

TO: Honorable Alicemarie H. Stotler, Chair
Standing Committee on Rules of Practice
and Procedure

FROM: Paul Mannes, Chair
Advisory Committee on Bankruptcy Rules

DATE: December 5, 1995

RE: Report of the Advisory Committee on Bankruptcy Rules

Introduction

The Advisory Committee on Bankruptcy Rules met on September 7-8, 1995, in Portland, Oregon. A draft of the minutes is attached to this report as Appendix C. At the meeting, the Advisory Committee approved for presentation to the Standing Committee a uniform numbering system for local bankruptcy rules (discussed below under "Action Items"). The Committee also discussed the Self-Study Report of the Long-Range Planning Committee (discussed below under "Information Items"). Other matters considered by the Committee at the September meeting, including several suggestions for amendments to the Rules and the Official Bankruptcy Forms, will not require any action by the Standing Committee at its January 1996 meeting.

Another matter that will be presented to the Standing Committee as an "Action item" at the January meeting is the Advisory Committee's suggestion (made at its December 1994 meeting and discussed at the January 1995 Standing Committee meeting) that the Standing Committee recommend to the Judicial Conference that it adopt a resolution providing for the automatic amendment to the Official Bankruptcy Forms for the purpose of conforming to mandated adjustments of certain dollar amounts in the Bankruptcy Code made every three years beginning April 1, 1998.

I. Action Items

A. Uniform Numbering System for Local Bankruptcy Rules

Bankruptcy Rules 9029 and 8018 have been amended, effective December 1, 1995, to require that local rules conform to any uniform numbering system prescribed by the Judicial Conference of the United States. At the Standing Committee's request, the Advisory Committee has developed a uniform numbering system for local bankruptcy rules that coordinates with the numbering system of the Federal Rules of Bankruptcy Procedure. A copy of the numbering system is attached to this report as Appendix A. The Advisory Committee presents this numbering system to the Standing Committee and recommends that it be approved.

The proposed local rule numbering system uses the four-digit national Bankruptcy Rule numbers followed by a dash and a numeral to identify the topic that relates to the national rule. Local rules that do not relate to specific national rules have been assigned numbers that relate to the part of the Bankruptcy Rules (Parts I - IX) to which the local rule seems most closely related, but the four-digit prefix is not related to any specific national rule.

The uniform numbering system is the product of the extensive efforts of the Bankruptcy Judge's Division of the Administrative Office and the Advisory Committee's Subcommittee on Local Rules. Patricia S. Channon, staff attorney of the Bankruptcy Judges Division, was especially helpful in developing an initial draft of a numbering system that, with alterations made by the Subcommittee on Local Rules, was approved by the Advisory Committee for publication in 1994. The draft was published in November 1994, with a request for comments by March 15, 1995. The published draft was accompanied by a memorandum containing a detailed explanation of the proposed system and a description of the methodology used to develop the system. The Committee received 12 letters commenting on the proposed numbering system and one oral comment from a former Advisory Committee member and reporter. The comments were generally favorable (except for two letters that disapproved of both the proposed system and the entire concept of uniform numbering), but most letters contained suggestions for some modification.

As a result of the comments received and further consideration by the Subcommittee on Local Rules, several improvements were made to the preliminary draft at the Advisory Committee's meetings in March and September. The Advisory Committee also approved a citation form (for example, "E.D. Va. LBR 1007-1"), and added cross-references and an alphabetical list of topics to make the system easier to use. In addition, the Advisory Committee approved a memorandum to all federal judges to accompany the uniform local rule numbering system. The memorandum briefly explains the history and method used to develop the system, informs judges of the deadline for courts to implement the system, and offers the assistance of the Bankruptcy Judges Division to provide technical and logistical support to courts in their efforts to convert to the new system. A copy of the memorandum is included at the beginning of Appendix A of this report.

B. Recommendation for Judicial Conference Resolution
Approving Future Amendments to the Official Forms to Conform
to Dollar Adjustments Under Section 104 of the Code

The Bankruptcy Reform Act of 1994 has doubled certain specified dollar amounts in the Bankruptcy Code. For example, the priority for wage claims under § 507(a)(3) was increased from \$2,000 to \$4,000, and the priority for consumer deposit claims under § 507(a)(6) was increased from \$ 900 to \$1,800. In addition, § 108(e) of the Bankruptcy Reform Act of 1994 added a new § 104(b) to the Bankruptcy Code to provide that every three years, beginning on April 1, 1998, certain dollar amounts in the Code (including, among others, the monetary limitations on priorities under § 507 of the Code) shall be adjusted to reflect the change in the Consumer Price Index for All Urban Consumers published by the Department of Labor. These dollar adjustments will be automatic and will not require any action to become effective. Not later than March 1 of the year in which dollar adjustments are made, the Judicial Conference is required by § 104(b)(2) to publish the adjusted amounts in the Federal Register.

Specifically, § 104(b) provides as follows:

"(b)(1) On April 1, 1998, and at each 3-year interval ending on April 1 thereafter, each dollar amount in effect under sections 109(e), 303(b), 507(a), 522(d), and 523(a)(2)(C) immediately before such April 1 shall be adjusted --

(A) to reflect the change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for the most recent 3-year period ending immediately before January 1 preceding such April 1, and

(B) to round to the nearest \$25 the dollar amount that represents such change.

(2) Not later than March 1, 1998, and at each 3-year interval ending on March 1 thereafter, the Judicial Conference of the United States shall publish in the Federal Register the dollar amounts that will become effective on such April 1 under sections 109(e), 303(b), 507(a), 522(d), and 523(a)(2)(C) of this title.

(3) Adjustments made in accordance with paragraph (1) shall not apply with respect to cases commenced before the date of such adjustments."

The determination of the precise dollar amounts and the publication by the Judicial Conference of future dollar adjustments every three years as mandated by § 104(b) will be accomplished through a mechanism being developed by the Bankruptcy Administration Committee of the Judicial Conference and the Bankruptcy Judges Division of the Administrative Office. The Advisory Committee on Bankruptcy Rules has no role in that process. The Bankruptcy Administration Committee will meet on January 4-5, 1996, one week before the Standing Committee meeting, and will consider such a mechanism. The Bankruptcy Administration Committee is expected to approve and forward to the Judicial Conference a proposal on the subject drafted for that Committee by the Bankruptcy Judges Division. I will give an oral report to the Standing Committee on the action of the Bankruptcy Administration Committee.

Dollar adjustments made in April 1998 and every three years thereafter under § 104(b) will necessitate future amendments to the Official Bankruptcy Forms to conform to new dollar amounts. Two of the current Official Forms include references to specific dollar amounts relating to priorities under § 507(a) that will be adjusted every three years under § 104(b): Official Forms No. 6, Schedule E ("Creditors Holding Unsecured Priority Claims") and No. 10 ("Proof of Claim"). Copies of these forms are attached to this report as Appendix B.

In response to the doubling of dollar amounts by the 1994 Reform Act, the Advisory Committee in January 1995 proposed conforming amendments to these two Official Forms. The amendments were approved by the Standing Committee in January 1995 and promulgated by the Judicial Conference in March 1995. Under Bankruptcy Rule 9009, amendments to the Official Forms do not have to be approved by the Supreme Court.

In view of new § 104(b) providing for the automatic adjustment of certain dollar amounts on April 1, 1998, and at each 3-year interval thereafter, current Official Forms No. 6 (Schedule E) and No. 10 (as amended in 1995) contain a statement indicating that certain specified amounts "are subject to adjustment on April 1, 1998 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment." This notice was added to warn practitioners and parties who, after 1998, may still have old forms. The language relating to future dollar adjustments is highlighted on the copies of Official Forms No. 6 (Schedule E) and No. 10 that are attached as Appendix B.

Notwithstanding the warning now contained in these forms, any delay in conforming the Official Forms to future dollar adjustments under § 104(b) could mislead practitioners and could adversely affect the rights of parties. In order to avoid any such delay -- and to avoid the necessity of obtaining Advisory Committee, Standing Committee, and Judicial Conference approval of future amendments to the Official Forms conforming to adjusted dollar amounts every three years -- the Advisory Committee suggests that the Standing Committee adopt the following recommendation to the Judicial Conference:

RECOMMENDATION: That the Judicial Conference adopt a resolution providing that on April 1, 1998, and at each 3-year interval ending on April 1 thereafter, the Official Bankruptcy Forms shall be amended, automatically and without further action by the Judicial Conference, to conform to any adjustment of dollar amounts made under section 104(b) of the Bankruptcy Code.

This recommendation was developed in consultation with Peter G. McCabe (Assistant Director of the Administrative Office) and the Bankruptcy Judges Division of the Administrative Office.

The recommended resolution is deliberately broad so that any Official Forms that contain a dollar amount adjusted under § 104(b) will be amended automatically, rather than limiting the resolution to only the two Official Forms that contain such dollar amounts at this time. The reason for the broad language of the recommendation is so that it would cover other Official Forms that might be amended in the future to include a reference to dollar amounts that are adjusted under § 104(b). This flexibility is especially appropriate in view of the Advisory Committee's ongoing project of revising most of the Official Forms.

It is anticipated that, upon any dollar adjustments under § 104(b), the Administrative Office will engage in its usual practice of notifying courts and publishers of the conforming amendments to the Official Forms, and that the Administrative Office will consult with the Advisory Committee to assure that all conforming amendments to the forms have been made accurately. However, if the recommended resolution is adopted by the Judicial Conference, no additional action by the Standing Committee or the Judicial Conference will be required to effectuate the conforming amendments to the forms.

II. Information Items

A. Self-Study Report of the Long-Range Planning Committee.

At the request of the Standing Committee, the Advisory Committee discussed the Self-Study Report of the Long-Range Planning Committee. Copies of the Report were circulated prior to the September 1995 meeting as part of the agenda materials. At the meeting, an issues summary questionnaire was distributed and was used by Committee members to evaluate the recommendations of the Report. Highlights of the discussion include the following:

(1) Several members expressed reservations about any recommendation that, for the purpose of supporting diversity in committee membership, the Chief Justice be advised on how appointments should be made. The Chief Justice already appears to be appointing people of diverse characteristics and backgrounds, and the consensus was that the recommendation is both unnecessary and inappropriate.

(2) The circulation of materials by the Reporter and the Rules Committee Support Office using electronic mail was discussed. The ability to receive suggestions and comments from the bench and bar via email also was discussed. The likelihood that technological developments will make it much easier for the bench and bar to communicate with Advisory Committees in the future, and would thereby increase the volume of suggestions and comments, may necessitate procedures for screening or prioritizing matters that are considered at Advisory Committee meetings. The use of electronic communications among Committee members between meetings as a way to deal with an increased volume of matters brought to the Committee's attention also was discussed, as was the use of subcommittees.

B. Status of Matters Under Consideration: Official Bankruptcy Forms

The Subcommittee on Forms is continuing its work reviewing the Official Bankruptcy Forms with a view toward simplifying language and making them more understandable to the general public. At its September 1995 meeting, the Advisory Committee reviewed numerous changes suggested by the

Subcommittee. It is anticipated that the Advisory Committee will consider further proposals to improve the Official Forms at its March 1996 meeting and will present a package of proposed forms amendments to the Standing Committee in June 1996 with a request for publication for comment.

Attachments:

1. Appendix A -- Uniform Numbering System for Local Bankruptcy Rules
2. Appendix B -- Official Bankruptcy Forms No. 6 ("Schedule E -- Creditors Holding Unsecured Priority Claims") and No. 10 ("Proof of Claim").
3. Draft of minutes of Advisory Committee meeting of September 7-8, 1995.

APPENDIX A

UNIFORM NUMBERING SYSTEM FOR LOCAL BANKRUPTCY RULES

[AO Letterhead]

DRAFT

(Date)

MEMORANDUM TO: JUDGES, UNITED STATES COURTS OF APPEAL
JUDGES, UNITED STATES DISTRICT COURTS
JUDGES, UNITED STATES BANKRUPTCY COURTS
CIRCUIT EXECUTIVES

SUBJECT: Uniform Numbering System for Local Bankruptcy Rules
(ACTION REQUIRED)

ACTION DUE DATE: _____ (March 1, 1997 or other date)

Federal Rule of Bankruptcy Procedure 9029 as amended December 1, 1995, requires that local bankruptcy rules conform to a uniform numbering system prescribed by the Judicial Conference of the United States. The Judicial Conference prescribed the attached uniform numbering system for local bankruptcy rules on March __, 1996.

Uniform numbering based on the numbers used in the Federal Rules of Bankruptcy Procedure is intended to make it easier for attorneys or parties to search for relevant local rules. An alphabetical listing is included also, for the convenience of attorneys and as an aid to those charged with converting their districts' local rules to the new numbering system. The cross-references listed in the column labeled "See Also LBR" are intended to assist in locating other topics or local rules related to the rule that is the starting point. Local courts may wish to add other cross-references.

History and Method of Development

A proposed numbering system was developed by the Bankruptcy Judges Division of the Administrative Office and the Advisory Committee on Bankruptcy Rules and published in November 1994 for public comment. After consideration of the public comment, the original proposal was substantially revised. For example, as a result of the comments received, no subdivisions of the national rules are used, leaving lettered subdivisions available as a tool for districts having lengthy or multiple rules on a particular topic.

Starting with a list of local rules topics prepared by the Bankruptcy Judges Division of the Administrative Office of the United States Courts, the Advisory Committee identified those topics which relate to a national rule and assigned them uniform numbers consisting of the four-digit national rule number, a dash, and a fifth digit, starting with 1. For instance, local

rules relating to chapter 13 trustees are assigned the uniform number 2015-5 and local rules relating to United States trustees are assigned the uniform number 2020-1.

Local rule topics for which there is no related national rule have been assigned to the part of the national rules to which each topic is most closely related. These topics are assigned available, unused numbers within the part, starting with 1070, 2070, etc. For example, rules related to attorney admission and discipline are assigned to uniform numbers 2090-1 and 2090-2.

Converting to Uniform Numbering

The existence of a uniform local rule number should not be interpreted as a recommendation that any district needs a local rule on the topic. The numbering system was derived from a review of existing local rules and represents the subjects on which one or more bankruptcy courts actually have local rules. Some courts have few rules; others many. No court has a rule on every topic for which a uniform number has been assigned.

Likewise, many national rules address matters about which there is no apparent need for local rules. Accordingly, users may perceive "gaps" in the numbering system, where there is no uniform local rule number assigned to a national rule. This exclusion of various national rules from the uniform local rule numbering system is deliberate; only subjects that actually appear in local rules are included.

If a district does have a local rule on a subject, then the district should use both the assigned uniform local rule number and the topic name. This procedure will make local rules searchable both by uniform local rule number and by topic name.

There may be a situation (hopefully rare) in which no existing uniform number seems to fit a particular local rule. In that event, I would encourage a member of the court's local rules committee to contact the Bankruptcy Judges Division, at the telephone number given below, for suggestions on assigning a uniform number.

A deadline of (date) has been set for local courts to implement the new system. The Bankruptcy Judges Division of the Administrative Office is available to provide technical and logistical support to the districts as they convert to the new numbering system. The telephone number of the Bankruptcy Judges Division is (202) 273-1900.

Uniform Local Bankruptcy Rule Numbering

3

L. Ralph Mecham
Director

Attachments

cc: Clerks, United States Courts of Appeal
Clerks, United States District Courts
Clerks, United States Bankruptcy Courts
Bankruptcy Administrators

UNIFORM NUMBERING SYSTEM FOR LOCAL BANKRUPTCY RULES

Cite as " _____ LBR ____ - ____." Example: "E.D. Va. LBR 1007-1."
 (District) (Number)

If a rule is prescribed by a circuit council for a Bankruptcy Appellate Panel Service, cite as ____ Cir. BAP LBR ____ - ____."
 Example: "9th Cir. BAP LBR 8009-1."

The topic names are part of this uniform numbering system and should be used in addition to the rule numbers.

PART I

Uniform Local Rule Number

Topic

See Also LBR

1002-1	PETITION - GENERAL	1004-1, 1005-1 1010-1, 5005-2
1004-1	PETITION - PARTNERSHIP	
1005-1	PETITION - CAPTION	9004-2
1006-1	FEES - INSTALLMENT PAYMENTS	5080-1, 5081-1
1007-1	LISTS, SCHEDULES, & STATEMENTS	5005-2
1007-2	MAILING - LIST OR MATRIX	
1007-3	STATEMENT OF INTENTION	
1009-1	AMENDMENTS TO LISTS & SCHEDULES	
1010-1	PETITION-INVOLUNTARY	
1014-1	TRANSFER OF CASES	
1014-2	VENUE - CHANGE OF	
1015-1	JOINT ADMINISTRATION/ CONSOLIDATION	
1015-2	RELATED CASES	
1017-1	CONVERSION - REQUEST FOR/ NOTICE OF	
1017-2	DISMISSAL OR SUSPENSION - CASE OR PROCEEDINGS	
1019-1	CONVERSION - PROCEDURE FOLLOWING	
1020-1	CHAPTER 11 SMALL BUSINESS CASES - GENERAL	
1070-1	JURISDICTION	
1071-1	DIVISIONS - BANKRUPTCY COURT	
1072-1	PLACES OF HOLDING COURT	

PART I, Cont'd.Uniform Local
Rule NumberTopicSee Also LBR

1073-1 ASSIGNMENT OF CASES
1074-1 CORPORATIONS

PART IIUniform Local
Rule NumberTopicSee Also LBR

2002-1 NOTICE TO CREDITORS & OTHER
INTERESTED PARTIES
2002-2 NOTICE TO UNITED STATES
OR FEDERAL AGENCY
2002-3 UNITED STATES AS CREDITOR
OR PARTY
2003-1 MEETING OF CREDITORS &
EQUITY SECURITY HOLDERS
2004-1 DEPOSITIONS & EXAMINATIONS 7027-1, 9016-1
2007.1-1 TRUSTEES & EXAMINERS (Ch. 11)
2010-1 TRUSTEES - BONDS/SURETY
2014-1 EMPLOYMENT OF PROFESSIONALS 6005-1
2015-1 TRUSTEES - GENERAL
2015-2 DEBTOR-IN-POSSESSION DUTIES
2015-3 TRUSTEES - REPORTS &
DISPOSITION OF RECORDS
2015-4 TRUSTEES - CHAPTER 12
2015-5 TRUSTEES - CHAPTER 13
2016-1 COMPENSATION OF PROFESSIONALS 6005-1
2019-1 REPRESENTATION OF MULTIPLE PARTIES
2020-1 UNITED STATES TRUSTEES
2070-1 ESTATE ADMINISTRATION
2071-1 COMMITTEES
2072-1 NOTICE TO OTHER COURTS
2080-1 CHAPTER 9
2081-1 CHAPTER 11 - GENERAL

PART II, Cont'd.

<u>Uniform Local Rule Number</u>	<u>Topic</u>	<u>See Also LBR</u>
2082-1	CHAPTER 12 - GENERAL	
2083-1	CHAPTER 13 - GENERAL	
2090-1	ATTORNEYS - ADMISSION TO PRACTICE	9010-1
2090-2	ATTORNEYS - DISCIPLINE & DISBARMENT	9011-3
2091-1	ATTORNEYS - WITHDRAWALS	

PART III

<u>Uniform Local Rule Number</u>	<u>Topic</u>	<u>See Also LBR</u>
3001-1	CLAIMS AND EQUITY SECURITY INTERESTS - GENERAL	5003-3
3006-1	CLAIMS - WITHDRAWAL	
3007-1	CLAIMS - OBJECTIONS	
3008-1	CLAIMS - RECONSIDERATION	
3009-1	DIVIDENDS - CHAPTER 7	
3010-1	DIVIDENDS - SMALL	
3011-1	UNCLAIMED FUNDS	
3012-1	VALUATION OF COLLATERAL	
3015-1	CHAPTER 13 - PLAN	
3015-2	CHAPTER 13 - AMENDMENTS TO PLANS	
3015-3	CHAPTER 13 - CONFIRMATION	
3016-1	CHAPTER 11 - PLAN	
3016-2	DISCLOSURE STATEMENT - GENERAL	
3017-1	DISCLOSURE STATEMENT - APPROVAL	
3017-2	DISCLOSURE STATEMENT - SMALL BUSINESS CASES	
3018-1	BALLOTS - VOTING ON PLANS	
3018-2	ACCEPTANCE/REJECTION OF PLANS	
3019-1	CHAPTER 11 - AMENDMENTS TO PLANS	
3020-1	CHAPTER 11 - CONFIRMATION	
3021-1	DIVIDENDS - UNDER PLAN (Ch. 11)	
3022-1	FINAL REPORT/DECREE	
3070-1	CHAPTER 13 - PAYMENTS	

PART IVUniform Local
Rule NumberTopicSee Also LBR

4001-1	AUTOMATIC STAY - RELIEF FROM	
4001-2	CASH COLLATERAL	
4001-3	OBTAINING CREDIT	
4002-1	DEBTOR - DUTIES	
4002-2	ADDRESS OF DEBTOR	
4003-1	EXEMPTIONS	
4003-2	LIEN AVOIDANCE	
4004-1	DISCHARGE HEARINGS	
4004-2	OBJECTIONS TO DISCHARGE	
4007-1	DISCHARGEABILITY COMPLAINTS	
4008-1	REAFFIRMATION	
4070-1	INSURANCE	
4071-1	AUTOMATIC STAY - VIOLATION OF	

PART VUniform Local
Rule NumberTopicSee Also LBR

5001-1	COURT ADMINISTRATION	
5001-2	CLERK - OFFICE LOCATION/HOURS	
5003-1	CLERK - GENERAL/AUTHORITY	
5003-2	COURT PAPERS - REMOVAL OF	
5003-3	CLAIMS - REGISTER	
5005-1	FILING PAPERS - REQUIREMENTS	1002-1, 1007-1,
5005-2	FILING PAPERS - NUMBER OF COPIES	9004-1, 9004-2
5005-3	FILING PAPERS - SIZE OF PAPERS	9004-1
5005-4	ELECTRONIC FILING	
5009-1	FINAL REPORT/DECREE	
5010-1	REOPENING CASES	
5011-1	WITHDRAWAL OF REFERENCE	

PART V, Cont'd.

<u>Uniform Local Rule Number</u>	<u>Topic</u>	<u>See Also LBR</u>
5011-2	ABSTENTION	
5070-1	CALENDARS & SCHEDULING	9073-1, 9074-1
5071-1	CONTINUANCE	
5072-1	COURTROOM DECORUM	
5073-1	PHOTOGRAPHY, RECORDING DEVICES & BROADCASTING	
5075-1	CLERK - DELEGATED FUNCTIONS OF	
5076-1	COURT REPORTING	
5077-1	TRANSCRIPTS	
5078-1	COPIES - HOW TO ORDER	
5080-1	FEES - GENERAL	1006-1
5081-1	FEES - FORM OF PAYMENT	1006-1
5090-1	JUDGES - VISITING & RECALLED	
5091-1	SIGNATURES - JUDGES	
5092-1	SEAL OF COURT	
5095-1	INVESTMENT OF ESTATE FUNDS	

PART VI

<u>Uniform Local Rule Number</u>	<u>Topic</u>	<u>See Also LBR</u>
6004-1	SALE OF ESTATE PROPERTY	
6005-1	APPRAISERS & AUCTIONEERS	2014-1, 2016-1
6006-1	EXECUTORY CONTRACTS	
6007-1	ABANDONMENT	
6008-1	REDEMPTION	
6070-1	TAX RETURNS & TAX REFUNDS	

PART VIIUniform Local
Rule NumberTopicSee Also LBR

7001-1	ADVERSARY PROCEEDINGS - GENERAL	
7003-1	COVER SHEET	
7004-1	SERVICE OF PROCESS	
7004-2	SUMMONS	
7005-1	CERTIFICATE OF SERVICE (APs)	9013-3
7005-2	FILING OF DISCOVERY MATERIALS	
7007-1	MOTION PRACTICE (in APs)	9013-1
7008-1	CORE/NON-CORE DESIGNATION (Complaint)	
7012-1	CORE/NON-CORE DESIGNATION (Responsive Pleading)	
7016-1	PRE-TRIAL PROCEDURES	
7023-1	CLASS ACTION	
7024-1	INTERVENTION	
7024-2	UNCONSTITUTIONALITY, CLAIM OF	
7026-1	DISCOVERY - GENERAL	
7027-1	DEPOSITIONS & EXAMINATIONS (APs)	2004-1
7040-1	ASSIGNMENT OF ADVERSARY PROCEEDINGS	1073-1
7052-1	FINDINGS & CONCLUSIONS	
7054-1	COSTS - TAXATION/PAYMENT	
7055-1	DEFAULT - FAILURE TO PROSECUTE	
7056-1	SUMMARY JUDGMENT	
7065-1	INJUNCTIONS	
7067-1	REGISTRY FUND	
7069-1	JUDGMENT - PAYMENT OF	

PART VIIIUniform Local
Rule NumberTopic

8001-1 ff.

APPEALS For District Court/Bankruptcy Appellate Panel uniform local rule numbers, see "Appendix of Uniform Local Rule Numbers for Bankruptcy Appeals."

PART IXUniform Local
Rule NumberTopicSee Also LBR

9001-1	DEFINITIONS	
9003-1	EX PARTE CONTACT	
9004-1	PAPERS - REQUIREMENTS OF FORM	5005-1, 5005-3
9004-2	CAPTION - PAPERS, GENERAL	1005-1, 5005-1
9006-1	TIME PERIODS	
9009-1	FORMS	
9010-1	ATTORNEYS - NOTICE OF APPEARANCE	2090-1, 9011-1
9010-2	POWER OF ATTORNEY	
9011-1	ATTORNEYS - DUTIES	
9011-2	PRO SE PARTIES	
9011-3	SANCTIONS	2090-2
9011-4	SIGNATURES	
9013-1	MOTION PRACTICE	7007-1
9013-2	BRIEFS & MEMORANDA OF LAW	
9013-3	CERTIFICATE OF SERVICE - MOTIONS	7005-1
9015-1	JURY TRIAL	
9016-1	SUBPOENAS	
9016-2	WITNESSES	2004-1
9019-1	SETTLEMENTS & AGREED ORDERS	
9019-2	ALTERNATIVE DISPUTE RESOLUTION (ADR)	
9020-1	CONTEMPT	
9021-1	JUDGMENTS & ORDERS - ENTRY OF	
9021-2	ORDERS - EFFECTIVE DATE	

PART IX, Cont'd.

<u>Uniform Local Rule Number</u>	<u>Topic</u>	<u>See Also LBR</u>
9022-1	JUDGMENTS & ORDERS - NOTICE OF	
9027-1	REMOVAL/REMAND	
9029-1	LOCAL RULES - GENERAL	
9029-2	LOCAL RULES - GENERAL ORDERS	
9029-3	LOCAL RULES - DISTRICT COURT	
9035-1	BANKRUPTCY ADMINISTRATORS	
9036-1	NOTICE BY ELECTRONIC TRANSMISSION	
9070-1	EXHIBITS	
9071-1	STIPULATIONS	
9072-1	ORDERS - PROPOSED	
9073-1	HEARINGS	5070-1
9074-1	TELEPHONE CONFERENCES	5070-1
9075-1	EMERGENCY ORDERS	

APPENDIX OF UNIFORM LOCAL RULE NUMBERS FOR BANKRUPTCY APPEALS

PART VIIIUniform Local
Rule NumberTopic

8001-1	NOTICE OF APPEAL
8001-2	DISMISSAL OF APPEAL (VOLUNTARY)
8001-3	ELECTION FOR DISTRICT COURT DETERMINATION OF APPEAL
8002-1	TIME FOR FILING APPEAL
8003-1	MOTION FOR LEAVE TO APPEAL
8004-1	SERVICE OF NOTICE OF APPEAL
8005-1	STAY PENDING APPEAL
8006-1	DESIGNATION OF RECORD - APPEAL
8007-1	COMPLETION OF RECORD - APPEAL
8007-2	TRANSMISSION OF RECORD - APPEAL
8007-3	DOCKETING OF APPEAL
8007-4	RECORD FOR PRELIMINARY HEARING - APPEAL
8008-1	FILING PAPERS - APPEAL
8008-2	SERVICE OF ALL PAPERS REQUIRED - APPEAL
8008-3	MANNER OF SERVING PAPERS - APPEAL
8008-4	PROOF OF SERVICE OF FILED PAPERS - APPEAL
8009-1	TIME FOR FILING BRIEFS - APPEAL
8009-2	TIME FOR FILING APPENDIX TO BRIEF - APPEAL
8010-1	FORMS OF BRIEFS - APPEAL
8010-2	REPRODUCTION OF STATUTES, ETC. - APPEAL
8010-3	LENGTH OF BRIEFS - APPEAL
8011-1	MOTION, RESPONSE, REPLY - APPEAL
8011-2	DETERMINATION OF PROCEDURAL MOTION - APPEAL
8011-3	DETERMINATION OF MOTION - APPEAL
8011-4	EMERGENCY MOTION - APPEAL

PART VIII, Cont'd.Uniform Local
Rule NumberTopic

8011-5	POWER OF SINGLE JUDGE TO ENTERTAIN MOTIONS
8012-1	ORAL ARGUMENT - APPEAL
8013-1	DISPOSITION OF APPEAL
8014-1	COSTS - APPEAL
8015-1	MOTION FOR REHEARING
8016-1	ENTRY OF JUDGMENT BY CLERK OF DISTRICT COURT OR BAP
8016-2	NOTICE OF ORDER OR JUDGMENT - APPEAL
8016-3	RETURN OF RECORD ON APPEAL
8017-1	STAY PENDING APPEAL TO COURT OF APPEALS
8018-1	LOCAL RULES OF CIRCUIT JUDICIAL COUNCIL OR DISTRICT COURT
8019-1	SUSPENSION OF PART VIII, FED.R.BANKR.P.
8020-1	DAMAGES AND COSTS FOR FRIVOLOUS APPEAL
8070-1	DISMISSAL OF APPEAL BY COURT FOR NON-PROSECUTION

ALPHABETICAL LIST OF LOCAL RULE TOPICS AND UNIFORM LOCAL RULE NUMBERS

<u>Local Rule Topic</u>	<u>Uniform Local Rule Number</u>
ABANDONMENT	6007-1
ABSTENTION	5011-2
ACCEPTANCE/REJECTION OF PLANS	3018-2
ADDRESS OF DEBTOR	4002-2
ADVERSARY PROCEEDINGS - GENERAL	7001-1
ALTERNATIVE DISPUTE RESOLUTION (ADR)	9019-2
AMENDMENTS TO LISTS & SCHEDULES	1009-1
AMENDMENTS TO PLANS (See "Ch. 11 - _____," "Ch. 13 - ____.")	
APPEALS	8001-1 ff. (See Appendix)
APPRAISERS & AUCTIONEERS	6005-1
ASSIGNMENT OF ADVERSARY PROCEEDINGS	7040-1
ASSIGNMENT OF CASES	1073-1
ATTORNEYS - ADMISSION TO PRACTICE	2090-1
ATTORNEYS - DISCIPLINE & DISBARMENT	2090-2
ATTORNEYS - DUTIES	9011-1
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<u>Topic</u>	<u>Uniform Local Rule Number</u>
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APPENDIX B

OFFICIAL BANKRUPTCY FORMS

No. 6 ("Schedule E -- Creditors Holding
Unsecured Priority Claims")
and No. 10 ("Proof of Claim").

In Re _____
Debtor

Case No. _____
(if known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditor, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4000* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$4000* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

Deposits by individuals

Claims of individuals up to \$1,800* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

Form No. 6, continued

In Re _____

Case No. _____

Debtor

(if known)

Alimony, Maintenance, or Support

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

* Amounts are subject to adjustment on April 1, 1998, and every three years thereafter with respect to cases commenced on or after the date of adjustment.



____ continuation sheets attached

United States Bankruptcy Court

District of _____

PROOF OF CLAIM

In re (Name of Debtor) _____

Case Number _____

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor
(The person or other entity to whom the debtor owes money or property)

Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Name and Address Where Notices Should be Sent

Check box if you have never received any notices from the bankruptcy court in this case.

Telephone No. _____

Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR: _____

Check here if this claim replaces amends a previously filed claim, dated: _____

1. BASIS FOR CLAIM

- Goods sold
- Services performed
- Money loaned
- Personal injury/wrongful death
- Taxes
- Other (Describe briefly) _____

- Retiree benefits as defined in 11 U.S.C. § 1114(a)
- Wages, salaries, and compensation (Fill out below)
Your social security number _____
Unpaid compensation for services performed
from _____ to _____
(date) (date)

2. DATE DEBT WAS INCURRED

3. IF COURT, JUDGMENT, DATE OBTAINED:

4. CLASSIFICATION OF CLAIM. Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM AT TIME CASE FILED.

SECURED CLAIM \$ _____
Attach evidence of perfection of security interest
Brief Description of Collateral:
 Real Estate Motor Vehicle Other (Describe briefly) _____

Amount of arrearage and other charges at time case filed included in secured claim above, if any \$ _____

UNSECURED NONPRIORITY CLAIM \$ _____
A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.

UNSECURED PRIORITY CLAIM \$ _____
Specify the priority of the claim. _____

- Wages, salaries, or commissions (up to \$4000),* earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier—11 U.S.C. § 507(a)(3)
- Contributions to an employee benefit plan—11 U.S.C. § 507(a)(4)
- Up to \$1,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use—11 U.S.C. § 507(a)(6)
- Alimony, maintenance, or support owed to a spouse, former spouse, or child—11 U.S.C. § 507(a)(7)
- Taxes or penalties of governmental units—11 U.S.C. § 507(a)(8)
- Other—Specify applicable paragraph of 11 U.S.C. § 507(a) _____

*Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

5. TOTAL AMOUNT OF CLAIM AT TIME CASE FILED:

\$ _____ (Unsecured) \$ _____ (Secured) \$ _____ (Priority) \$ _____ (Total)

Check this box if claim includes charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.

7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.

8. TIME-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

THIS SPACE IS FOR COURT USE ONLY

Date _____

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)