

CHAMBERS OF SAMUEL L. BUFFORD
BANKRUPTCY JUDGE
CENTRAL DISTRICT OF CALIFORNIA
ROYBAL BUILDING
255 EAST TEMPLE STREET SUITE 1582
LOS ANGELES, CALIFORNIA 90012
(213) 894 0992

08-Bk-006

09-BK-B

February 4, 2009

Peter G. McCabe, Secretary
Committee on Rules and Practice Procedure
Administrative Office of the United States Courts
Washington, D C. 20544

Re: Proposed Amendments to Federal Rules of Bankruptcy Procedure

Dear Pete:

I am writing to comment on the August, 2008 proposed amendments to the Federal Rules of Bankruptcy Procedure, insofar as they relate to cases filed under Chapter 15 of the Bankruptcy Code. In general, I like very much the proposals on chapter 15 cases

My principal suggestion is the expansion of the service list under Rules 1004.2(b), 5009(c) and 5012 to include any secured creditors in the United States, the major U.S. unsecured creditors (at least the largest 20 such creditors) and at least the major creditors (both secured and unsecured) in any relevant recognized foreign main proceeding.

I also recommend that the service list be expanded to include the same parties in interest with respect to any debtor that is related to the chapter 15 debtor, that is subject of a foreign proceeding. Such a foreign proceeding for a related entity comes within the scope of sections 1525 and 1527. As the Committee knows, there are many issues under chapter 15 that should be addressed in the Federal Rules of Bankruptcy Procedure. For example, there are many rules that should be applicable in chapter 15 cases under various circumstances. I addressed many of these in chapter 9 of my new book, United States International Insolvency Law 2008-09, which Oxford University Press is publishing this spring.

I would be very happy to work with the Committee on any of these matters.

Best regards,



Samuel L. Bufford

SLB:lq