



1/13/99

99-BK-B

UNITED STATES BANKRUPTCY COURT

219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

CHAMBERS OF
SUSAN PIERSON SONDERBY
CHIEF JUDGE

(312) 435-5646

January 8, 1999

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

Dear Mr. McCabe:

It has come to my attention that there is a problem with the new Official Form No. 20B "Notice of Objection to Claim". The Form suggests that a party whose claim is being objected to must file a written response *and* appear in court as well. I have never made such a requirement of creditors. A response *or* an appearance is sufficient for the first date that objections are noticed.

An attorney who represented a large debtor in a chapter 11 case before me used the new form. The effect was that his office and my chambers were flooded with telephone calls from confused creditors for days before the court date and an unrepresented creditor flew to Chicago from Texas for no good reason.

Perhaps the Committee would reconsider rewording the requirements in the disjunctive.

Very truly yours,

cc: Hon. Adrian G. Duplantier, Chair, Advisory Comm. on Bankruptcy Rules
Prof. Alan N. Resnick, Reporter, Advisory Comm. on Bankruptcy Rules
Ms. Patricia S. Channon, Bankruptcy Judges Division

OFFICIAL FORMS

OFFICIAL FORM NO. 20B

Form 20B. Notice of Objection to Claim

Form B20B (Official Form 20B)
(9/97)

Form 20B. Notice of Objection to Claim

[Caption as in Form 16A.]

NOTICE OF OBJECTION TO CLAIM

_____ has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before (date), you or your lawyer must:

{If required by local rule or court order.}

[File with the court a written response to the objection, explaining your position, at:

{address of the bankruptcy clerk's office}

If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

You must also mail a copy to:

{objector's attorney's name and address}

{names and addresses of others to be served}}

Attend the hearing on the objection, scheduled to be held on (date), (year), at _____ a.m./p.m. in Courtroom _____, United States Bankruptcy Court, {address}.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: _____

Signature: _____

Name:

Address:

Form 20B

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
WASHINGTON, D.C. 20544

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FERN M. SMITH
EVIDENCE RULES

August 5, 1999

Honorable Susan Pierson Sonderby
United States Bankruptcy Court
219 South Dearborn Street
Chicago, Illinois 60604

Dear Judge Sonderby:

Thank you for your suggestion to amend Bankruptcy Official Form No. 20B "Notice of Objection to Claim." A copy of your letter was sent to the chair and reporter of the Advisory Committee on Bankruptcy Rules for their consideration.

We welcome your suggestion and appreciate your interest in the rulemaking process.

Sincerely,



Peter G. McCabe
Secretary

cc: Honorable Adrian G. Duplantier
Professor Alan N. Resnick
Professor Jeffrey W. Morris