

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re

Chapter

Case No. -svk

Debtor.

_____,

Plaintiff,

v.

Adversary No. -svk

_____,

Defendant.

**ORDER GRANTING DEFAULT JUDGMENT, VALUING CLAIM AND
SATISFYING LIEN UPON COMPLETION OF PLAN**

The plaintiff filed a complaint seeking to establish the value of the defendant's interest in the plaintiff's real property located at [ADDRESS OF HOUSE], more fully described on the attached legal description. The complaint alleges that the value of the property is less than the amount due and owing to the holder of the senior lien on the property, and that there is no equity in the property to which the defendant's junior lien can attach. The complaint requests that the Court determine that the value of the defendant's interest in the property is zero, and that the Court permit the defendant's claim to be treated as unsecured in this Chapter 13 case. The plaintiff properly served the complaint on the defendant pursuant to Bankruptcy Rule 7004, and the defendant failed to answer or appear.

Accordingly, the Court grants default judgment in favor of the plaintiff, and declares:

1. The value of the property is less than the amount of the claims secured by liens that are senior to the defendant's lien.
2. Pursuant to 11 U.S.C. § 506(a), the defendant's claim in this Chapter 13 case, if any, may be allowed as a general unsecured claim but not as a secured claim.

3. The plaintiff's Chapter 13 plan may modify the defendant's rights as a holder of an unsecured claim pursuant to 11 U.S.C. § 1322(b), including by providing that the defendant's lien will be released upon the plan's completion.
4. Upon completion of a plan so providing, the defendant's lien on the property will be released.
5. Upon completion of the plan, the plaintiff may seek additional relief as necessary to give effect to this order.

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