

UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF MARYLAND

08-BK-C

PAUL MANNES
JUDGE

U. S. Courthouse
6500 Cherrywood Lane
Greenbelt, Maryland 20770
(301) 344-8040

April 8, 2008

Peter G. McCabe, Secretary
Committee on Rules of Practice & Procedure
Administrative Office of the U.S. Courts
One Columbus Circle, N.E.
Washington, DC 20544

Dear Mr. McCabe:

This is to suggest consideration by the Committee of an amendment to Bankruptcy Rule 3003(c)(2). The Rule would require the debtor in a case under Chapter 11 to serve upon each creditor, whose claim is scheduled as disputed, contingent or unliquidated, notice of that listing within 15 days after filing the schedule or within 15 days after adding such a creditor to a previously filed schedule. The notice should state that a creditor must file a proof of claim and the failure to do so timely will prevent the creditor from voting on a plan or participating in any distribution.

This Rule is suggested because it is not uncommon for debtors either out of ignorance or design to schedule creditors in a fashion requiring the filing of a proof of claim. These creditors often do not have ready access to the court files and may be frozen out of the process.

Another possible change but of less urgency is to Bankruptcy Rule 2016(b). This would require the attorney for the debtor to file and transmit to the United States Trustee the statement required by § 329 of the Code. While it is true that the courts by local rule can expedite this filing, I have been at a loss to understand the reasoning behind not requiring the filing of the statement with the petition.

Respectfully yours,



PAUL MANNES