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IT IS SO ORDERED.

Beth A. Buchanan
Beth A. Buchanan
United States Bankruptcy Judge

Dated: August 22, 2011

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

In Re	)	
	)	
NANCY B. WOLFF	)	**Case No. 10-15216**
	)	**Chapter 13**
Debtor(s)	)	**Judge Buchanan**
	)	
	)	

ORDER OVERRULING OBJECTION TO PROOF OF CLAIM

This matter is before the Court on Debtor Nancy B. Wolff's (the "Debtor") *Objection to Proof of Claim* ("Objection") [Docket Number 42] filed by NCO Financial Systems, Inc. ("NCO").

NCO filed an unsecured claim in the amount of $11,098.30 [Claim No. 6-2]. Attached to the proof of claim is a one page summary statement of accounts indicating that the creditor is Department Stores National Bank/Macy's.

The Objection recites that the "Debtor disputes that she owes this debt." The Debtor also objects because the creditor provided no documentation in support of its claim.[1] The Objection states that the Debtor's schedules do not list NCO as a creditor.

The Debtor correctly cites *In re Burkett*, 329 B.R. 820 (Bankr. S.D. Ohio 2005) for the proposition that if a proof of claim lacking proper attachments does not correlate to a debt scheduled by the debtor, or aspects of the claim differ from the scheduled debt, this may give rise to a valid

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[1] The Debtor also contends that the creditor failed to present any evidence that its security interest has been perfected. Because the claim is an unsecured claim, this contention is a *non sequitur*.

objection by the debtor or trustee for lack of verification of ownership and/or the amount the claim. Precisely what documentation need be provided to establish and verify a claim, however, must be decided on a case by case basis. *Id.* at 829.

Contrary to the Debtor's contention that NCO attached no documentation in support of its claim, NCO did attach a summary indicating the original creditor's name, a reference/account number, and the Debtor's address. A summary of an account is generally acceptable. *In re Burkett*, 329 B.R. at 828-829. While it is true that the Debtor did not list NCO as a creditor, the Debtor did list Macys/fdsb as a creditor. This Court acknowledges that the Debtor listed the amount of the debt to Macys/fdsb at a much lesser amount of $288 versus the proof of claim amount of $11,098.30. However, the Debtor has not objected to the amount of the claim, she has objected to the validity of the claim. In view of the attachment of the account summary and the correlation between the schedules and the claim, this Court finds that the Debtor's contention of "no documentation" does not defeat the *prima facie* evidence of the validity and the amount of the filed claim. *See* Fed. R. Bankr. P. 3001(f).

Further, the Debtor's bare allegation that she does not owe this debt, which is unsupported by an affidavit or any other evidence that she does not owe this debt, is insufficient to rebut the presumption of the proof of claim's validity and amount. *In re Wilson*, 136 B.R. 719, 722 (Bankr. S.D. Ohio 1991) ("Any party objecting to [a proof of] claim bears the burden of coming forward and introducing sufficient evidence to rebut the presumption of validity.").

Accordingly, the Objection is hereby OVERRULED, without prejudice.

IT IS SO ORDERED.

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