

#3042

The Supreme Court of Ohio

30 EAST BROAD STREET, COLUMBUS, OHIO 43266-0419

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97-BK-D

JOHN J. DILENSCHNEIDER
COUNSEL TO THE COURT
(614) 466-1582

May 30, 1997

Francis F. Szczebak
Chief, Division of Bankruptcy
Administrative Office of the United States Courts
Washington, D.C. 20544

Dear Frank:

Re: Amended Federal Rule of Bankruptcy Procedure
9011(c)(2)(B).

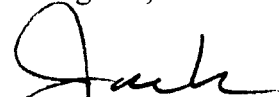
Under cover of a letter dated April 11, 1997 the Chief Justice submitted to the Congress the Amended Rules of Bankruptcy Procedure to become effective December 1, 1997.

I write to point out that the above referenced subsection of the amendment to Rule 9011 concludes "against the party who is, or whose attorneys are, to be sanctioned."

I believe the language is intended to mean and should read "to be subject to a sanction." While the noun "sanction" means a penalty, the verb "to sanction" means to approve, ratify or condone. You may want to refer this observation to the appropriate parties who could make a technical correction before the rules become effective.

I hope to see you at the NCBJ.

Best regards,



John J. Dilenschneider
Counsel to the Court

JJD/vo

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JUDICIAL CONFERENCE OF THE UNITED STATES
WASHINGTON, D.C. 20544

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June 10, 1997

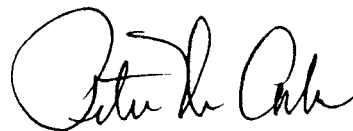
John J. Dilenschneider
Counsel to the Court
Supreme Court of Ohio
30 East Broad Street
Columbus, Ohio 43266-0419

Dear Mr. Dilenschneider:

Thank you for your suggestion to amend Bankruptcy Rule 9011(c)(2)(B). A copy of your letter will be sent to the chair and reporter of the Advisory Committee on Bankruptcy Rules for their consideration.

We welcome your suggestion and appreciate your interest in the rulemaking process.

Sincerely,



Peter G. McCabe
Secretary

cc: Honorable Adrian G. Duplantier
Professor Alan N. Resnick
Mr. Bryan A. Garner
Mr. Francis F. Szczebak