

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re

Debtor name

Joint debtor name

Debtor.

Case No.

**MOTION TO (ASSUME/REJECT)  
EXECUTORY CONTRACT HELD BY (CREDITOR NAME)**

COMES NOW the debtor by and through his attorney, (*firm name, attorney name*), and moves the Court for its order authorizing debtor to (*assume/reject*) the executory contract held by (*creditor name and complete address*), and as grounds therefor, debtor states:

1. This case was commenced by the filing on (*date*), of a voluntary petition for relief under chapter 13 of title 11 of the United States Code. Kelley Skehen has been appointed trustee.
2. The trustee has not made application or motion to this Court to accept or reject executory contracts of the debtor.
3. Pursuant to 11 U.S.C. section 365, debtor asks the Court to approve the (*assumption/rejection*) of the following contract held by (*creditor name*):  
  
(*description of contract*)
4. The (*assumption/rejection*) of the executory contract is in the best interest of debtor.
5. In compliance with NM LBR 9013-1(b), concurrence in this motion was sought and not received. (*Or concurrence in this motion is being sought and has not yet been received.*)

WHEREFORE debtor prays for an order from the Court authorizing and approving the (*assumption/rejection*) of the executory contract held by (*creditor name*) as being in the best

interest of the debtor.

*(FIRM NAME)*

s/submitted electronically  
*(Attorney Name*  
*Address*  
*City, State, Zip Code*  
*Telephone:*  
*Facsimile:)*

Certificate of Service

*(Use language in NM Form 602, form of certificate of service to use in contested matters)*

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