 2017:

**RUSTY ALAN BAKER and FRANKIE LAREE BAKER**, 2114 NORTH 175 WEST ,SUNSET, UT  
84015-2550

**JAIME G. RICHARDS**, ECF Notification

/s/ Jennifer Lundgreen

**DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing Order shall be to all parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below are registered CM/ECF

LON A. JENKINS, CHAPTER 13 TRUSTEE - ECF Notification

JAIME G. RICHARDS, ECF Notification

By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF System, the following parties should be served notice pursuant to FRCP 5(b):

**RUSTY ALAN BAKER AND FRANKIE LAREE BAKER**, 2114 NORTH 175 WEST ,SUNSET, UT  
84015-2550

Creditor Mailing Matrix

Form 746 [ODSM Installment Not Paid]

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH

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In re:

Rusty Alan Baker and Frankie LaRee  
Baker

Debtor(s).

Case No. 18-26373 RKM  
Chapter 13

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ORDER OF DISMISSAL

The debtor(s) having failed to comply with the Court's Order Approving Payment of Filing Fee in Installments, it is hereby **ORDERED** that this case be dismissed. Outstanding filing fees are still due and owing to the Court. Debtor(s) are ineligible for another Order Approving Payment of Filing Fees in Installments until the outstanding filing fees are paid in full.

Dated and Entered on: September 14, 2018



United States Bankruptcy Judge (13 - )



**This order is SIGNED.**

**Dated: October 12, 2018**



**R. KIMBALL MOSIER  
U.S. Bankruptcy Judge**



*Order prepared and submitted by:*  
Matthew K. Broadbent (09667)  
Val Dalling III (11552)  
VANNOVA LEGAL, PLLC  
49 West 9000 South  
Sandy, Utah 84070  
Telephone: (801) 415-9800  
Facsimile: (801) 415-9818  
Email: info@VannovaLegal.com  
*Counsel for Debtor(s)*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
Central Division**

In re:

**Rusty Alan Baker and  
Frankie LaRee Baker**

Debtor(s).

Bankruptcy Case No.: 18-26373

Chapter 13

Honorable R. Kimball Mosier

**ORDER ON MOTION TO VACATE DISMISSAL AND  
ALLOW ATTORNEY FEES AND COSTS**

Debtor’s Motion to Vacate Dismissal and Allow Attorney Fees and Costs (“Motion”) is reserved for hearing before the Court on Wednesday, October 17, 2018 at 10:00 AM, before Judge R. Kimball Mosier. The Court having considered the record before it, and being otherwise duly advised, finding no objection that has not been resolved, and good cause appearing, this Court hereby ORDERS as follows:

- (1) Debtor(s) Motion is granted;

(2) Debtor's plan payments shall be current by October 31, 2018, or the case will be dismissed without further notice or hearing.

(3) The §341 Meeting of Creditors and the Confirmation Hearing are to be rescheduled to a date and time set forth by the Court;

(4) The deadline to file objections to exemptions and dischargeability are extended 30 and 60 days respectively from the rescheduled 341 meeting;

(5) The deadline for filing proofs of claims shall be extended 70 days for non-governmental entities and 180 days for governmental entities from the date of entry of this Order Vacating Dismissal;

(6) Attorney fees and costs in the amount of \$755.88 are approved as an administrative expense to be paid by the Chapter 13 Trustee from property of the estate to the extent that funds are available; and

----- END OF ORDER -----

**DESIGNATION OF PARTIES TO RECEIVE NOTICE**

Service of the foregoing **ORDER ON MOTION TO VACATE DISMISSAL AND ALLOW ATTORNEY FEES AND COSTS** shall be served to the parties and in the manner designated below:

**By Electronic Service:** I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Matthew K. Broadbent Val Dalling, III Vannova Legal, PLLC Counsel for Debtor matt@vannovalegal.com val@vannovalegal.com	United States Trustee USTPRegion19.SK.ECF@usdoj.gov
Lon Jenkins tr Chapter 13 Trustee ecfmail@ch13ut.org	

**By U.S. Mail** - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b)

None.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH

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In re:

Rusty Alan Baker and Frankie LaRee  
Baker

Debtor(s).

Case No. 18–26373 RKM  
Chapter 13

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ORDER OF DISMISSAL

Based on Debtors Rusty Alan Baker and Frankie LaRee Baker having failed to comply with one or more of the requirements of the U.S. Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and/or the Local Rules and notice having been properly given, THE COURT HEREBY ORDERS:

Debtors Rusty Alan Baker and Frankie LaRee Baker in the above-captioned case are dismissed without prejudice and, if there is no confirmed plan, the Trustee is directed to disburse all remaining funds on hand, if any, in compliance with Local Rule 2083–1(i). Attorney's fees in an amount up to \$2,500.00 are awarded less any pre-petition retainer paid to debtor's counsel, which will be disbursed pursuant to Local Rule 2083–1(i); or

If there is a confirmed plan, all funds in this case posted to the Trustee's account on or before the date of entry of this order shall be disbursed by the Trustee according to the terms of the confirmed plan. Funds received by the Trustee after the entry of this order shall be refunded to the debtor(s).

Dated and Entered on: February 13, 2020



United States Bankruptcy Judge



District/off: 1088-2 User: mkh Page 2 of 3 Date Rcvd: Feb 13, 2020  
Form ID: f723 Total Noticed: 69

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

- 11080024 +EDI: WFNNB.COM Feb 14 2020 06:43:00 Comenity Bank/Ulta, Attn: Bankruptcy Dept,  
PO Box 182125, Columbus, OH 43218-2125
- 11080025 +EDI: WFNNB.COM Feb 14 2020 06:43:00 Comenity Bank/Wayfair, Attn: Bankruptcy Dept,  
PO Box 182125, Columbus, OH 43218-2125
- 11080026 +E-mail/PDF: creditonebknofications@resurgent.com Feb 14 2020 02:01:10  
Credit One Bank N.A., PO Box 98875, Las Vegas, NV 89193-8875
- 11080027 +EDI: DCI.COM Feb 14 2020 06:43:00 Diversified Consultants, Inc., Attn: Bankruptcy,  
PO Box 551268, Jacksonville, FL 32255-1268
- 11137492 EDI: ECMC.COM Feb 14 2020 06:43:00 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
- 11080031 +EDI: ECMC.COM Feb 14 2020 06:43:00 Education Credit Management Corporation, ECMC,  
PO Box 16478, Saint Paul, MN 55116-0478
- 11080033 +E-mail/Text: bankruptcy@expressrecovery.com Feb 14 2020 01:55:34  
Express Recovery Services, Inc, PO Box 26415, Salt Lake City, UT 84126-0415
- 11080035 +EDI: BLUESTEM Feb 14 2020 06:44:00 Fingerhut, Attn: Bankruptcy, PO Box 1250,  
Saint Cloud, MN 56395-1250
- 11080036 +EDI: AMINFOFP.COM Feb 14 2020 06:43:00 First Premier Bank, Attn: Bankruptcy,  
PO Box 5524, Sioux Falls, SD 57117-5524
- 11080039 +EDI: IIC9.COM Feb 14 2020 06:43:00 I C System Inc, 444 Highway 96 East, PO Box 64378,  
St. Paul, MN 55164-0378
- 11080042 EDI: IRS.COM Feb 14 2020 06:43:00 Internal Revenue Services,  
Centralized Insolvency Operations, PO Box 7346, Philadelphia, PA 19101-7346
- 11086063 +E-mail/Text: key\_bankruptcy\_ebnc@keybank.com Feb 14 2020 01:55:42 KeyBank N.A.,  
4910 Tiedeman Rd, Brooklyn, OH 44144-2338
- 11080043 +E-mail/Text: key\_bankruptcy\_ebnc@keybank.com Feb 14 2020 01:55:42  
KeyBank National Association, 17 Corporate Woods Boulevard, Albany, NY 12211-2345
- 11101619 E-mail/PDF: resurgentbknofications@resurgent.com Feb 14 2020 02:00:56  
LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,  
FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
- 11080046 +E-mail/PDF: resurgentbknofications@resurgent.com Feb 14 2020 02:00:54  
LVNV Funding/Resurgent Capital, Attn: Bankruptcy, PO Box 10497,  
Greenville, SC 29603-0497
- 11080047 +E-mail/Text: cs.bankruptcy@jmc biz.com Feb 14 2020 01:56:00 Media Collections, Inc. dba,  
Joseph, Mann & Creed, PO Box 1270, Twinsburg, OH 44087-9270
- 11080050 E-mail/PDF: HCABKNotifications@resurgent.com Feb 14 2020 02:01:32  
Ogden Regional Medical Center, PO Box 740757, Cincinnati, OH 45274-0757
- 11101620 +E-mail/PDF: resurgentbknofications@resurgent.com Feb 14 2020 02:00:54  
Ogden Regional Medical Center, Resurgent Capital Services, PO Box 1927,  
Greenville, SC 29602-1927
- 11144725 EDI: PRA.COM Feb 14 2020 06:43:00 Portfolio Recovery Associates, LLC, POB 41067,  
Norfolk VA 23541
- 11080052 +EDI: PRA.COM Feb 14 2020 06:43:00 Portfolio Recovery Associates, Inc., PO Box 41021,  
Norfolk, VA 23541-1021
- 11118564 +EDI: JEFFERSONCAP.COM Feb 14 2020 06:43:00 Premier Bankcard, Llc,  
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
- 11118564 +E-mail/Text: JCAP\_BNC\_Notices@jcap.com Feb 14 2020 01:55:44 Premier Bankcard, Llc,  
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
- 11080053 E-mail/Text: bankruptcy@qcholdings.com Feb 14 2020 01:55:21 QC Financial Services,  
PO Box 26187, Overland Park, KS 66225
- 11181156 EDI: Q3G.COM Feb 14 2020 06:43:00 Quantum3 Group LLC as agent for, Comenity Capital Bank,  
PO Box 788, Kirkland, WA 98083-0788
- 11080055 +E-mail/Text: bankruptcynotifications@pacificorp.com Feb 14 2020 01:55:59  
Rocky Mountain Power, PO Box 25308, Salt Lake City, UT 84125-0308
- 11080057 EDI: NEXTEL.COM Feb 14 2020 06:43:00 Sprint, Attn: Bankruptcy, PO Box 7949,  
Overland Park, KS 66207-0949
- 11089089 EDI: AIS.COM Feb 14 2020 06:43:00 T Mobile/T-Mobile USA Inc,  
by American InfoSource as agent, PO Box 248848, Oklahoma City, OK 73124-8848
- 11080065 EDI: UTAHTAXCOMM.COM Feb 14 2020 06:43:00 Utah State Tax Commission, 210 North 1950 West,  
Salt Lake City, UT 84134-0700

TOTAL: 38

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

- 11095212 AmeriCredit Financial Services, Inc. dba GM Financ
- 11080051 Outsource Receivables Management, Attn: Bankruptcy Dept, 372 24th Street Suite 300,  
RETURNED MAIL--99999
- 11080054\* ++QUESTAR GAS COMPANY DBA DOMINION ENERGY UT, ATTN BANKRUPTCY DNR 132, PO BOX 3194,  
SALT LAKE CITY UT 84110-3194  
(address filed with court: Questar Gas, Bankruptcy Department, PO Box 3194,  
Salt Lake City, UT 84110)
- 11080022 ##+Chris K. Anderson, MD, 4403 Harrison Ste 3815, Ogden, UT 84403-3330

TOTALS: 2, \* 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 1088-2

User: mkh  
Form ID: f723

Page 3 of 3  
Total Noticed: 69

Date Rcvd: Feb 13, 2020

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 15, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 13, 2020 at the address(es) listed below:

Lon Jenkins tr ecfmail@ch13ut.org, lneebling@ch13ut.org  
Matthew K. Broadbent on behalf of Debtor Rusty Alan Baker matt@vannovalegal.com,  
vannova.ecf@gmail.com;broadbentmr74548@notify.bestcase.com;vannovalegal@ecf.courtdrive.com;encore  
resss.inbound@gmail.com;ecfarchive@vannovalegal.com  
Matthew K. Broadbent on behalf of Joint Debtor Frankie LaRee Baker matt@vannovalegal.com,  
vannova.ecf@gmail.com;broadbentmr74548@notify.bestcase.com;vannovalegal@ecf.courtdrive.com;encore  
resss.inbound@gmail.com;ecfarchive@vannovalegal.com  
Nathan R. Firouzi on behalf of Creditor Utah State Tax Commission nfirouzi@agutah.gov,  
txbankrupt@utah.gov  
P. Matthew Cox on behalf of Creditor AmeriCredit Financial Services, Inc. dba GM Financial  
bankruptcy\_pmc@scmlaw.com  
Stephen W. Lewis on behalf of Creditor Utah State Tax Commission swlewis@agutah.gov  
United States Trustee USTPRegion19.SK.ECF@usdoj.gov

TOTAL: 7