

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

IN RE:

Debtors

CASE NO:  
(Chapter 13)

JUDGE

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AGREED ORDER AS TO TAX REFUNDS & RETURNS PRIOR TO CONFIRMATION (DOC. )

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The Debtors amend the unconfirmed plan (Doc. ) (and any subsequent Amended Plans) at the meeting of creditors to provide as follows:

**The Debtors shall provide the Trustee with a copy of each Federal Income Tax return filed during the Plan term by April 30 of each year.**

Notwithstanding single/joint tax filing status, the Debtors may annually retain the greater of (1) any earned income tax credit and/or additional child tax credit, or (2) \$3,000 of any Federal Income Tax refund for maintenance and support pursuant to §1325(b)(2) and shall turn over prior to June 1st of each required year any balance in excess of such amount to the Trustee. Unless otherwise ordered by the Court, tax refunds turned over to the Trustee shall be used to satisfy the secured claims of the Internal Revenue Service, if any. Thereafter, any surplus refunds shall be used to increase the dividend to the unsecured creditors; but, distributions to creditors shall continue to be paid pursuant to the normal classes as determined by the confirmed Plan.

Any Motions to Retain in excess of the amount set forth above shall be filed and served pursuant to LBR 9013-3(b) by June 1 of that year. See Paragraph 8 of your Chapter 13 Plan for additional information on your taxes.

IT IS SO ORDERED.

/s/\_Debtor1 \_\_\_\_\_  
Debtor1  
Debtor

/S/ John Kennel \_\_\_\_\_  
JOHN KENNEL #0090218  
ATTORNEY FOR DEBTORS  
KENNEL ZEIGLER LLC  
1340 WOODMAN DR.  
DAYTON, OH 45432  
(937) 252-2030 FAX (937) 252-9425  
email: john@kzlawohio.com

/s/\_Debtor2 \_\_\_\_\_  
Debtor2  
Debtor

/s/\_JEFFREY M. KELLNER \_\_\_\_\_  
Jeffrey M. Kellner 0022205  
CHAPTER 13 TRUSTEE  
131 N LUDLOW ST SUITE 900  
DAYTON, OH 45402-1161  
(937)222-7600 Fax (937)222-7383  
chapter13@dayton13.com

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