



Chambers of Judge M Bruce  
McCullough/PAWB/03/USCO  
URTS

Sent by Pat Bickar

12/07/2007 04:23 PM

To "Director's Office Broadcast"  
<DirectorsOfficeBroadcast@ao.uscourts.gov>  
cc

Subject Re Request for Comments, Proposed Amendment to  
Bankruptcy Rule 8002 

07-BR-018

I received this memo not 15 minutes ago. That's the amount of time it took me to decide this was a foolish idea. It's also about the amount of time it should take a competent - and I emphasize competent - lawyer to decide to appeal a Bankruptcy final order.

Once the decision is made to appeal, the process of appeal is very simple and uncomplicated. My experience with any professional or decision-maker, perhaps including myself, is that one will delay the decision as long as possible. In Bankruptcy - that's not good.

In Bankruptcy, it is important to move the process - because time is both money and jobs. Both of those are what bankruptcy is all about. For example, if you extend the appeal date on a sale of real property, the financing entity is likely to be more reluctant or increase the fees. This would "chill the bidding" on sales.

I see nothing in the memo to suggest that there is anything wrong with, or any inequity in the current 10-day appeal period which has been in effect since 1898, if I understand footnote 1 correctly.

I reserve the right to supplement this response  
Bruce McCullough

U. S. Chief Bankruptcy M.