

09-BK-G



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To Dana McWay/MOEB/08/USCOURTS@USCOURTS

cc

Subject Chapter 15 Comment

Hi, Dana,

Thank you for letting Mark know I commented on some of the Next Gen issues.

I have a thought about chapter 15 that I didn't include in my comments and don't know if it is appropriate - it doesn't really have to do with the Next Gen stuff and might touch on the forms modernization efforts.

I think there should be a specific petition form for chapter 15 that is separate from the VP form. As you know, the parties in a chapter 15 aren't the same as the other chapters. The main and non-main proceeding section on the VP clutters up the form. The foreign representative box is always somehow confusing and does not include space for their address (yes that should be on the accompanying documents, but one has to search through documents from a foreign court that we aren't familiar with).

§ 1502. Definitions - defines "debtor" as the entity that is the subject of a foreign proceeding. Maybe that's where the idea of adding chapter 15 to the VP came from? In practical practice, using the same form for all of the chapters doesn't work. There is a separate form for involuntaries.

That's my two cents worth - I realize this would require Judicial Conference approval and the creation of a new form and revision to the VP.

If I am way out in left field, please feel free to disregard.

The FRGs are doing great work - and lots of it!

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