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09/23/2008 01:40 PM

To Rules Comments/DCA/AO/USCOURTS@USCOURTS

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Subject Proposed Rule 7001(b)

I think this new proposed rule is in the wrong place. Part VII is for rules governing adversary proceedings. This new rule purports to govern a kind of contested matter. I would think the current Rule 7001(4) could be expanded to indicate which objections to discharge are not within the scope of the rule, i.e. move the list you propose to put in new Rule 7004(b) into current Rule 7001(4). The import of proposed Rule 7001(b) should be in Rule 4004. It mostly is already in the proposed amendments to that rule, so a little tweaking is all that would be necessary.

A decade or so ago during my tenure on the committee, we went through Part VII specifically to move contested matter rules that had crept into Part VII, most notably in Rule 7052.

The committee might want to avoid starting down this road again.

Thanks for listening. Keep up the good work.

Bob