UNITED STATES BANKRUPTCY COURT

FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

Daniel Detter, Case No. \_\_\_\_\_\_\_-\_\_\_\_

*[add akas if there are any]*

Debtor. Chapter \_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Last four digits of Social Security No. or EIN: \_\_\_\_\_\_\_\_

**NOTICE OF [INSERT MOVANT]’S MOTION TO STRIKE EVIDENCE OF DEFAULT FILED BY [INSERT NAME]**

[INSERT NAME]\_\_\_\_, [the debtor] moves under Federal Rule of Bankruptcy Procedure 9014(a) to strike the [TRUSTEE’S/CREDITOR’S] Evidence of Default.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in motion, or if you want the court to consider your views on the motion, then on or before [INSERT DATE THAT IS 7 DAYS AFTER THE DATE THAT THE MOTION IS SERVED- see Uniform Procedure for Doomsday Orders], you or your attorney must:

File with the court a written response explaining your position at:

United States Bankruptcy Court

517 East Wisconsin Avenue, Room 126

Milwaukee, WI 53202

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to:

{movant’s attorney’s name and address}

{names and addresses of others to be served}

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may determine that your failure to object constitutes grounds to enter an order granting that relief.

Law Firm, S.C.

Attorney for Debtor

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

UNITED STATES BANKRUPTCY COURT

FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,Case No. \_\_\_\_\_\_\_-\_\_\_

Debtor(s).Chapter\_\_

**DEBTOR’S MOTION TO STRIKE EVIDENCE OF DEFAULT FILED BY [INSERT NAME]**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the debtor moves under Federal Rule of Bankruptcy Procedure 9014(a) to strike the [TRUSTEE’S/CREDITOR’S] Evidence of Default. In support of this motion, the debtor states as follows:

1. On [INSERT DATE], the [TRUSTEE/CREDITOR] filed an Evidence of Default stating that the debtor [INSERT ALLEGATIONS MADE FOR DEFAULT IN DECLARATION]. ECF No. [INSERT NUMBER].
2. The debtor is not in default under the order because the Evidence of Default contains the following materially incorrect statements:
   1. [INSERT STATEMENTS EXPLAINING WHY THE EVIDENCE OF DEFAULT IS FACTUALLY INCORRECT. NOTE: THE DEBTOR MUST BE PREPARED TO TESTIFY OR PRESENT OTHER WITNESS TESTIMONY ESTABLISHING THE TRUTH OF THESE STATEMENTS AND **THE SUBMISSION OF FALSE STATEMENTS ARE SUBJECT TO SANCTION UNDER RULE 9011**].

WHEREFORE, the debtor requests this court strike the Evidence of Default of [INSERT TRUSTEE/CREDITOR’S NAME], filed [DATE], from the record.

Law Firm, S.C.

Attorney for Debtor

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name