

**Bankruptcy Rules Tracking Docket (By Rule Number) 9/12/05**

**Approved Items - Pending Congressional Action (if any)**

| <b>Suggestion</b>   | <b>Effective Date</b> |
|---|-----------------------|
| <b>Rule 1007</b><br>Debtor to include matrix name/address persons for schedules D-H           | 12/1/05               |
| <b>Rule 2002(g)</b><br>Allow entity to designate address for purpose of receiving notices     | 12/1/05               |
| <b>Rule 3004</b><br>Debtor or trustee may not file proof of claim until creditor time expires | 12/1/05               |
| <b>Rule 3005</b><br>Conform to code   | 12/1/05               |
| <b>Rule 7004</b><br>Clerk can sign, seal, and issue summons electronically                    | 12/1/05               |
| <b>Rule 9001</b><br>Notice provider definition  | 12/1/05               |
| <b>Rule 9006(f)</b><br>Additional time after service by mail                                  | 12/1/05               |
| <b>Rule 9036</b><br>Notice by electronic means is complete upon transmission                  | 12/1/05               |
| <b>Official Form 6, Schedule G<sup>1</sup></b><br>Amend to delete statement re notice         | 12/1/05               |

**Active Items**

| <b>Suggestion</b> | <b>Docket No., Source &amp; Date</b> | <b>Status Pending Further Action</b> | <b>Tentative Effective Date</b> |
|-------------------|--------------------------------------|--------------------------------------|---------------------------------|
|                   |                                      |                                      |                                 |

---

<sup>1</sup> Does not require approval by Congress or the Supreme Court

|   |   |   |                |
|---|---|---|----------------|
| <p><b>Rules 1005, 1007</b><br/>Use of other taxpayer ID numbers</p>                                     |   | <p>3/05 - Committee considered, referred to Subcommittee on Privacy, Public Access &amp; Appeals<br/>9/05 - Committee agenda</p>  |                |
| <p><b>Rule 1009</b><br/>Social security number - amended statement</p>                                  |   | <p>4/04 - Committee approved for publication<br/>6/04 - Standing Committee approved for publication<br/>8/04 - Published for public comment<br/>3/05 - Committee approval<br/>6/05 - Standing Committee approved<br/>9/05 - Judicial Conference</p> | <p>12/1/06</p> |
| <p><b>Rules 1010 and 1011</b><br/>Rule 7007.1 applied in involuntary cases</p>                          | <p>Committee proposal</p>                                 | <p>9/04 - Committee considered, referred to Reporter<br/>3/05 - Committee considered, tabled to 9/05<br/>9/05 Committee agenda</p>  |                |
| <p><b>Rule 1014</b><br/>Clarifies that court may act <i>sua sponte</i> to dismiss or convert a case</p> | <p>Joint Subcommittee on Venue and Chapter 11 Matters</p> | <p>8/04 - Approved by Joint Subcommittee<br/>9/04 - Committee approved for publication<br/>1/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p>   | <p>12/1/07</p> |
| <p><b>Rule 2021</b><br/>Participation by telephonic means</p>   | <p>Joint Subcommittee on Venue and Chapter 11 Matters</p> | <p>8/04 - Discussed by Joint Subcommittee<br/>9/04 - Discussed by Committee<br/>1/05 - Considered by Joint Subcommittee<br/>3/05 - Committee considered, no action taken<br/>9/05 - Committee agenda</p>  |                |

|   |   |  |                |
|---|---|--|----------------|
| <p><b>Rule 3001</b><br/>Procedure for filing excerpts supporting proof of claim</p>               | <p>04-BK-A<br/>Glen K. Palman for Claims Subcomt. of CM/ECF Working Group 2/19/04</p> | <p>9/04 - Committee considered, referred to Subcommittee on Forms<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p>   | <p>12/1/07</p> |
| <p><b>Rule 3002(c)(5)</b><br/>Timing issues for notice of newly discovered assets</p>             | <p>04-BK-E<br/>Judge Dana L. Rasure for Bankruptcy Judges Advisory Group 11/15/04</p> | <p>3/05 - Committee considered, referred to Privacy Subcomt.<br/>9/05 - Committee agenda</p>   |                |
| <p><b>Rule 3007</b><br/>Procedure for objection to claim - no affirmative relief at same time</p> |   | <p>9/04 - Committee approved for publication<br/>1/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p>  | <p>12/1/07</p> |
| <p><b>Rule 3007</b><br/>Omnibus objections to claims</p>  | <p>Joint Subcommittee on Venue and Chapter 11 Matters</p>                             | <p>8/04 - Considered by Joint Subcommittee<br/>9/04 - Approved in principle by Committee<br/>1/05 - Revised by Joint Subcommittee<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p> | <p>12/1/07</p> |
| <p><b>Rule 3007</b><br/>Service of objections to claims</p>                                       | <p>Judge Klein</p>  | <p>9/05 - Committee agenda</p>   |                |

|   |   |  |                 |
|---|---|--|-----------------|
| <p><b>Rule 4001</b><br/>Requirements for cash collateral motions</p>  | <p>Joint Subcommittee on Venue and Chapter 11 Matters</p> | <p>8/04 - Discussed by Joint Subcommittee<br/>9/04 - Discussed by Committee<br/>1/05 - Approved by Joint Subcommittee<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p>   | <p>12/1/07</p>  |
| <p><b>Rule 4002</b><br/>Clarify debtor's obligation to provide substantiating documents</p>   | <p>03-BK-D<br/>Lawrence A. Friedman<br/>8/1/03</p>        | <p>8/03 - Sent to chair and reporter<br/>9/03 - Committee considered, referred to Consumer Subcomt.<br/>1/04 - Consumer Subcommittee considered at focus group meeting<br/>3/04 - Committee approved for publication<br/>6/04 - Standing Committee approved for publication<br/>8/04 - Published for public comment<br/>3/05 - Committee approval (as modified)<br/>4/05 - Committee deferred action<br/>8/05 - Included in Interim Rule</p> | <p>10/17/05</p> |
| <p><b>Rule 4003(b)</b><br/>Allow retroactive extension of deadline, and provide that secured creditors may object to exemption claim.</p> | <p>04-BK-B<br/>Judge Eugene R. Wedoff<br/>2/17/04</p>     | <p>3/04 - Sent to chair and reporter<br/>9/04 - Committee considered, referred to Consumer Subcomt.<br/>11/04 - Approved by Subcommittee<br/>3/05 - Committee approved in part, referred to Consumer Subcomt. for further study<br/>9/05 - Committee agenda</p>  |                 |

|   |   |  |                               |
|---|---|--|-------------------------------|
| <p><b>Rule 4008</b><br/>Reaffirmation agreement to be filed within 30 days of discharge</p> | <p>01-BK-E<br/>Francis F. Szczebak, Esq., for the BK Judges Advisory Group<br/>11/30/01</p> | <p>1/02 - Referred to chair and reporter<br/>3/02 - Committee considered, referred to subcommittee.<br/>10/02 - Committee approved for publication<br/>1/03 - Standing Committee approved for publication<br/>8/03 - Published for public comment<br/>3/04 - Committee approval<br/>6/04 - Standing Committee approval<br/>9/04 - Judicial Conference approval<br/>4/05 - Withdrawn from Supreme Court at request of Executive Committee</p> |                               |
| <p><b>Rule 5001(b)</b><br/>Holding court outside the district in an emergency</p>           |   | <p>9/03 - Committee approved in principle; further action deferred<br/>9/05 - Committee agenda</p>   |                               |
| <p><b>Rule 5005(a)(2)</b><br/>Court may permit or require electronic filing</p>             | <p>04-BK-D<br/>Judge John W. Lungstrum<br/>8/2/04</p>                                       | <p>8/04 - Referred to reporter and chair<br/>9/04 - Committee approved for publication<br/>11/04 - Publication on "Fast Track" (3 month comment period)<br/>3/05 - Committee approval (as modified)<br/>6/05 - Standing Committee approval<br/>9/05 - Judicial Conference</p>  | <p>12/1/06<br/>Fast Track</p> |

|  |   |   |                |
|--|---|---|----------------|
| <p><b>Rule 5005(c)</b><br/>Add Clerk of the Bankruptcy Appellate Panel and District Judge to entities already listed</p> | <p>03-BK-B<br/>Judge Robert J. Kressel<br/>7/2/03</p>     | <p>7/03 - Referred to chair and reporter<br/>9/03 - Committee approved for publication<br/>1/04 - Standing Committee approved for publication<br/>8/04 - Published for Public Comment<br/>3/05 - Committee approval<br/>6/05 - Standing Committee approval<br/>9/05 - Judicial Conference</p> | <p>12/1/06</p> |
| <p><b>Rule 6003 (new)</b><br/>First day orders</p>   | <p>Joint Subcommittee on Venue and Chapter 11 Matters</p> | <p>8/04 - Discussed by Joint Subcommittee<br/>9/04 - Discussed by Committee<br/>1/05 - Approved by Joint Subcommittee<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for Public Comment</p>                        | <p>12/1/07</p> |
| <p><b>Rule 6006</b><br/>Omnibus Motions to Assume or Reject</p>  | <p>Joint Subcommittee on Venue and Chapter 11 Matters</p> | <p>8/04 - Considered by Joint Subcommittee<br/>9/04 - Approved in principle by Committee<br/>1/05 - Approved by Joint Subcommittee<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for Public Comment</p>           | <p>12/1/07</p> |

|   |  |  |                |
|---|--|--|----------------|
| <p><b>Rule 7004(b)(9) and (g)</b><br/>Service of summons and complaint on attorney for debtor</p> | <p>Committee proposal</p>                            | <p>3/04 - Committee approved for publication<br/>6/04 - Standing Committee approved for publication<br/>8/04 - Published for public comment<br/>3/05 - Committee approval (as modified)<br/>6/05 - Standing Committee approval<br/>9/05 - Judicial Conference</p>  | <p>12/1/06</p> |
| <p><b>Rule 7007.1</b><br/>Corporate ownership statement with initial filing</p>                   | <p>Committee proposal</p>                            | <p>9/04 - Committee approval as technical amendment without publication<br/>1/05 - Standing Committee approved publication<br/>8/05 - Published for Public Comment</p>   | <p>12/1/07</p> |
| <p><b>Rule 8002(a)</b><br/>Extending the appeal time</p>  | <p>Committee proposal</p>                            | <p>9/04 - Committee considered, referred to Technology Subcommittee for study<br/>1/05 - Subcommittee recommended taking no action<br/>3/05 - Committee considered, referred to Technology Subcomt.<br/>9/05 - Committee agenda</p>  |                |
| <p><b>Rule 9005.1 (new)</b><br/>Incorporate proposed Civil Rule 5.1 in the bankruptcy rules.</p>  | <p>03-BK-F<br/>Judge Geraldine Mund<br/>10/14/03</p> | <p>10/03 - Referred to reporter and chair<br/>3/04 - Committee considered and approved<br/>4/04 - Civil Rules Committee tabled proposed Rule 5.1<br/>1/05 - Standing Committee approved proposed Rule 5.1<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p> | <p>12/1/07</p> |

|  |  |  |                |
|--|--|--|----------------|
| <p><b>Rule 9021</b><br/>Separate Document Requirement</p>                            | <p>04-BK-<br/>Judge David Adams</p>                | <p>8/04 - Referred to Committee<br/>9/04 - Committee considered, referred to Privacy, Public Access and Appeals Subcommittee<br/>12/04 – Subcommittee discussed alternative approaches<br/>3/05 - Committee approved in principle for contested matters, referred to Privacy Subcommittee<br/>9/05 - Committee agenda</p>    |                |
| <p><b>Rule 9037 (new)</b><br/>Template privacy rule</p>                              | <p>E-Government Act § 205(c)(3)</p>                | <p>9/04 - Committee considered and referred to Reporter, Judge Swain<br/>3/05 - Committee approved for publication<br/>6/05 - Standing Committee approved for publication<br/>8/05 - Published for public comment</p>  | <p>12/1/07</p> |
| <p><b>New Rule</b><br/>Representation of corporations in small claims matters</p>    | <p>05-BK-A<br/>Judge Mannes</p>                    | <p>9/05 - Committee agenda</p>   |                |
| <p><b>Official Form 6, Schedule I</b><br/>Income of non-filing spouse disclosure</p> | <p>03-BK-D<br/>Lawrence A. Friedman<br/>8/1/03</p> | <p>8/03 - Sent to chair and reporter<br/>9/03 - Committee approved for publication<br/>6/04 - Standing Committee approved for publication<br/>8/04 - Published for public comment<br/>3/05 - Committee approval, chair given discretion to refer to Forms Subcommittee if legislation passes<br/>9/05 - Committee agenda</p> |                |

|  |                                      |   |  |
|--|--------------------------------------|---|--|
| <b>Official Form 10</b><br>Amend Proof of Claim form (See Rule 3001) | 04-BK-A<br>Glen K. Palman<br>2/19/04 | 3/04 - Referred to reporter, chair and Subcommittee on Forms<br>9/04 - Discussed by Committee, referred to Forms Subcommittee<br>12/05 - Approved by Subcommittee<br>3/05 - Committee approved for publication<br>6/05 - Committee deferred action<br>9/05 - Committee Agenda |  |
|--|--------------------------------------|---|--|

### Inactive Items / Historical Information

| Suggestion  | Docket No., Source & Date                       | Status  |
|---|---|---|
| <b>Rule 1019(3)</b><br>Superseding claims required in cases converted chapter 7                               | 04-BK-G<br>Attorney Thomas Yerbich<br>11/8/04   | 3/05 - Committee considered, no action taken<br><br><b>NO FURTHER ACTION</b>  |
| <b>Rule 1019(5)(A)</b><br>Deal with “nonexistence” of debtor-in-possession                                    | 04-BK-C<br>R. Bradford Leggett, Esq.<br>5/21/04 | 5/04 - Referred to chair and reporter<br>9/04 - Tab 13 Discussed by Committee - Vote to take no action<br><br><b>NO FURTHER ACTION REQUIRED</b>   |
| <b>Rule 2016</b><br>Require debtor’s attorney to disclose details of professional relationship with debtor    | 03-BK-D<br>Lawrence A. Friedman<br>8/1/03       | 8/03 - Sent to chair and reporter<br>9/03 - Committee considered and referred to Consumer Subcommittee<br>1/04 - Consumer Subcommittee considered at focus group meeting<br>4/04 - Tabled motion carried<br><br><b>NO FURTHER ACTION REQUIRED</b> |
| <b>Rule 3002(c)</b><br>Provide exception for Chapters 7 and 13 corporate cases where debtor not an individual | 01-BK-F<br>Judge Paul Mannes<br>6/23/00         | 6/00 - Referred to chair, reporter, and committee<br><br><b>NO FURTHER ACTION REQUIRED</b>  |

|   |   |  |
|---|---|--|
| <p><b>Rules 6004(a) and 2002(c)(1)</b><br/>Sale of property</p>   | <p>04-BK-F<br/>Judge Vincent Zurzolo 9/15/04</p>                        | <p>10/04 - Referred to reporter for review<br/>3/05 - Committee considered, no action taken<br/><br/><b>NO FURTHER ACTION</b></p>  |
| <p><b>Rule 7001</b><br/>dispense with requirement of filing adversarial complaint in certain circumstances</p>                | <p>03-BK-D<br/>Lawrence A. Friedman<br/>8/1/03</p>                      | <p>8/03 - Sent to chair and reporter<br/>9/03 - Committee considered and referred to Consumer Subcommittee<br/>1/04 - Consumer Subcommittee considered at focus group meeting<br/>3/04 - Committee considered and referred to Attorney Conduct Subcommittee<br/><br/><b>NO FURTHER ACTION REQUIRED</b></p> |
| <p><b>Rule 9006</b><br/>Limit after-the-fact extensions of time under Rules 3004 and 3005.</p>                                | <p>03-BK-005<br/>Judge Dennis Lynn<br/>1/6/04</p>                       | <p>1/04 - Referred to chair, reporter, and committee<br/>9/04 - Committee defers action<br/><br/><b>FURTHER ACTION MAY BE APPROPRIATE</b></p>  |
| <p><b>Rule 9036</b><br/>Notice by electronic means is ineffective if sender knows notice did not reach intended recipient</p> | <p>Committee proposal (see 02-BK-A)</p>                                 | <p>9/04 - Committee considered, referred to Subcommittee on Technology<br/>12/04 - Subcommittee discussion<br/>3/05 - Committee consideration, no action taken<br/><br/><b>NO FURTHER ACTION</b></p>   |
| <p><b>Small Claims Procedure</b><br/>Establish a "small claims" procedure.</p>  | <p>00-BK-D<br/>Judge Paul Mannes<br/>3/13/00<br/>(see also 98-BK-A)</p> | <p>5/00 - Referred to reporter, chair, and committee<br/><br/><b>NO FURTHER ACTION REQUIRED</b></p>  |