

**From:** Catherine McEwen

**Sent:** Thursday, February 18, 2021 12:03 PM

**To:** Scott Myers; Dennis Dow

**Subject:** Bk Rules Cmte: Suggestion for change in SBRA interim (and later, final) rules re timing of filing schedules

Currently DIPs have 14 days from the petition date within which to file the schedules, etc. FRBP 1007(c). In a sub V, the USTP needs the information earlier for two reasons: First, the UST has to appoint a sub V trustee right away who is conflict-free. Without the schedules, it's hard to assess that. Second, the initial debtor interview in a sub V has to be held no later than ten days from the petition date. "The United States Trustee will conduct an initial debtor interview ("IDI") with the debtor and debtor's counsel within 10 days after the case is filed." Chapter 3, s. I. A. 1. D., Handbook for Small Business Chapter 11 Subchapter V Trustees (Feb. 2020).

A shorter deadline than 14 days to file schedules should be set for sub V filers so that the case can proceed swiftly, as Congress envisioned and as implemented by the USTP.

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