

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In Re: _____) Case No. _____
)
) Chapter 13
)
Debtor(s). _____)

**CERTIFICATE OF CHAPTER 13 DEBTOR
REGARDING 11 U.S.C. § 522(q) EXEMPTIONS**

*[Instructions: In accordance with 11 U.S.C. § 522(q), Fed. R. Bankr. P. 1007(b)(8), and Local Bankruptcy Rule 5009-1, a chapter 13 debtor who claims exemptions in real property, personal property, and/or a cooperative used as a residence or claimed as a homestead, or in a burial plot, that exceed the amount stated in 11 U.S.C. § 522(q)(1) must file this Certificate with the Court after making the last plan payment or, if applicable, prior to the deadline set by the Court when it authorizes a hardship discharge under 11 U.S.C. § 1328(b). See 11 U.S.C. § 522(p)(1)(A), (B), (C), and (D) and (q). Debtors who have NOT claimed exemptions in real property, personal property, and/or a cooperative used as a residence or claimed as a homestead, or in a burial plot, that exceed the amount stated in 11 U.S.C. § 522(q)(1) should NOT file this Certificate. **Failure to timely file this Certificate may bar or delay entry of a discharge.**]*

1. I have claimed exemptions in the aggregate amount of \$ _____.

PLEASE CHECK ALL BOXES THAT APPLY:

- | | | | |
|--------------------------|--------------------------|----|--|
| Yes | No | 2. | I have been convicted (or there is a proceeding currently pending against me in which I may be convicted) of a felony offense punishable by a maximum term of imprisonment of more than one year. |
| <input type="checkbox"/> | <input type="checkbox"/> | | |
| Yes | No | 3. | I owe a debt (or there is pending against me a proceeding in which I may be found liable for a debt) due to a violation of a Federal Securities law (as defined in section 3(a)(47) of the Securities Exchange Act of 1934), including, but not limited to, the Securities Act of 1933 (15 U.S.C. § 77a <i>et seq.</i>); the Securities Exchange Act of 1934 (15 U.S.C. § 78a <i>et seq.</i>); the Sarbanes-Oxley Act of 2002 (Pub. L. No. 107-204, 116 Stat.); the Trust Indenture Act of 1939 (15 U.S.C. § 77aaa <i>et seq.</i>); the Investment Company Act of 1940 (15 U.S.C. § 80a-1 <i>et seq.</i>); the Investment Advisers Act of 1940 (15 U.S.C. § 80b-1 <i>et seq.</i>); and the Securities Investor Protection Act of 1970 (15 U.S.C. § 78aaa <i>et seq.</i>); any State securities laws; or any regulation or order issued under Federal securities laws or State securities laws. |
| <input type="checkbox"/> | <input type="checkbox"/> | | |
| Yes | No | 4. | I owe a debt (or there is pending against me a proceeding in which I may be found liable for a debt) due to fraud, deceit, or manipulation in a fiduciary capacity or in connection with the purchase or sale of a security registered under section 12 or 15(d) of the Securities Exchange Act of 1934 or under section 6 of the Securities Act of 1933. |
| <input type="checkbox"/> | <input type="checkbox"/> | | |

Yes No
☐ ☐

5. I owe a debt (or there is pending against me a proceeding in which I may be found liable for a debt) due to a civil remedy under section 1964 of Title 18.

Yes No
☐ ☐

6. I owe a debt (or there is pending against me a proceeding in which I may be found liable for a debt) due to a criminal act, intentional tort, or willful or reckless misconduct that caused serious physical injury or death to another individual in the preceding 5 years.

Yes No
☐ ☐

7. Although I answered YES to one or more of questions 2 through 6, I am entitled to the exemptions I have claimed and I should receive a discharge because the exemptions are reasonably necessary to support me (and my dependent(s), if any).

I declare under penalty of perjury that the foregoing is true and correct.

Date:_____

Signed:_____

Debtor

Printed Name:_____