

# Slippin' Into The Future

There's nothing like an annual event to highlight the passage of time as it's slippin' slippin' slippin' into the future. (Dear reader, do you get the reference to that old Steve Miller song, which first slipped out of the radio nearly 30 years ago? For what it's worth, I've always thought the song had it backwards – time slips out of the future and into the past, don't you think?)

But I digress. I'm not here to write about old pop songs; I'm writing about the 4D Summit, the annual conference for developers and users of 4th Dimension, the software that (among many other things) drives CaseNET, our database application.

The Steve Miller song came to mind as I was ruminating about the passage of time, the evolution of 4D and my disbelief that a year had passed since the previous summit. 4D Inc. had time on its collective mind, too, as one of the summit's themes was to celebrate the company's 21st year. Yes, it's true: 4D Inc. is now old enough to be served alcoholic beverages. It was way back in 1984 when a young Parisian student named Laurent Ribardière created the original version of 4D for the Macintosh. (The Mac also made its debut that year, as did the first TCP/IP wide area network, created by the National Science Foundation to link universities. In the next decade NSFNet would form the basis of the Internet. Good times!)

The 4D Summit was held in San Francisco this year, and it was my first time there. I exhausted myself the afternoon I arrived walking around, or I should say walking up and down. (I thought I knew what hills were, but now I really do.) Over the next several days I immersed myself in all things 4D. The format of the conference was the same as in previous years. It was like going back

to school. Each day was divided into 75-minute sessions presented by a variety of 4D experts, including people from 4D Inc. as well as vendors of 4D add-on products and independent developers. There were four simultaneous tracks, so for each session I had to pick the most relevant or useful topic. The first two days began with 45-minute "keynote" sessions, wherein Brendan Coveney, president of 4D Inc., highlighted recent achievements and future directions for the company and its software.

The current shipping version of 4D is designated "4D 2004," named for the year it was released. As in previous conferences, 4D Inc. previewed features of future releases, but the focus of the conference remained on the current version. CaseNET currently runs under 4D 6.7 (they've changed how they name their releases), and our plans are to upgrade this year to version 2004. Once we do that, we can expect to be current for a while, as the next version is being referred to as 4D 2007.

4D Inc. wants to encourage those who have not yet upgraded to the current release to do so, so they provided a new option that I took advantage of, the so-called "4D Kitchen." With a copy of CaseNET on my laptop computer, I sat down with Jean-Yves Fock-Hoon, a 4D engineer, for a 45-minute consultation. He helped me with tips and alerted me to traps in upgrading CaseNET to 4D 2004. Forty-five minutes is not a huge amount of time, but we definitely zeroed in on some traps. One in particular involves a third-party add-on to 4D that we use, and Jean-Yves referred me to Jack des Bouillons, another 4D developer, who has dealt with the same problem and has since shared code with me that will allow us to fix the problem.

*(Continued on page 2.)*



### Information Services Slippin' Into The Future

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John Baughman, a 4D programmer from Hawaii, presented two sessions collecting a wide variety of tips and tricks, ranging from good programming practices, to techniques for solving common problems, to helpful add-on utilities and programs. At the end of his second session he gave attendees the URL to a web page where we could download his code library, a database containing many useful methods. I've already incorporated some of his code in CaseNET, to interpret partial dates or abbreviations as dates.

Dani Beaubien, a Canadian developer, presented a session on database synchronization (that is, enabling separate databases to update each other so their records match), and a second session about linking a web site to a database back end. He shared his web-enabled database application on the conference CD. I'm not sure if we will be able to make use of his code, but some of his ideas got me a-thinkin' about approaches we might consider in the future for such things as archiving data and updating our website.

Two engineers from 4D Inc. (I failed to get their names, but they're French!) demonstrated new features being added to a fu-

ture maintenance update of 4D 2004 that will make it possible to analyze the efficiency of different programming choices in terms of client/server optimization and the volume of data transmitted over the network. (Network communication is one of the major performance bottlenecks, so if you can minimize traffic, things move quicker. Common sense, eh? And that client/server bit boils down to this: in 4D there are often several ways to do something, each with its own trade-offs. Ideally, one would like to write the least amount of code, process as much as possible on the server, and transmit the compact results back to the client. The new tools let you measure how much advantage there is (if any) in using one approach instead of another.)

Is it geeky in here, or is it just me?

Lots more good stuff. Aparajita Fishman presented the latest incarnation of his product called Active4D, which provides a sophisticated way to serve 4D databases on the web; Tony Ringsmuth demonstrated several products, including a new version of LogTools, which we are trying out for our trace reports function. Doug von Roeder discussed his approach to using ObjectTools (another of Aparajita's products, which we are using for various things, including our Cashflow Module.) All this, and the ever-popular much, much more.

Three years ago at the summit in Vancouver, 4D Inc. revealed its long term plan to release a totally new database program that would, in essence, replace 4D. Historically, 4D has always provided what is called "backward compatibility," which just means that a program written in one version can be upgraded fairly easily when a new version of 4D was released. This was to change with the new program, which was to offer such revolutionary advances as to make backward compatibility problematic. Laurent Ribardière demonstrated an early version of this new program, which they were calling Goldfinger. It was impressive, but it worried me. I think 4D's evolution over time, incorporating new features and technologies, is one of its greatest strengths. If classic 4D became a dead end, would 4D Inc.'s new program necessarily be the way to move forward? Others apparently shared my misgivings, and 4D Inc. listened to the feedback and reconsidered their plans. New features previously announced and demonstrated as part of Goldfinger were discussed and demonstrated again – as part of 4D. Continuity is restored. Time keeps on slippin' – back to the future. Oh, wait. That was 1985.

Cliff Tarrance

### On Computers

Those parts of the system that you can hit with a hammer (not advised) are called hardware; those program instructions that you can only curse at are called software. – Author Unknown



THE MARSHALL CHRONICLES	
<b>The Editorial Staff:</b> Cheri Johnson, Cheryl Jones, Joanne Coshonis, Shanika Thomas, Eileen Downes, Mark Caffarini, HVB and Dave Latz.	
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<b>Newsletter Information:</b>	
If you would like to contact us or submit ideas or articles for the newsletter, you can do so by:	
✓ e-mailing us at newsletter@chi13.com	
✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or	
✓ leaving them with Dave Latz	
Please remember when making a submission to the newsletter, it must be:	
✓ type-written and	
✓ submitted by the first Wednesday of the month via e-mail, a Word document or an ASCII file.	
We also ask that anyone who attends a seminar please be prepared to furnish the committee with a detailed article on its subject.	
You may also view this edition of THE MARSHALL CHRONICLES, as well as all the previously published issues, on the Chapter 13 Trustee website at <a href="http://www.chicago13.com/">http://www.chicago13.com/</a> .	

**Trustee Matters**  
**State Of The Trusteeship**  
**Year Ending**  
**September 30, 2005**



**Looking back over the year...**

We ended FY 05 with 7,445 cases and will begin FY 2006 with the same. This represents a 4% decrease in total case-load from FY 04. New petitions filed totaled 4,310, a 9% decrease from last year's new filings. We received plan payments which totaled \$59,704,369, which is an 8% increase in last year's plan payments. We processed \$4,410,069 in debtor refunds, which is a 47% increase from the number of refunds in FY 04. Disbursements to creditors were \$57,063,063, a 13 % increase over last year. It appears that receipts were up because more debtors continued to include the current mortgage payment in the plan.

As of September 30, 2005, there are 30 full-time employees (no part-time employees) employed with the trusteeship. Salary increases based upon merit were effective October 10, 2005. Of the number of employees eligible to participate in the merit pool, 25% received 7.1% increases, 57% received 3.0% increases, 11% receive 1.8% and 7% must improve their performance in order to receive an increase. The recommended performance evaluations from Organizational Diagnostics were used for evaluations.

We made training a priority in FY 05. We remain committed to providing training to our employees so that each are prepared to accept the challenges of the position. In FY 05, 15 employees attended the NACTT Staff Symposium training held in Elm Grove Village, four employees accompanied the Trustee to the NACTT

annual meeting in Orlando, and six attended the NACTT BAPCPA Staff Symposium training at McCormick Place prior to the implementation of BAPCPA. The trustee, controller, and three attorneys attended the annual training conducted by the United States Trustee in Lake Delavan, WI. The trustee conducted in-house training for all eight managers from September 26 to October 7. Each manager was awarded a certificate recognizing his/her efforts at the training. From October 7 to October 14, the trustee and the managers conducted in-house training for the staff. Upon completion of training, all hearing officers were given a new §341 script with the BAPCPA questions highlighted and answers to telephone questions. We are more than prepared to implement BAPCPA; we are eagerly awaiting our new cases. At the time of writing the article, we had only received 10 cases filed after 10/17/05.

We have budgeted for all employees to attend the Staff Symposium training in Chicago in FY 06. The NACTT Staff Symposium will focus on BAPCPA and it will give our office the opportunity to see how others have adapted to the changes. The systems department will continue to provide training the second Friday of each month as its in-service training program. Our management team has looked at the direction of the trusteeship, accessed the needs of the departments and will focus on developing goals and objectives to meet the office needs. My goal is to keep the staff motivated, challenged and committed to the trusteeship. As with any organization facing changes, there have been some obstacles and resistance, but overall the staff have been very cooperative as we faced changes. I am very appreciative and welcome the feedback; it helps to make my job easier.

We appear before Judges Hollis (2,498), Doyle (2,471), Squires (1,246) and Goldgar/Black (1,230). Effective October 1, 2005, all Judge Black cases were transferred to Judge Goldgar. Below are some of the published opinions issued by Bankruptcy Judges during FY 05.

**Summary of Opinions Rendered in FY 05**

Judge	Case Name/Number	Summary of Opinions
Hollis	In re: James Brown 03 B 23239 July 8, 2005	Chapter 13 debtors not required to turn over proceeds of refinance to Trustee. The disposable income requirement does not apply to post-confirmation plan modifications but the requirement of good faith of the debtor does apply, providing a basis to grant motion to increase plan payments when income of debtor increases.
Black	In re: Bernice Forte 03 B 45615 September 6, 2005	Once the debtor has "completed all the payments under the plan", it is too late for the Trustee to seek modification of that plan. However a motion by a debtor seeking authority to refinance or sell real estate and pay the proceeds thereof to the Trustee constitutes a motion to modify the plan by the debtor and, therefore, the requirements of §1329, including "best efforts" or liquidation test and good faith of the debtor, are to be applied and considered in ruling on the motion at that time.
Squires	In re: Drew and Ashby-Fox 02 B 49482 03 B 09476 June 23,2005	The proceeds of the refinancing constitute property of the bankruptcy estates because those proceeds were acquired by the debtors for use in making payments under their confirmed plans. Section 1329 can be used to increase a debtor's payments under a confirmed plan where the debtor's financial situation has improved.

**Summary of Opinions Rendered in FY 05 by the 7th Circuit Court**

Circuit	Case Name	Summary of Issue	Ruling
7th	In re Belda:	Whether direct payment of a student loan by a debtor in amounts resulting in a greater dividend being paid to that creditor than to any other unsecured creditor constitutes unfair discrimination.	Moot
7th	In re Hogan:	Whether there must be a causal connection between a debtor's motion to voluntarily dismiss and a previously filed motion for relief from stay for §109(g)(2) to apply to make the same debtor ineligible for a subsequent filing for 180 days.	Moot

(Continued on page 4.)



**Trustee Matters** *(Continued from page 3.)*

Of the 4,485 §341 meetings set by the court, 3,870 were held, 695 were not held, 1,102 were continued and 117 had to be renoticed in FY 05. All of the §341 meeting rooms are equipped with dual screen monitors, and the meetings are conducted without any “paper documents.” The financial department began filing Final Reports electronically. The legal department is filing all motions electronically. The systems department set up electronic case files on all cases. Under the image tab in CaseNET, you can view all documents filed at court. Each case file has a folders or subfolders where documents are stored electronically. I was really impressed with the flow of the information and the staff’s adaptation to electronic case filling.

If it’s not broke, don’t fix it. The procedures we implemented in FY 03 with Civil Enforcement have proven successful in FY 05 as well. We will expand training on questioning and identifying petition preparers to all of the hearing officers. Previously, only attorneys or the trustee questioned pro-se debtors scheduled for §341 meetings. Other hearing officers have asked to be trained, so that they will be able to know what to look for and what questions to ask.

We filed 432 Motions to Dismiss for failing to file required documents timely. The results of those motions were 205 cases dismissed, 66 cases dismissed with the debtors being barred from further filings for 180 days, 99 motions withdrawn and 58 motions denied. We filed approximately 39 motions alleging bad faith, abuse of the Bankruptcy Code or violations of 11 USC §109. Of those motions three were withdrawn, seven cases were dismissed only, 22 cases were dismissed with 180-day bars, five cases dismissed with 1-year bars and two cases dismissed with 5-year bars. We have verbally objected/responded to improper attorney fee requests on average on average of 200 times during FY 05. We have aggressively sought §329 hearings and disgorgement of fees in four cases. We have pursued the dismissal of cases for failing to propose confirmable plans in 1,326 cases. Of those motions set, 741 cases were dismissed and the trustee ended up withdrawing 585 cases because the debtors eventually complied with the confirmation requirements.

Customer service and communication is key in running a successful trusteeship. We remain committed to providing the highest quality of service to our customers. The survey used in the previous year continues to be the guide to making improvement. It is a proven fact that communication helps to foster better relationships.

There were some changes made this year with the Employee Recognition Committee but their enthusiasm and support always kept me smiling. Because of the amount of training and flow of work, we decided that two events each year would help to keep employee moral high and motivate them to continued excellence. We will continue to have our annual picnic and our Christmas extravaganza. Both have been huge successes in the past and the staff has supported both. The Newsletter Committee exhibited the best example of teamwork. It was without an editor for most of the year, but everyone worked together to “keep the press rolling.” We will continue to use the newsletter as a way to communicate both internally and externally. Our commitment to remain active and involved with the U. S. Trustees office, the Judges liaison committee, and the clerk, the debtor and creditor bar and to better serve the debtors will continue. In an effort to receive feedback on the operation of BAPCPA, the trustee will start roundtable discussion with the bar beginning November 17, 2005, and continue each discussions every 17th of the month as needed.

Goals set in FY 05 were attainable and most were met. Goals and objectives of each department for FY 06 were due October 1, 2005. The trustee will compare departmental goals with the goals of the trustee and set measurable parameters. The trusteeship will move forward, accept the challenges ahead and strive toward excellence. I am moving into my fifth year. Each year it gets better. This too was a good year. The trustee remains pleased!

**Summary  
End of Fiscal Year 2005**

Receipts.....	\$59,704,396
Refunds.....	\$4,410,069
Disbursements.....	\$57,063,063
Number of Cases Beginning of Year.....	7,768
Number of Cases Filed in FY 05.....	4,310
Number of Cases Reopened.....	84
Number of Cases Reopened Because of Transfers.....	40
Adjustments During the Fiscal Year:	
Conversions To Another Chapter (Pre-Confirmation).....	76
Conversions To Another Chapter (Post-Confirmation).....	241
Dismissals Pre-Confirmation.....	1,131
Dismissals Post-Confirmation.....	2,022
Conversions From Another Chapter.....	59
All Other Adjustments.....	11
Number of Cases Completed.....	1,251
Number of Hardship Discharges.....	4
Total Cases at End of Year.....	7,445
Number of Cases Greater Than 60 Months.....	39
Number of Full Time Employees.....	30
Operating Expenses.....	\$2,903,608
Trustee Fee at End of Year.....	3%

**Summary  
End of Fiscal Year 2004**

Receipts.....	\$54,780,369
Refunds.....	\$3,006,559
Disbursements.....	\$50,353,258
Number of Cases Beginning of Year.....	7,582
Number of Cases Filed in FY 04.....	4,758
Number of Cases Reopened.....	88
Number of Cases Reopened Because of Transfers.....	29
Adjustments During the Fiscal Year:	
Conversions To Another Chapter (Pre-Confirmation).....	105
Conversions To Another Chapter (Post-Confirmation).....	314
Dismissals Pre-Confirmation.....	1,292
Dismissals Post-Confirmation.....	2,083
Conversions From Another Chapter.....	36
All Other Adjustments.....	10
Number of Cases Completed.....	863
Number of Hardship Discharges.....	0
Total Cases at End of Year.....	7,768
Number of Cases Greater Than 60 Months.....	43
Number of Full Time Employees.....	33
Operating Expenses.....	\$2,971,267
Trustee Fee at End of Year.....	4%

*Marilyn O. Marshall, Standing Trustee*

### Legal The Time Has Come And Gone



We are now in the new era of bankruptcy administration. Many attorneys are now using the new Model Plan mandated for cases filed on or after October 17, 2005, with BAPCPA. This model plan can also be used for pre BAPCPA cases but a few differences should be noted. First, the latest plan changes the distribution order for disbursements so attorneys should be sure that is part of the goal they seek to accomplish. Secondly, attorneys **have** to fill in section E(3) in the plan. This section states:

3. Other secured claims. All secured claims, other than mortgage claims treated above, are to be paid in full during the plan term, with interest at an annual percentage rate specified below in the amounts stated (subject to reduction with the consent of the creditor, implemented as for reductions of mortgage arrears), regardless of contrary proofs of claim, in monthly installments, with fixed monthly payments as specified below:

(a) Creditor: \_\_\_\_\_ Collateral: \_\_\_\_\_ Amount of secured claim: \$ \_\_\_\_\_ APR \_\_\_\_%; Fixed monthly payment: \$ \_\_\_\_\_; Total estimated payments, including interest, on the claim: \$ \_\_\_\_\_.

It is imperative that the blanks be filled out. If they are not filled out, we cannot administer this section of the plan and the case cannot be confirmed. Debtor attorneys must take the time to read and fill out the model plan correctly to avoid unnecessary and costly delays.

*O. Anthony Olivadoti*

### Case Confirmation Case Filing Statistics



With the new BAPCPA law effective October 17, 2005, I was curious to see how case filings from September and October 2004 and 2005 differed from last year to this year. I went to the Bankruptcy Court's website and narrowed the search to the Northern District of Illinois Eastern Division (Chicago filings at the Dirksen Federal Building) and Chapter 13 cases only. This is what I found:

- September 1 through 30, 2004: There were 740 case filings.
- September 1 through 30, 2005: There were 1,058 case filings. an increase of 318 cases, or almost 30%.
- October 1 through 20, 2004: There were 561 case filings.
- October 1 through 20, 2005: There were 1,787 case filings, an increase of 1,226 cases, or almost 219%!

*(I compared three weeks of October since I am writing this before the end of the month)*

Then I was curious to see how many cases were filed the weekend before October 17, 2005.

With electronic case filing (ECF) available, the filings from Friday, October 14, through Monday, October 17, 2005, were 815 cases. Last year from October 14 through October 17 there were 63 cases filed.

*Cheri Johnson*

### Case Administration New Construction In Progress

In addition to workflow changes, the claims department has also undergone several staff changes this year. The claims department consists of five people and four of those people are new to the office. The claims team consists of:



Devon Higgins: He was hired as an Administrative Clerk in July, 2005. Devon previously worked as a sale associate in a retail environment and has also worked in the banking industry.



Valencia Jordan: She was hired as an Administrative Clerk in July, 2005. Valencia was formally employed with an agency that was responsible for child-support enforcement.



Michelle Cox: She was hired as an Administrative Clerk in October, 2005. Michelle was previously employed as a receptionist with a real estate company and has also worked as a legal assistant.



Monica Gonzalez: She was hired for the Client Services position in October, 2005. Monica was previously employed as an administrative assistant with Primerica Financial services.



Laura Mendoza who has been on the claims team for five years is now the senior person in our department and looks forward to working with all of her new co-workers. Our new staff brings a wide variety of experience with them and we are happy to have them with us.

*Rosalind Lanier*

### Inquiring Minds

*One question that arises repeatedly in phone services is when debtors call and ask: "I'm trying to buy a car and the car company wants a letter from the trustee saying it's okay."*



Our response to the debtors or the person calling from the car lender is: Our office does not provide letters to lenders approving or disapproving the purchase of a vehicle. The bankruptcy court can approve a request to incur additional debt. The trustee's responsibility is to administer the case. We refer the caller to their attorney to discuss the matter. Subsequently, we typically see a motion filed by debtor's counsel seeking court approval to incur debt for the purchase of the vehicle.

*Cheri Johnson*

## Case Confirmation One Moment Please...

Recently the phone committee, which consists of Patti Brower, Rosalind Lanier, Cheri Johnson and Karen Barron, conducted a training session on Attorney, Debtor and Creditor phone calls (ACD calls). Items that were addressed in the session included sample questions/answers that relate to the new BAPCPA law, payoff issues, payroll items and phone etiquette.



The biggest challenge phone reps may face with the new BAPCPA law will probably be questions that relate to adequate protection payments.

Creditors may inquire as to when and how much their payments will be prior to confirmation of the debtor's plan. Phone reps were instructed to only give basic information based on the plan filed with the Bankruptcy Court. **We will not give any legal advice to callers.** The callers will be instructed to contact the debtor(s) attorney.

Payoff issues were discussed, and we now have a cover letter that must be sent with payoff requests.

Phone etiquette guidelines were discussed. Most of the items were reminders, but we had one new change: Verify the debtor's address. When a debtor calls our office, he/she will have to verify their address to make sure our records are current. We want to be certain that our debtor's are receiving any notification the office sends out. Also, this will help to cut down on returned mail.

As a follow-up to our training session, specifically on phone etiquette, listed below are some steps to help the phone reps deal with irate callers. We have all had them – those phone calls where you just want to SCREAM back at the person on the other end.

Below are several ways to neutralize the "heated" phone call:

### REMAIN CALM –

Try to resist the tendency to tighten up physically, verbally and emotionally.

### LET THEM TALK –

Let the caller get it out and get it over. Try not to stop the story. You'll have a more receptive audience for solutions later on if you let callers have their say first.

### TAKE NOTES –

As the caller tells the story, take notes. Nothing infuriates already upset callers more than having you ask for information they've already given you. The caller may think you are not listening.

### ASK SKILLFUL QUESTIONS –

Give a difficult caller permission to be upset, and then make sure you get the facts so you can fully understand the situation. Make sure you compile an accurate, complete story by asking the basics of who, what, where, when and how. Assume nothing.

### BE CONSIDERATE –

When someone is upset, two of the most soothing words you can say are "I'm sorry." Whether or not you agree with the per-

son relating the story, it does not mean that you are accepting blame, simply that you are sympathetic.

### PROVIDE THE SOLUTION –

Once you have all the facts, provide the solution and be decisive. If you do not know the answer, find someone who does.

### BE POLITE –

At all costs, remember to be polite. Rudeness is never justified. Bite your tongue and remain calm (even if you have to put the caller on hold to allow yourself to regroup). Never let your emotions control your words or tone on the phone.

### HANDLE WITH CARE –

Remember, it all starts with how you answer the phone. Start with a friendly greeting and try to keep the difficult caller in perspective. Most difficult callers want what they want and they don't want to hear anything differently. Remain assertive in your answer (even if you have to state the same thing over and over).

Callers can't change office policy; but a lot of time, a little understanding goes a long way.

Karen Barron

## Financial Requesting A Payoff Amount For A Chapter 13 Case

In order to obtain a payoff amount on a Chapter 13 case at our office, a Request for Payoff of Chapter 13 Form must be completed.

*Note: We cannot furnish a payoff amount for a dismissed case or a case in which the bar dates for unsecured and priority claims have not passed.*

If a Chapter 13 case has not been confirmed for 36 months, the request must be made by the debtor(s)' attorney or a third party, i.e. mortgage lender or banking institution.

An original request made by a third party must be accompanied by clear legible copies of a recently dated authorization and loan application signed by the debtor(s). The signature will be verified with documentation on file.

Lien holders must be listed on the request form if they are to be excluded from the payoff, i.e. debts for current mortgage and arrears payments, taxes, or water bills.

This form is available on our website at [www.chi13.com](http://www.chi13.com) or from our office.

Rita M. Saunders

## On Thanksgiving

What we're really talking about is a wonderful day set aside on the fourth Thursday of November when no one diets. I mean, why else would they call it Thanksgiving?

– Emma Bombeck, "No One Diets on Thanksgiving," 26 November 1981



### Kids Korner On Halloween Night

Creepies-n-crawling-ghoulies galore

Better peek out that window Before opening that door.

All shapes and sizes

In large herds they come.

Vampires-n-witches-n-ghosts BETTER RUN!

They walk the streets

For treats they search

Running from door to door

It's a race to get there first.

Trick or treat, a treat preferred.

Why, who wants a trick? Hey, that's absurd.



Gobs of candy eaten along the way

OH, My tummy – it's got an ache!

The things to look forward to

On Halloween night,

One thing's for sure,

It'll be a fright!

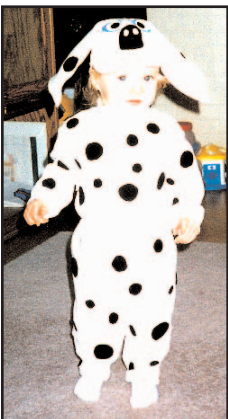
*Alysia Michelle Donahue  
Daughter of Carolyn Donahue*

### Halloween Sewing 101



One year my youngest son Ben (when he was in HeadStart) decided that he didn't want to get dressed up for Halloween so, I didn't go and but a costume. Then at the very last minute, Ben decided that since they were having a party at school that he wanted a costume. I said ok and went to the Salvation Army, bought two queen-size (white sheets) and he became the "mummy". I tore strips from the sheets and sewed the strips to his sweatshirt and pants. When he got home he had an extra bag. When I looked inside, instead of candy there were the strips from his costume. The mummy wasn't a mummy for very long. *Catherine Mendoza*

This is Kevin Lyons at age three as the "Cookie Monster." As I remember, it took Mom weeks to make this costume and he Trick or Treated for about ten minutes. *Dan Lyons*



This was Allison's second Halloween, when she was 16 months old. I made this dalmatian costume and was so proud of myself that I called my mother-in-law to tell her. She said "Just 10 more years of costumes to go." Now Allison's dad is in charge of making her costumes! *Sandra Pillar*



### 20 Questions For: Cheryl Jones (Case Administrator)



*If you could have named yourself, how would your name appear on your birth certificate?* Traci Lynn. I always wanted my name to be Traci. Lynn is my middle name; that okay.

*If you could build a house anywhere in the U.S., where would it be?* Hawaii. I love warm weather and palm trees.

*When you were a kid, what profession or job did you want to have when you grew up?* I wanted to be a Pre-School teacher or a Construction Worker. Well, lets stick with the Pre-School Teacher.

*If they made a movie about your life, what current actor/actress would play you?* Julia Roberts (that's who they say I look like).

*What is your least favorite household chore?* Mopping the floors.

*What are your favorite books?* Any books that stimulate the mind.

*If you could bring anything back from your childhood, excluding people, what would it be?* I would bring back the Outside Drive In Movie Theater and Fun Town Amusement Park (remember that)?

*When you were growing up what was your favorite...*

*Hair style/haircut?* I didn't have one. My mom combed my hair until I was a teenager.

*Cartoon?* My favorite cartoon was Scooby Doo.

*Cereal?* My favorite cereal was Apple Jacks. Growing up Apple Jacks was a treat in my house.

*Sport?* Favorite sport..... well, I didn't have one.

*Subject in school?* My favorite subject was English.

*Author?* I'm not stuck on a particular author.

*Singing group?* My favorite singing group was the Jackson 5.

*Video game?* Favorite game... Centipede.

*Family outing?* Going to Rainbow Beach with my family. Boy was that a treat.

*Movie?* Well I don't have a favorite movie, but I have a favorite sitcom; it was the Brady Bunch. I always wanted a house like theirs.

*If you wanted to be cool:* I hung with the in-crowd and wore cool clothes.

*I always wanted:* My own bedroom. Growing up, I had to share with my sister.

*Now that I'm older I wish:* I could re-live my childhood. Those were the good ole days.

## I Made It!

By now you know I made it, I ran the 26.2 miles of the LaSalle Bank Marathon on October 9th, 2005. I have to put that in the beginning of the article because you already know that I finished, but I will leave some suspense to hopefully keep you interested until the end of the story. Up front I want to thank those people that supported me through my journey this year, most notably my wife Kathy and my son Kevin. It took a lot of hours that I normally would have spent with them to accomplish this feat. I want to thank all of the staff of this office for putting up with my stories and articles. I promise this will be the last.

Mile 1: Imagine 40,000 (the number of people that will see the World Series games in U.S. Cellular Field) runners corralled in a three-block area on Columbus between Monroe and Balbo. The gun went off to start the race, and we did not move. Sure, the Kenyans started to run, but I was a block and a half away from the starting line and we did not move. Being tall, I could see over the top of the pack of runners around me, and I could see the runners in the front run down the street. But the only movement near me was the cascade of discarded clothes being thrown to the side of the course. It was 54° at 8:00 am, and the runners were throwing off the outer clothes they had worn to keep warm waiting for the race to begin. These clothes would be too warm to run in and were gathered up and donated to the homeless. It was a dangerous spot for spectators to stand, but there were plenty of them there. Ten minutes later, I finally walked to the starting line and then was able to start my run. I believe the last runner took about a half hour to reach the start line. We were all timed by computer chips in our shoes so it did not matter when we got to the start line.

We took off towards Grand Avenue. The crowds were enormous – it was estimated 1.2 million people watched us run – and very vocal. My goal was to run the race in just under 4 hours (3:59:59 would have been perfect). To do this I had to average 9:09 per mile. I was concerned that it would be too crowded to run this pace at first, but when I checked my watch at the end of mile 1, I was at 8:51, so I already had a cushion of :20.

Mile 2: We continued west on Grand and turned south onto State Street. What an awesome feeling to run down one of the major streets of Chicago and see the sidewalks full from the curbs to the buildings with spectators. I also caught back up to the pack of runners and was slowed considerably by this. It was so crowded that I was only able to run a 10:27 mile, and now I was a full minute behind my pace.

Mile 3: I thought I would see my wife here as we turned from State Street onto Jackson, but, as I said before, the crowds were enormous and it was difficult to pick out specific spectators. Any way, I found out later she was not watching here. Every day I walk this route to work and it will always remind me of the race. We passed the federal courthouse that all of you are so familiar with and turned north on LaSalle Street. The first entertainment on the course was located here, the LaSalle Bank choir, and later I saw one of 23 cheerleading squads that lined the course. The runners had thinned a little bit by now and I was able to run a 9:32, but that left me 1:43 behind my target pace. I dedicated this mile to the three dogs we have had (not at the same time): Lucy, Ruby and Lizzy (the current one). This mile because there



were three of them and that is how far Lizzy would run with me while I was training.

Mile 4: We continued up LaSalle Street as we crossed the Chicago River for the second time. These early miles were dedicated to people, not for inspirational purpose, but rather to give me things to think about as the hours rolled by. I ran this one for Kathy because it was as close to the North Michigan shopping area as we would come. As the runners continued to thin (it was still crowded however) I was able to keep my pace and ran a 9:01, cutting into my deficit a little. However, the problem with my targeted pace was that I know I had to build up a cushion for the later miles. I never ran more than 20 miles, and I knew I couldn't do my target pace at the end of 20 miles let alone the unknown 6.2 miles at the end.

Mile 5: The course continued up LaSalle Street to the entrance of Lincoln Park. I ran this for my two brothers, two sisters and myself, thinking of happy times from my childhood. I was able to do a 9:02 and the deficit had shrunk to just over a minute. The crowds remained very large and boisterous; what a thrill it was to run in front of all of these people. I would like to thank any one who watched this event. Your enthusiasm was contagious and truly inspiring to me, and I am sure the other runners would agree.

Miles 6 and 7: The crowds were much smaller as we ran through Lincoln Park. This was probably because of the street closures and the fact that the course would double back just a few blocks to the west. The spectators could not cross the course to get over here and probably just remained on Clark Street for the runners as they returned south. I thought I would see my son Kevin here because he lives just a block off the course, but he couldn't cross the course to get here. There were a couple of bands providing entertainment through these miles. I continued to run on pace through this section even with two stops for liquids at the water stations.

Mile 8: We left Lincoln Park and ran north on Sheridan Road, Inner Lake Shore Drive and headed east on Addison Street. It was cold through this section as we were not sheltered from the winds off the lake. The crowds were starting to pick up again but not nearly as large as they were downtown. I was running under my pace and shaved my deficit to about :50. I was thinking of my nieces and nephews as I ran this section.

Mile 9: Wrigley Field was in the distance as we turned south onto Broadway. The crowds here were every bit as big as they were downtown and more boisterous. There was nothing short of a party atmosphere here. I mentioned cheerleading squads before, well let's just say that most of the cheerleaders had mustaches (use your imagination). They had cheerleading outfits but they had to stuff the tops to make them fit. My mother was watching

*(Continued on page 9.)*



## I Made It! *(Continued from page 8.)*

somewhere in this mile, she lives not far from there. I never saw her and the way she puts it, she saw me but she doesn't know which runner I was. In other words, she saw the runners but she couldn't pick me out of the crowd.

Mile 10: We continued south to Clark Street and then to Sedgwick. I finally saw my wife and son and my sister Katy. They were standing at the end of the block that my son lives on while he attends Loyola University. What a boost it was to finally see someone I knew. I ran my fastest mile at 8:42 despite stopping for Gatorade, the spectators must have been that inspiring. My deficit was now only :28.

Miles 11 and 12: We continued down Sedgwick, took a short jog down Division and continued down Wells to the Chicago River. There were very enthusiastic crowds as we ran through Old Town and River North. There were several bands here, and Elvis was standing on the course high-fiving the runners. I didn't high five him, but I did high five several hundred spectators and cheerleaders as I ran in my preferred lane along the right-hand curb.

Mile 13: This one was run for you guys, the staff of the Office of the Chapter 13 Trustee, Marilyn O. Marshall. To amuse myself, I pictured different staff members running in front of me and of course, I was able to pass each of you. This was our last mile run downtown until the end as we headed down Wells Street. The crowds were nothing short of fantastic. When I turned the corner at Wells to head west on Adams, the crowds were so big that the parking garage on the corner had hundreds of people hanging out of each floor to cheer us on. We hit the half-way point of 13.1 miles and I was just :07 off my pace, but of course I didn't have a cushion built up either.

Miles 14, 15 and 16: Not much to see on this part of the course as we ran west down Adams to Damen and then back east on Jackson. The only landmark of note was the United Center, so I ran mile 14 in honor of my brothers and their influence on me in regards to hockey. We were all hockey players back in the old days. Mile 15 was for Kathy as we were married on the 15th of June. Mile 16 was for my grandparents, all of whom are now deceased. My father's parents were Irish immigrants and raised 12 children and a couple of cousins on the south side of the city. They had 39 grandchildren even though two of their children were nuns and another died in his youth. My mother's parents were originally from the north side of the city. My grandmother worked as a telephone operator for many years (this was in the days when most women did not work) and my grandfather was always good for a laugh. I was slowly giving a little back to the pace and my deficit had grown to :34.

Mile 17: We continued east on Jackson to Halsted and then headed south. I saw Kathy, Kevin and Katy again near the Blue Line station on Halsted. I thought they must have been at several other locations between here and the last time I saw them and that I just couldn't see them. That was not true, as I later found out they couldn't get to other places fast enough. I guess they will have to go to spectator training before I run this again (if I ever do). Mile 17 was in honor of my many aunts and uncles, both living and deceased.

Miles 18, 19 and 20: We ran down Halsted and headed west on Taylor Street into the heart of Little Italy. I ran this for my sister Katy because of her Italian boyfriend and I thought I would see them near here. When we got to Ashland we headed south and then turned and headed east on 18th Street into the Pilsen neighborhood. The crowds again were very enthusiastic and Mariachi dancers and a Mariachi band entertained us. During this stretch a very large Hispanic man stared directly into my eyes and shouted something in Spanish at me. I like to think it was words of encouragement so that is what I am going to stick with. At this point, I really need inspiration as I run the rest of the race, so I ran mile 20 for my father. He died of a heart attack at age 59. Part of why I'm doing this is to prevent the same fate, but he is an inspiration to me also. My pace is slowing and I am now 2:46 behind my targeted pace. I knew four hours was a little bit of a stretch and now have decided I need to forget about that time and focus on doing whatever it takes to just finish. I have now run as far as I've run in training. Every step after this is new ground and I have no idea how fast I can go from here on out. I told you I needed a cushion.

Mile 21: We now turn and head south on Morgan, east on Cermak, south on Halsted, and finally northeast on Archer. It is a completely unremarkable part of the course, except I have never run 21 miles before and I am tiring – I think I have hit the wall. My legs are very heavy now. What if we had run longer in training? I am told this would not have mattered; we can't really train for this phenomenon. I have used up the normally stored energy and have to resort to my reserves. This is going to happen to everybody on the course. For all of the remaining miles I need inspiration, so this one is for Kathy; we have been married 21 years. Thank you for that and your support in this endeavor.

Mile 22: We continue down Archer, head east on Cermak and then south on Wentworth. It's Chinatown and the crowds are as exciting here as they were anywhere else on the course. Among the other entertainment are the dragon dancers, very cool. I see too many runners that are now walking, I was even thinking about walking until I saw them, but now that is the only thought in my head. I resist the temptation and keep going at any pace that I can. I actually ran this mile faster than the last one, but more than a minute slower than I needed for four hours. I run this one for my niece Chris; she was 22 when she was taken from us. I think of all the things she will never get to accomplish and so I do this little thing for her. 4.2 miles to go; how will I ever make it?



*Dan flashes Kathy, Kevin and Katy two thumbs up as he runs by them somewhere during the 17th mile on Halsted Street!*

*(Continued on page 10.)*

## I Made It! (Continued from page 9.)

Mile 23: The White Sox mile. I run this one for Kevin, somehow he became a White Sox fan. I did all I could to prevent it, but it happened anyway. We continue down Wentworth to 35th Street and the scene of Comiskey Park (I can't call it that other name). I hope my doing this gives him the inspiration to tackle the difficult obstacles in life. He is the middle of one now – completing college. Hang in there Kev, even when you hit the wall there is an end in sight. I didn't get any slower this mile, but I sure feel like walking. I expect to see Kevin at the Red Line stop on 35th Street, but they didn't make it. All three of them better sign up for that marathon spectator training. Just the thought that they will be there keeps me moving.

Mile 24: 3.2 miles to go; I really need help now. I have trained by running over 600 miles since February 1st. I have changed to a healthier diet and carbo loaded for the last two weeks. I don't want to see pasta again for awhile. I have lost over 22 lbs. All of this, and I still feel like quitting or at least walking. I do take longer than normal at the water station that starts this mile, I need to do this to get the energy I need to continue. This one's for Lori, she died at 24. Like Chris, she never got a chance to live her adult life. We turn off 35th Street and head south on LaSalle, east on 33rd Street and north on Michigan Avenue. Not many spectators during this segment of the course... it sure would be easier if there were more. I have decided I will not walk unless I collapse first.

Mile 25: This one is for me and God, nothing else could be enough inspiration. I keep thinking about those 600 miles of training, most of it in the heat of the hottest summer I can remember. Why didn't I do this last year when it was cooler and I was younger? Thankfully, it is cool today – mainly in the 50's. Strangely, a calm has come over me and I no longer feel like quitting or walking. Just two more miles I keep saying to myself (ignoring the .2 mile); you can do this in your sleep. Sleep sure would feel good right about now, but anything else would feel good about now. When I look at my watch at the end of this mile, I find that I have actually run faster than I have since mile 20. Thank you, God.

Mile 26: The route continues south on Michigan. Shortly into this mile there is a sign informing me there is only 1 mile to go. This one is for me; even God doesn't want to keep running. That's all right, when I see the 1 mile sign I know I have enough energy left to make that. That is just once around the block, I tell myself. The crowds are growing again, and cheering loudly. For the last 7 or 8 miles, people yell "only 7 miles to go, only 5 miles to go" which doesn't help... that is too long. But when you hear "less than a mile to go" well, that means something. At the corner of Michigan and Roosevelt, we turn right to go east on Roosevelt. Kathy, Kevin and Katy are here, but, I don't see them and they don't see me. I don't think I could pick anybody out of the crowd now, the only thing I can see is the street. When we turn the corner, all I can see is that there is a hill, the street has to go over the railroad tracks here. How could someone put a hill at this part of the course with less than a half mile to go? I focus on the top of the hill and will my body up to the top. I finish this mile at the same pace as the last one.

Mile 26.2: This one is for Kathy and Kevin, you guys are everything to me. The 26-mile marker is right at the corner of Roosevelt and Columbus. I take a left and head north on Columbus, 26 miles and 4 hours later to get back where I started from, ludicrous. When I look up to see how far .2 miles is I can't believe how far it looks. It looks like it is 10 miles down the street. It will



*A very happy Dan poses with son Kevin and wife Kathy at the end of his very excellent endeavor. Great job and congratulations Dan!*

take me 2 minutes to get to the finish line. I look to the sides of the street. There are bleachers full of people, and people standing side by side as far as you can see. There must be at least 20,000 people here, all screaming for us. I now know what a professional athlete must feel like. This is awesome and something I will never forget. Thank you, Chicago.

Final time 4:10:49. At least the winner if he had to run the course twice, would not have caught me (winner's time was 2:07:02). I finished ahead of at least 20,000 other runners but that is not important. What is important is that I finished. I set out to accomplish a goal, and I did it. Kathy told me she was proud of me. And anybody who has brothers will know how improbable this is – my brothers told me they were proud of me. I didn't get the 3:59:59 mark that I wanted, but that was unrealistic. But I do think about where I could have found those extra 0:10:50. What if it wasn't so crowded in the beginning when I lost 0:2:30 in miles two and three? And I lost at least another minute when I changed from a long sleeve to a short sleeve shirt while I was running. Could I have found that extra 10 minutes somewhere? I think I already have. With the change in my life style that was necessary to run this race, I think I have found much more than 10 minutes of quality life at the end of my life.

*Dan Lyons*

## November Birthdays, Anniversaries And Other Notable Events

Happy 7th Anniversary to **Lavone Kizer-Merritt** on November 2nd!

Happy Birthday to **Laura Mendoza** on November 3rd!

Happy 2nd Anniversary to **Dan Lyons** on November 3rd!

**All Staff Meeting** on November 4th.

**Sadie Hawkins Day** on November 5th.

Happy Birthday to **Catherine Mendoza** on November 7th!

Happy 7th Anniversary to **Mark Caffarini** on November 9th!

**Veterans Day** on November 11th.

**Great American Smokeout** on November 17th.

Happy 5th Anniversary to **Cheryl Jones** on November 20th!

**Thanksgiving Day** on November 24th.



**COMING SOON!**

**An Open Discussion Series:  
Unraveling BAPCPA  
and Chapter 13**

**Beginning Thursday, November 17, 2005,  
from 4:00 PM to 5:00 PM and continuing  
on the 17th day of each successive  
month, The Office of the Chapter 13  
Trustee, Marilyn O. Marshall,  
will be hosting a roundtable discussion  
on the implementation of the  
Bankruptcy Abuse Prevention and  
Consumer Protection Act of 2005  
(BAPCPA).**

**Along with these discussions, you may have  
an opportunity to view the NACTT BAPCPA  
Training Videos.**

**This discussion series is open to the entire  
Bankruptcy Community, including Judges,  
Clerks, Attorneys and other Trustees.**

**Seven Simple Steps  
Towards A Longer Life**

A study by the UCLA School of Public Health tracked 7,000 men and women for more than 30 years. Those who had poor health habits doubled their risk of dying early, and increased their chances of suffering from disabilities later in life.

So what is the key to adding years to your life? It is surprisingly simple. Practice these seven good health habits to increase your chances for a long and healthy life.

1. Eat a nourishing breakfast every day.
2. Don't snack between meals.
3. Maintain a proper weight and eat a healthy diet.
4. Sleep seven to eight hours every night.
5. Exercise regularly.
6. Don't smoke.
7. Avoid excessive alcohol consumption.



**Home Repairs  
You Can't Ignore**



It is easy to justify procrastinating on home repairs--you don't have the time, it is too expensive, or you just don't know how to start. Often you can get away for months or even years without fixing some things. But in other cases, this deferred maintenance can cause expensive or even dangerous problems. Here are some home repairs that you just can't ignore.

**Water Leaks**

Any water leak at all must be fixed as soon as possible. Water is the most damaging force to a house. Often leaks can go for a significant amount of time without being noticed. If leaks are left unchecked, they can lead to a host of other significant problems, including rot, dry rot, mold, and termite infestations. In the worst cases, water damage can cause roofs to collapse or foundations to crack or buckle. And mold can grow to the point that a house becomes unlivable. Leaks can be repaired in any number of ways, depending on the location and severity of the leak. The main goal should be to stop the leak completely and to then repair any damage it might have caused.

**Peeling Paint**

Paint, especially exterior paint, should be repaired once you begin to see any peeling or cracking. Not addressed, it can allow in water and pests, resulting in rot or termite infestations. If you live in a dry climate, peeling paint can cause the wood to get too dry and crack. Peeling paint should be scraped off and sanded smooth. Apply one or two coats of fresh paint, covering completely. Take care, however, if your home was built before 1978. Paint used before that may contain lead, with dust and chips from such paint causing irreversible brain damage to both children and adults. If this is the case, consult a professional to test your home and remove any lead paint.

**Dirty Filters**

Your air conditioner and furnace both contain filters that are designed to remove dust and particles from the air. Once these filters get overloaded, these appliances will work less efficiently. In the case of an air conditioner, it could increase condensation, leading to a growth of mold and bacteria, which is then blown throughout your home. And if air is blocked from getting into the system, a fire could result from overheating. Both your air conditioner and furnace should be inspected annually, and the filters should be changed monthly during operation.

**Dryer Vent**

Clothes dryers cause more than 15,000 fires every year, often caused by lint buildup in the duct that vents to the outside. Your dryer duct should be cleaned regularly to remove excess lint. If you currently have a plastic duct, it should be replaced with a metal one.

**Faulty Wiring**

A symptom of bad wiring in your home is flickering lights or frequently blown circuits. Often when people upgrade a kitchen, they will find that using too many appliances at once can cause problems. A safely wired kitchen has four circuits: two for countertop appliances, one for the microwave, and one for the dishwasher and garbage disposal. In homes built between 1965 and 1973, aluminum wiring may be the culprit, as connections in these circuits often fail. If this is the case, consider hiring an electrician to upgrade your wiring, add more circuits, or both.





# Congratulations Chicago White Sox!

2005 World Series Champions!



**OFFICE OF THE  
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## Funny Signs

A sign in front of a macadamia nut factory in Hawaii: "Caution: Nuts crossing road."

On a ski lift in Taos, New Mexico: "No jumping from the lift. Survivors will be prosecuted."

Two signs found on top of one another in a diner: "Restrooms to the left. Please wait for the hostess to seat you."

At a Santa Fe gas station: "We will sell gasoline to anyone in a glass container."

On a Maine shop: "Our motto is to give our customers the lowest possible prices and workmanship."

A sign in a maternity clothes store: "We are open on Labor Day."

At a zoo in Budapest: "Please do not feed the animals. If you have any suitable food, give it to the guard on duty."

On the grounds of a private school: "No trespassing without permission."

A poster on a bulletin board: "Are you an adult that cannot read? If so, we can help."

On a plumber's truck: "We repair what your husband fixed."

At a pizza shop: "7 days without pizza makes one weak."

At an optometrist's office: "If you don't see what you're looking for, you've come to the right place."

At a car dealership: "The best way to get back on your feet--miss a car payment."

Outside a muffler shop: "No appointment necessary. We can hear you coming."

