1 Gary Paul, SBN 168722 P.O. Box 642 2 Aptos, CA 95001 831-662-3920 3 Attorney for Debtor 4 5 6 7 In re: 8 Barbara Showalter 9 10 11 12 13 14 15

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Debtor.

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA

> Chapter 13 NOTICE OF MOTION AND MOTION FOR EXTENSION OF TIME TO FILE

Case No.: 10-55195 RLE

DOCUMENTS REQUIRED BY SECTION 521(a)(1); MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF BARBARA SHOWALTER;

## TO THE U.S. TRUSTEE, AND THE CHAPTER 13 TRUSTEE:

NOTICE IS HEREBY GIVEN that Debtor BARBARA SHOWALTER seeks a 45 day extension of the time. This motion is authorized by FRBP 1007 for filing the Section 521 documents in the Debtor's bankruptcy case.

The grounds for this motion are as follows: 1. On May 20, 2010, a petition for relief under Chapter 13 of the United States Bankruptcy Code was filed by the Debtor; 2. The Debtor timely filed her Chapter 13 plan and timely made her first payment to the Chapter 13 Trustee; 3. Pursuant to FRBP 1007, the deadline for filing the Section 521(a)(1) documents is July 6, 2010; 4. The Debtor requests and additional 45 days, through and including August 20, 2010; and 5. Good cause exists to grant the Debtor's extension request as follows: The Debtor has had to spend much of her time trying to prepare documentation to get refinancing to help retain her residence, and to get her bills current. In addition, she has put a lot of time into getting and preparing information for her accountant so as to get her 2009 taxes completed. Her blood pressure has gone up with all the

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stress she has been dealing with, which has necessitated medical attention for the problem. An extension to file the 521 documents would be a great relief to the Debtor. This Motion is based on this Notice of Motion, the attached Memorandum of Points and Authorities, the attached Declaration of Barbara Showalter, and on the records and file herein. /s/ GARY PAUL Attorney for Debtor **DATED:** July 3, 2010 MEMORANDUM OF POINTS AND AUTHORITIES FRBP 1007(a)(5) provides that an extension of time may be granted to file the required schedules upon a noticed motion and for cause. Debtor's declaration provides the good cause for granting the extension for the filings now due on July 6, 2010, and extending said filings to and including August 20, 2010. It is respectfully requested that this motion be granted. /s/ GARY PAUL Attorney for Debtor DATED: July 3, 2010 

Gary Paul, SBN 168722 P.O. Box 642 2 Aptos, CA 95001 831-662-3920 3 Attorney for Debtor 4 5 UNITED STATES BANKRUPTCY COURT 6 NORTHERN DISTRICT OF CALIFORNIA 7 In re: Case No.: 10-55195 RLE 8 Chapter 13 Barbara Showalter 9 **DECLARATION OF BARBARA** Debtor. SHOWALTER IN SUPPORT OF 10 MOTION FOR EXTENSION OF TIME TO FILE DOCUMENTS REQUIRED BY 11 **SECTION 521(a)(1)** 12 13 14 15 I, Barbara Showalter, declare as follows: 16 1. I am the Debtor herein. 17 18 2. Since I filed this case on May 20, 2010, I have had to prepare extensive documentation 19 related to my attempt to refinance my residence, so as to be able to stay in my home and get my 20 bills current. In addition, I have had to prepare material for my accountant to do my 2009 taxes. I 21 am self employed, so the documentation is fairly extensive and required a lot of my time, as well. 22 3. My stress level due to my financial problems has been very high. I have had to see my 23 24 physician for high blood pressure during this period. If the court allows the requested extension of 25 time to file the 521 documents, it would greatly help to lower my stress level. 26 I declare under penalty of perjury that the foregoing is true and correct, executed this 3<sup>rd</sup> 27 day of July, 2010 at Aptos, California. /s/ BARBARA SHOWALTER 28