

INSTRUCTIONS FOR COMPLETING OFFICIAL FORM 2, DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I. INTRODUCTION

Official Form 2 is for corporate or partnership debtors. Individuals and joint debtors will not need to use this form. The form is used as a declaration on behalf of a corporate or partnership debtor and is generally signed by the individual who is authorized by the debtor entity to file the bankruptcy petition or, if included in an amendment or other document filed later in the case, by another individual authorized by the debtor entity or by the court to act for the debtor.

II. APPLICABLE LAW AND RULES

Federal Rule of Bankruptcy Procedure 1008 requires all petitions, lists, schedules, statements, and amendments to be verified or contain an unsworn declaration as provided in 28 U.S.C. § 1746. The unsworn declaration on Official Form 2 conforms with section 1746, which permits the declaration to be made in the language provided with the same force and effect as a sworn statement.

Official Form 2 or adaptations of the form have been incorporated into the official forms of the petitions, schedules, and statement of financial affairs. See Official Forms 1, 5, 6, and 7. The form is set forth separately for inclusion in or appending to other papers required by the rules to be verified or contain an unsworn declaration, such as the list of 20 largest creditors or the list of equity security holders in a chapter 11 case. If any document containing an unsworn declaration later is amended, the amendment also must contain an unsworn declaration.

III. DIRECTIONS

The individual authorized by the debtor entity (corporation, partnership, etc.) or the court to act for the debtor should sign the declaration for any document submitted that requires a declaration and should include that individual's title and the date on the lines provided.

By signing the declaration, the debtor's authorized agent is declaring, under penalty of perjury, that the information in the document submitted is true and correct and that the individual has been authorized to act as the agent on behalf of the debtor.