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To <interim_bk_rules@ao.uscourts.gov>
cc
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Subject Rule 4002(C)(4): Tax returns requested by creditors

05-BR-022

I'm concerned that the rule does not require a creditor who requests the debtor's tax return be required to pay a reasonable fee for copying or scanning, postage and handling.

I suspect that almost every national creditor will request a copy of the return. If the return is filed as an attachment to the schedules, then the debtor's attorney can simply email the creditor and state that the return is available through Pacer. But if the return is not filed with the schedules, then the smaller practitioner will be compelled-at his expense-to copy and mail the return to perhaps a dozen creditors.

A third option is to permit the attorney to scan and email the return to the creditor (after redacting all but the last four digits of the SSN's). But again, there are costs associated with this method of compliance, costs which I think the creditor should bear.

To conclude, I believe the Rules should address the issue of reasonable payment when a creditor requests the debtor's tax return.

Sincerely,

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