

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA

ADMINISTRATIVE ORDER 2008-1

This Administrative Order is rendered for the purpose of implementing the procedures required of Wells Fargo Home Mortgage, Inc. (Wells Fargo) and ordered by this Court on September 14, 2007, in *Jones v Wells Fargo*, case no. 06-01093. The Clerk is ordered to provide Wells Fargo with a user identification and password to the Court's Electronic Case Filing system upon its execution of the Application for Lender Password form. Access to CM/ECF shall be for the limited purpose of filing the annual statements of account required under the terms of the Judgment.

Between January 1 and February 28, 2008, Wells Fargo shall deliver to every Chapter 13 debtor with a case pending in the Eastern District of Louisiana, a Statement of Post-Petition Charges in a form substantially similar to the one attached to this Order ("Statement"). A copy of the Statement will also be served on debtors' counsel of record and the Chapter 13 Trustee. The Statement shall itemize all charges or fees which Wells Fargo avers have accrued since the filing of Debtors' voluntary petition through December 31, 2007. For all cases filed after December 31, 2007, an initial statement shall be filed between January 1 and February 28 of the calendar year following the petition date. The initial statement shall contain the same disclosures and information required under the terms of the following paragraph and be delivered to the debtors, debtors' counsel, and the Chapter 13 Trustee.

The Statement shall contain clear language that the Statement is for the debtors' information and not a demand for payment. The Statement shall also outline the procedures for objecting to the charges delineated in the Statement and advise that any objection to the charges must be filed with

this Court on or before March 31. The Statement must also advise that failure to object to all or any portion of the charges itemized will result in their approval by this Court under the terms of the Judgment and this Administrative Order and outline the debtors' rights with regard to payment.

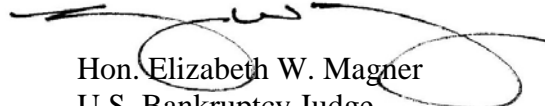
After the delivery of the above described initial statement, Wells Fargo will deliver subsequent statements to all debtors with a case pending in the District on an annual basis between January 1 and February 28 of each calendar year of the case's administration. Subsequent statements must be delivered to debtors, debtors' counsel of record, and the Chapter 13 Trustee. The subsequent statements shall itemize all charges or fees that Wells Fargo avers have accrued during the preceding calendar year and contain all disclosures required by the initial statement as outlined above.

At the time debtors' case has completed, and at least 10 days prior to the entry of an Order of Discharge, Wells Fargo shall submit a statement itemizing all post-confirmation charges or fees which Wells Fargo avers have accrued for any partial year in which discharge is requested, covering January 1 through the date of the statement. This final statement shall be delivered to debtors, debtors' counsel, and the Chapter 13 Trustee.

Failure to deliver a statement in any given year during the pendency of a case shall be an admission by Wells Fargo, its successors, assigns, and all subsequent holders of the indebtedness, that no fees or charges accrued on debtors' account and Wells Fargo, its successors, assigns, and all subsequent holders of the indebtedness waive any right to claim fees or charges for the relevant period or to receive payment for same. If a statement is delivered and no timely objection is filed,

the fees and charges outlined in the statement will be approved by the Court as reasonable and properly owed under the terms of the indebtedness or security instrument and no further order or judgment will be required.

New Orleans, Louisiana, January 11, 2008.



Hon. Elizabeth W. Magner
U.S. Bankruptcy Judge

Statement of Post-Petition Accrued Charges

Wells Fargo Home Mortgage, Inc. (“Wells Fargo”) asserts that the charges listed below have accrued on your loan since _____. This statement is being sent in accordance with the Administrative Order No. 2008-1 of the United States Bankruptcy Court for the Eastern District of Louisiana. **This is not a demand for payment.** This statement is being delivered for your information but may affect your right to challenge these charges in the future.

- Late fees
- Attorney’s fees
- Inspection fees
- Broker’s price opinion or appraisal charges
- Other (describe)

Should you need any additional information or have any questions with regard to these charges you may contact us at: _____ during the following times of operation _____.

In order to dispute all or a portion of these charges, you must file a written objection with the United States Bankruptcy Court for the Eastern District of Louisiana on or before March 31, 2008 in your pending bankruptcy case. If an Objection to all or a portion of these charges is filed, the Bankruptcy Court will hear the Objection and determine if the disputed charge is due. If no Objection is filed, the charges will be automatically approved by the Court and added to your account.

If you agree that the charges outlined above are owed, or if after Objection the Court determines that all or a portion of the charges are owed, you have three options for payment. Under the first option, the charges may be voluntarily paid to Well Fargo at the following address:

Under the second option, you may be able to add these charges to the debts payable through your chapter 13 plan. To exercise this option, you should contact your counsel as soon as possible for assistance. For the final option, you may elect to defer payment until the conclusion of your plan and discharge. However, if you elect this option, the approved amounts will not be discharged and will be immediately due and payable as soon as your case is completed or dismissed.

Certificate of Service

I, _____ certify that a copy of this statement has been mailed, postage pre-paid and properly addressed to Debtor(s)’ address of record as well as Debtor(s) counsel of record, and Mr. S.J. Beaulieu, Chapter 13 Trustee this ____ day of _____, 2008.

Name:
Title:
Address:

Phone: