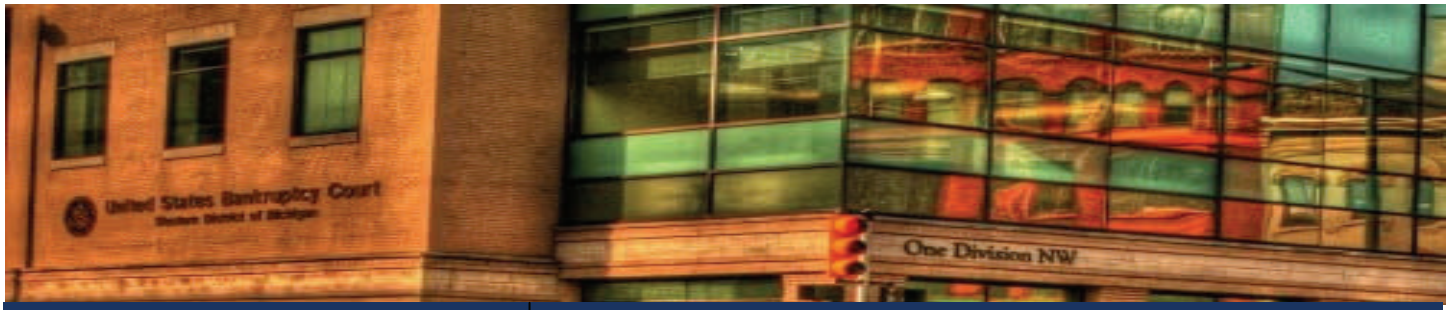
NEW VALUE

FEDERAL BAR ASSOCIATION—BANKRUPTCY SECTION NEWSLETTER

Summer/Fall 2012



BANKRUPTCY SECTION STEERING COMMITTEE

EDITOR'S NOTE

Benjamin M. White

A lot has happened since the last edition of New Value: the annual FBA Bankruptcy Seminar was once again a huge success, national and local elections are in full swing, significant new case law has been decided, and horror of horrors, the Giants just swept the Tigers in the World Series.

This edition is chock-full of great information, and includes an appreciation of the FBA Seminar's sponsors, panelists, and award recipients; a brief look at the historical connections between past US Presidents and bankruptcy law; a great practice reminder by Laura J. (Garlinghouse) Genovich regarding adversary-proceeding complaints; an explanation of Barb Foley's new streamlined system for tax-refund requests; and some important new case summaries.

As always, members are encouraged to contact me (bwhite@kalawgr.com) with comments, suggestions or articles.

Benjamin M. White, Editor

IN THIS ISSUE

New Value is published by the Federal Bar Association, Bankruptcy Section, for the Western District of Michigan.

LETTER FROM THE CHAIR

Andrew J. Gerdes

A big "Thank You" to everyone who worked to make our annual summer seminar at Crystal Mountain a success, including sponsors, panelists and attendees. Special thanks to Fran Ferguson, the seminar chair, for all the hard work in organizing the event (flawless execution), and to Judge Dales, our educational chair, for another excellent program. Barb Foley is taking over as seminar chair and I know she'll continue the tradition of excellence.

Fran Ferguson was the 2012 recipient of the Nims-Howard Civility Award and Brett Rodgers was awarded the Bankruptcy Lion Award. Congratulations to both of them.

We are actively planning next year's seminar which will take place July 25-27, 2013 at the Park Place Hotel in Traverse City. This will be the 25th anniversary of the seminar. The seminar is intended to provide education and information that you want and need in your practices. We welcome your comments on format, topics, etc. Do not hesitate to contact me or Barb Foley with your ideas.

The section was pleased to help sponsor the second annual State of the Court luncheon on October 12, 2012 in Grand Rapids. The keynote speaker was Kent Richland, attorney for the late Vicki Lynn Marshall (Anna Nicole Smith), who captivated the audience with his personal insights on the case he twice took to the Supreme Court.

Andrew J. Gerdes, Chairman

NEWS & ANNOUNCEMENTS

- The Debtors Bar of West Michigan will hold its Third Annual Winter Seminar on Monday, January 21, 2013, Martin Luther King, Jr. Day, at the Grand Rapids Campus of Western Michigan University. The Seminar is an all day educational seminar.
- The Bankruptcy Court has introduced a new online chat feature that is available through the Court's webpage.
- Chapter 11 Fee increases take effect November 21, 2012. The Notice is included at the end of this Newsletter.
- The following are the FBA Holiday parties for the upcoming holiday season:
    - Marquette—December 4, 2012 from 11:00 a.m. to 2:00 p.m. at the Landmark Inn.
    - Grand Rapids—December 6, 2012 at 4:30 p.m. at the Amway Grand Plaza
    - Kalamazoo—December 10, 2012 at 4:00 p.m. at the Park Club
    - Traverse City—December 13, 2012 from 5 p.m. to 8 p.m. at Trattoria Stella
    - Lansing—December 19, 2012 beginning at 2:00 p.m. (check time with Andrew Gerdes) at Troppo
- The FBA Bankruptcy Section Steering Committee would like to welcome new members Joseph M. Ammar of Plunkett Cooney's Kalamazoo Office and Rachel L. Hillegonds of Miller Johnson's Grand Rapids Office.

A SPECIAL THANK-YOU TO THIS YEAR'S SEMINAR SPONSORS AND PANELISTS

The FBA Bankruptcy Section expresses its sincere appreciation to the 2012 FBA Seminar sponsors:

PLATINUM SPONSORSHIP:

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The FBA Bankruptcy Section would also like to thank Bernard Swieki of the Automotive Communities Parnter-ship (ACP) Center for Automotive Research, who served as the keynote speaker this year, as well as to the follow-ing Seminar panelists:

Hon. Robert Holmes Bell	Dane Bays	Jeffrey D. Mapes
Hon. Scott W. Dales	David E. Bulson	Marcia R. Meoli
Hon. James D. Gregg	Timothy J. Curtin	Jonathan R. Moothart
Hon. Jeffrey R. Hughes	Michael W. Donovan	Jeff A. Moyer
Hon. Robert J. Jonker	Kathleen Dunne	Lisa K. Mullen
Hon. Alexander C. Lipsey	Barbara Foley	Harold (Hal) E. Nelson
Hon. Daniel S. Opperman	Francesca Ferguson	Martin L. Rogalski
Hon. Steven Rhodes	Marcy J. Ford	Ronald W. Ryan
Hon. Walter Shapero	Carrie A. Foster	Jacqueline D. Scott
Hon. Thomas J. Tucker	Laura J. (Garlinghouse) Genovich	Dan Sharkey
Richard "Dick" Earl Posthumus	Andrew J. Gerdes	Marc N. Swanson
Elizabeth M. Abood-Carroll	Barry Goldman	Wallace H. Tuttle
Jeffrey C. Alandt	Daniel F. Gosch	Norman C. Witte
A. Todd Almassian	John T. Gregg	Robert E. Lee "Bob" Wright
Joseph M. Ammar	Ingrid A. Jensen	

2012 AWARD WINNERS

Congratulations to **W. Francesca Ferguson**, the FBA Bankruptcy Section's 2012 Nims-Howard Civility Award Recipient.

Congratulations to **Brett N. Rodgers**, who received the Lion Award for his many years of exemplary service and dedication to the FBA Bankruptcy Section and to the Bankruptcy Bar of West Michigan.

Shared History:

U.S. Presidents and Bankruptcy Laws

By Benjamin M. White
Keller & Almassian, PLC

Neither Party's election platform mentions bankruptcy law. Nor has bankruptcy law come up in the presidential debates. But while bankruptcy is not on this year's short list of hot-button campaign issues, many past U.S. Presidents have crossed paths with bankruptcy law at some point in their lives. This article briefly describes some of those connections.

The ties began early. In Federalist No. 42, James Madison (the future 4th President of the U.S.) noted that since bankruptcy law was so intimately connected with the regulation of commerce, the newly proposed government's power to establish bankruptcy laws seemed not likely to be questioned. Thirteen years later, President John Adams signed the nation's first federal bankruptcy law, the Bankruptcy Act of 1800. The Act was repealed three years later under the pen of President Thomas Jefferson.

President John Tyler oversaw both the passage (1841) and repeal (1843) of the Bankruptcy Act of 1841, the second federal bankruptcy statute. The 1841 Act proved a watershed event in the history of U.S bankruptcy law. For the first time, financially-troubled debtors could file voluntary bankruptcy petitions, and could also obtain a discharge.[1]

But while the 1841 Act was short-lived (it was repealed after only thirteen months), it nevertheless prompted many lawyers to begin practicing bankruptcy law, including one young lawyer with the firm of Logan & Lincoln in Springfield, Illinois. Abraham Lincoln and his partner filed seventy-seven bankruptcy cases during the Act's thirteen-month tenure, and were the fourth-largest filers in the State of Illinois. In a letter dated February 16, 1842, Lincoln provided practice pointers to a colleague who had inquired about filing bankruptcy cases:

> G.B. Shelody:
>
> Yours of the 10th is duly received.... Thinking it may aid you a little, I send you one of our blank forms of Petitions.... The schedules too, must be attended to. Be sure that they contain the creditors names, their residences, the amounts due each, the debtors names, their residences, and the amounts they owe, also all property and where located. ... Also be sure that the Schedules are signed by the applicants as well as the Petition.... I believe I have now said everything that can be of any advantage.
>
> Your friend as ever,
>
> A. Lincoln

Abraham Lincoln was no stranger to financial difficulties. Prior to becoming a lawyer, Lincoln had purchased a general store with a partner on credit. Lincoln sold his interest in the store, but when his partner died, he found himself liable for roughly $1,000.00. Lincoln's creditors sued to collect, and the Sheriff seized his only assets – survey equipment and his horse. Lincoln continued paying what he called his "national debt" well into the 1840's. As a state legislator in 1835, Lincoln also introduced a bill to provide relief for insolvent debtors, but the bill never passed.

Lincoln is not alone among past Presidents who have experienced such difficulties first hand. Thomas Jefferson, Ulysses S. Grant, and William McKinley were all declared bankrupt at one point in their lives. Thomas Jefferson notoriously battled debt throughout his life, and is said to have died owing more than $100,000 – a colossal amount in 1826.

Twenty-four years after repeal of the 1841 Act, the Panic of 1857 and the financial consequences of the Civil War led to the Bankruptcy Act of 1867. President Andrew Johnson, Lincoln's successor, signed the Act into law hoping it would benefit his core constituency of agrarian southerners. Although the Act of 1867 lasted longer than its two predecessors, it

[1] Charles J. Tabb, *The History of the Bankruptcy Laws in the United States*, 3 Am. Bankr. Inst. L. Rev. 5-51 (1995).

was nevertheless repealed in 1878 under President Rutherford B. Hayes.

President McKinley signed the Bankruptcy Act of 1898, also known as the "Nelson Act." The 1898 Act marked the beginning of permanent federal bankruptcy legislation in the United States. Since 1898, the nation has never been without a federal bankruptcy statute. Forty years later, President Franklin Delano Roosevelt enacted the Chandler Act of 1938, substantially amending the 1898 Act.

Another forty years later, on November 6, 1978, President Jimmy Carter signed The Bankruptcy Reform Act of 1978, better known as the "Bankruptcy Code." The Bankruptcy Code has been amended several times: twice in the 1980's under President Ronald Reagan, again in the 90's under President Bill Clinton with the Bankruptcy Reform Act of 1994, and finally, in 2005 under President George W. Bush, when he signed BAPCPA.

Past U.S. Presidents share a long and varied history with bankruptcy law. And while it hasn't been a buzz-worthy campaign issue this go-round, bankruptcy law's important role in our nation's history, and that of our Presidents, is unquestionable.

Bankruptcy Practice Reminder:

Complaints require "well-pleaded factual allegations," not just legal conclusions.

Moyer v Koster et al (In re Przybysz), Adv. Pro. Case No. 12-80174 (Hon. Scott W. Dales, Sept. 25, 2012).

By Laura J. (Garlinghouse) Genovich
Foster Swift

A recent decision from the Bankruptcy Court of the Western District of Michigan serves as a lesson and reminder to attorneys that complaints must do more than recite legal conclusions – they also must allege sufficient facts to put defendants on notice of the claims and of possible defenses.

In *Przybysz*, the Chapter 7 Trustee filed 30 complaints against alleged Ponzi scheme investors, seeking to avoid payments received by the investors as either actually or constructively fraudulent transfers. Most of the defendants responded by filing motions to dismiss, arguing that the Trustee failed to comply with the pleading rules applicable to federal cases.

In reviewing federal pleading standards, the Bankruptcy Court noted that "although federal courts must now insist that pleadings assert a plausible right to relief in order to survive a dismissal motion, notice pleading . . . does not require a plaintiff to prove his case in his early filings." *Id.* at *9. However, complaints must "contain sufficient well-pleaded factual allegations – a short and plain statement of the claim, nor just legal conclusions or an echo of applicable authority [.]"

Based on that reasoning, the Bankruptcy Court held that the Trustee's allegations of "actual fraud" were insufficiently pled because they failed to identify which defendants received which transfers, when the transfers occurred, and whether the transfers consisted of property of the debtor or certain related entities. The complaint also sought avoidance of "at least" a particular sum, but the court held that "pleading the [t]ransfers in an 'at least' amount threatens to deprive the Defendants of notice and possible defenses." With respect to the Trustee's constructive fraud count, the court found that the Trustee did not provide "specific details showing that the Defendants received more than they were entitled to receive," which would indicate whether the debtor received reasonably equivalent value for the transfers.

The court, however, declined to dismiss the complaints and instead ordered a more definite statement from the Trustee concerning the transfers and reasonably equivalent value. Thus, the Trustee was given an opportunity to amend the complaints and cure the pleading defects.

Although the complaints were not dismissed, the case makes clear that a complaint that fails to satisfy "notice pleading" standards is deficient. Attorneys drafting complaints should take care to allege sufficient facts to put defendants on notice of the claims and defenses.

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"Page 13" is dedicated to Chapter 13 bankruptcy practice and issues. The columns are contributed by the offices of Barbara P. Foley and Brett N. Rodgers, the Chapter 13 Trustees for the Western District of Michigan.

Requests to Retain Tax Refunds:

From the Desk of the chapter 13 Trustee Barbara Foley

By Barbara P. Foley
Chapter 13 Trustee, Kalamazoo, Michigan

We have recently instituted a streamlined method for requests to retain tax refunds. The form for the same follows. Basically, where appropriate, the form takes the place of the stipulation and order. The following is the office procedure.

The attorney's office will complete the form and submit it to the trustee's office with any and all supporting documentation (e-mail is acceptable).

Once the completed form, supporting documentation and Tax Returns are received in the Trustee's office the case analyst will review plan for language stating that Trustee has discretion to determine if tax refund is disposable income. This language is included in Trustee's Model Plan.

If the language is there, the case analyst will continue with the analysis. If the language is not there, the case analyst will contact attorney's office and ask that they submit a Stipulation or Amendment to retain tax refunds (depending on the preference of the Judge).

If the appropriate language is in the confirmed plan, the case analyst will review Income Tax Returns and verify that the following fields as filled out accurately

i. Amount of net tax refund

ii. Reason for requested refund

iii. Tax Year

iv. Amount of refund to be retained by debtors

v. AGI on tax return and Annual Income from Schedule I

vi. Has the debtor received prior refunds? If so, how much?

vii. Is the mortgage paid inside the plan? Are they current?

The case analyst will also review the most recent Schedule I on file and verify that information on form is accurate.

IF ANY OF THE ABOVE INFORMATION IS MISSING OR INCOMPLETE, THE CASE ANALYST WILL SO INFORM THE ATTORNEY AND WILL AWAIT FURTHER INFORMATION.

If all documentation and information is provide. The Trustee's office will review the reason given for request and documentation provided considering the following factors:

i. Does the debtors' budget currently have an allowance for the requested expense?

ii Is the expense requested reasonable and necessary?

iii. Is the documentation provided relevant to the requested expense?

iv. Has the identical requested expense been made for previous? (Ex: Asked to retain for car repairs

and provided same documentation next year).

The case analyst will review case for previous refund requests and if allowed, what tax years and how much.

Staff will also verify mortgage information:

i. Is mortgage paid inside the plan?

ii. If so, are payments current?

Finally, the case analyst will review the form for signatures from debtor/co-debtor and attorney.

If all is in order, the case analyst will complete the following fields on the bottom of the form:

Trustee case analyst comments including is the information provided from attorney's office accurate? If not, what issues were found? Using the information above as a guide, does the requested refund meet the criteria stated above? What is the percentage being paid to unsecured creditors? Are plan payments current to Trustee and if not, what is the amount of arrears (including all non-ordered forgiven amounts)?

The case analyst provides the completed form and documentation to Trustee or Staff Attorney for review and signature.

If the request is approved, the case analyst will file the approved Debtors Refund Request Form with ECF using the document type "Debtors Tax Refund Request (Chapter 13)" under the Trustee/US Trustee heading.

If the request is denied, the case analyst will file denial of Debtors Refund Request.

If the request is denied by the Trustee, the Debtors, of course, have the option of filing a motion for the refund request.

****Find Debtor's Refund Request Form on the following page****

DEBTORS REFUND REQUEST FORM

****NO REFUND WILL BE GRANTED WITHOUT PROPER DOCUMENTATION****

DEBTOR(S) NAME: _____ CASE NO: _____

DOES THE PLAN GIVE TRUSTEE DISCRETION TO DETERMINE TAX REFUND DISPOSABLE INCOME? _____

IF NO – YOU MUST SUBMIT A STIPULATION AND PROPOSED ORDER OR AMENDMENT DEPENDING ON THE REQUIREMENTS OF THE JUDGE

IF YES – CONTINUE WITH THIS FORM.

TOTAL NET TAX REFUND: $ _____ TAX YEAR: _____

AMOUNT OF TAX REFUND TO BE RETAINED BY DEBTOR(S)? _____

REASON FOR REFUND REQUEST? _____

_____

LIST OR DESCRIBE SUPPORTING **ATTACHED** DOCUMENTATION: _____

_____

AGI FROM CURRENT YEAR TAX RETURNS _____

ANNUAL INCOME FROM SCHEDULE I _____

HAS THE DEBTOR(S) REQUESTED PRIOR REFUNDS? _____

IF SO, WHAT TAX YEAR AND HOW MUCH? _____

IF MORTGAGE PAID INSIDE THE PLAN – ARE MORTGAGE PAYMENTS CURRENT? _____

DATE: _____

DEBTOR SIGNATURE: _____

CO-DEBTOR SIGNATURE: _____

DEBTORS ATTORNEY SIGNATURE: _____

TRUSTEE CASE ANALYSTS COMMENTS: _____

_____

PERCENTAGE BEING PAID TO UNSECURED CREDITORS: _____

ARE PLAN PAYMENTS CURRENT TO THE TRUSTEE? _____

IF NOT, AMOUNT OF THE ARREARS? _____

TRUSTEE:

_____ APPROVES THE REQUEST IN THE AMOUNT OF $_____

_____ DENIES THE REFUND REQUEST. REASON: _____

_____

TRUSTEE'S SIGNATURE: _____

CASE SUMMARIES AND LEGAL UPDATES

Thanks to **Greg J. Ekdahl** and **James R. Oppenhuizen** of Keller & Almassian, PLC for their assistance in preparing the Case Summaries.

Case Summaries

In Re Harchar, 2012 WL 3968162 (6th Cir. Ohio)

Chapter 13 debtors filed an adversary proceeding against the federal government alleging injuries from the IRS decision to manually process their tax return and to delay issuance of their refund until the Bankruptcy Court had ruled on the IRS's motion to modify the plan. Both parties moved for summary judgment. The Bankruptcy Court denied debtors' motion and granted government's motion. The parties appealed. The District Court affirmed. The Court of Appeals affirmed the underlying courts and held that the IRS did not violate the Plan and the Code does not prohibit manual processing of a tax return. The Court also held that in the Sixth Circuit, no private right of action exists for violations of a chapter 13 plan. The Court finally held the IRS did not control the tax refund, which was debt subject to turnover, and therefore did not violate the automatic stay.

Gorman v. Birts (In re Birts), Case No. 12-427 (E.D. Va. August 1, 2012)

Chapter 13 Trustee appealed decision of Bankruptcy Court finding Debtors chapter 13 plan may be confirmed over the Trustee's objection. Under the plan as proposed, Debtor's student loan payment would have been maintained and paid directly outside the plan while paying 7% to unsecured creditors within the plan. The Bankruptcy Court held that under a 1322(b)(1) analysis, the separate classification of the student loan had a reasonable basis and balanced the benefit received by other creditors against the detriment to the debtor. The District Court reversed, finding that the lower court's decision were essentially a blanket approval of discrimination in favor of student loan lenders. The District Court found the underlying decision was clearly erroneous, reweighed the considerations and reached the opposite conclusion. Additionally, while the Bankruptcy Court specifically found no evidence of bad faith, the District Court ruled to the contrary on an argument that had not been presented to the Bankruptcy Court.

In re Schafer, 689 F.3d 601 (6th Cir. 2012)

The Sixth Circuit's *Schafer* opinion addressed an issue that has been uncertain for a long time: whether Michigan's bankruptcy-specific exemptions contained in M.C.L. 600.5451 pass constitutional muster. In *In re* Schafer, the Chapter 7 Trustee objected to the Debtor's claim of state-law exemptions under M.C.L. 600.5451, asserting that the bankruptcy-specific exemptions violated the federal government's exclusive power to legislate in the realm of bankruptcy, the uniformity requirement for bankruptcy laws passed by Congress, and the Supremacy Clause of Article I of the Constitution. The Bankruptcy Court allowed the Debtor's exemptions, and the Trustee appealed to the 6th Circuit B.A.P., which reversed. Thereafter the Debtor appealed to the Sixth Circuit. The Sixth Circuit held that Michigan retained broad power to determine what property is exempt, and had the power to pass such bankruptcy-specific exemption laws. The Court further determined that uniformity requires that the law operates uniformly to each class of debtor and creditor, and that Michigan's bankruptcy specific exemptions fit within this requirement. Finally, the Court found that Michigan's bankruptcy exemptions were not in conflict with federal bankruptcy laws, and therefore did not run afoul of the Supremacy Clause of the US Constitution.

Analysis of Schafer Decision by James R. Oppenhuizen: Having the state law exemptions available is not necessarily a boon for debtors. For the vast majority of individual debtors the federal exemptions are far more flexible and generous. Moreover, the federal exemptions are in dollar amounts applicable to each debtor in a joint case, making them more flexible and generous still. The state law exemptions, however, are far better than the generally available exemptions provided to judgment debtors outside of bankruptcy. Additionally, the homestead exemption, particularly for individual debtors, disabled debtors, and elderly debtors is more generous. Keep in mind that one must choose either state and broadly applicable federal exemptions found outside of section 522 or the 522(d) exemptions. Therefore, the wild card exemption and the more generous exemptions for most personal property will not be available if one chooses exemptions under section 522(b)(3) as opposed to (b)(2).

Onkyo Europe Electronics GmbH v. Global Technovations Inc. (In re Global Technovations Inc.), 694 F.3d 705 (6th Cir. (Mich.) 2012)

Debtor Global Technovations, Inc. ("GTI") purchased the stock of Defendants' subsidiary, Onkyo America, Inc. ("OAI") for $13 million cash and $12 million in notes. After closing, the GTI discovered numerous misrepresentations concerning OAI's financial condition. Sixteen months later, GTI and OAI filed Chapter 11. The Defendant—sellers filed proofs of claim for the unpaid balance of the notes. The Debtor filed suit to avoid as a fraudulent transfer the obligations incurred and the purchase money paid in connection with the OAI stock purchase. The Bankruptcy Court found that OAI was only worth $6.9 million, and that the Debtor had not received reasonably equivalent value and that the Debtor was rendered insolvent by the transaction. The Bankruptcy Court disallowed the claims and rendered judgment against the defendants for the amount by which the purchase price paid exceeded the value of assets.

The 6th Circuit upheld the bankruptcy court's judgment, which had found that the defendants received a fraudulent transfer under 11 U.S.C. 544(b) and Florida Uniform Fraudulent Transfer Act. The 6th Circuit further held (1) that the bankruptcy court had constitutional jurisdiction under Stern v. Marshall to adjudicate the fraudulent transfer claim since it was not possible to resolve the Debtor's objection to the Defendants' proofs of claim without first resolving the fraudulent transfer issue; (2) that Stern v. Marshall does not require a court to determine in advance which facts will ultimately prove strictly necessary to resolve a creditor's proof of claim; and (3) Stern v. Marshall permitted the bankruptcy court to enter a money judgment for the amount of the fraudulent transfer after a proof of claim objection has been resolved and where nothing further remains for adjudication.

NOTE: In deciding the case, the Sixth Circuit Court of Appeals became the first court of appeals to consider whether, following Stern v. Marshall, a bankruptcy court has jurisdiction to enter a final judgment on a fraudulent transfer action (although the Sixth Circuit framed the question as whether the court had jurisdiction to enter a final order, most courts and commentators have concluded that Stern v. Marshall addressed the court's authority to enter final orders, not whether they have jurisdiction to hear the cases). As explained above, the Sixth Circuit held that the bankruptcy court could adjudicate the fraudulent transfer claim since it was not possible to resolve the Debtor's objection to the Defendants' proofs of claim without first resolving the fraudulent transfer issue. The opinion seems to suggest, however, that the Court would not have held the same way if the creditor had not filed a proof of claim.

NOTICE TO PUBLIC AND ATTORNEYS PRACTICING IN THE BANKRUPTCY COURT WESTERN DISTRICT OF MICHIGAN

MISCELLANEOUS FEE INCREASES EFFECTIVE NOVEMBER 21, 2012

At its September, 2012 session, the Judicial Conference approved several amendments to the miscellaneous fee schedules for the bankruptcy courts, district courts and electronic public access program to adjust for inflation and consistency among fee schedules. These changes affecting the bankruptcy courts will become effective November 21, 2012. The chart below details the various fee increases:

Bankruptcy Court Miscellaneous Fee Schedule Changes (28 U.S.C. § 1930)

	Current Fee	New Fee
Chapter 11 Filing Fee	$1,046	$1,213
Motion to Reopen a Chapter 11 Case	$1,000	$1,167
Motion to Deconsolidate a Joint Chapter 11	$1,046	$1,213
Conversion from Chapter 7 to Chapter 11	$755	$922
Conversion from Chapter 13 to Chapter 11	$765	$932