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From: Judge\_Eric\_Frank@paeb.uscourts.gov  
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Sent: Monday, February 11, 2013 12:56 PM  
To: Gibson, S. Elizabeth  
Subject: Suggested Forms Amendment re: 11 U.S.C. §1116(1)

2-11-13

Professor Gibson:

I am writing with what I consider a relatively modest suggestion for amending the voluntary petition form. This suggestion is also made on behalf of my colleague, Bruce Fox (who should receive the primary credit/blame for the suggestion).

Section 1116(1) of the Code requires that a small business entity "append to the voluntary petition" various business documents or a certification that such documents have not been prepared. I suspect that compliance with this statutory requirement is sketchy at best. This obligation would be better known and compliance would be enhanced if the voluntary petition referenced this small business debtor obligation and provided boxes for the Debtor to indicate either that the documents are appended or have not "been prepared."

Thank you for your consideration of this suggestion.

-- Eric

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