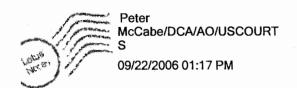
06 - BK-012



To "James Ishida" <James_Ishida@ao.uscourts.gov>, "Judy Krivit" <Judy_Krivit@ao.uscourts.gov>, "Jennifer Noell" <Jennifer_Noell@ao.uscourts.gov>, "Gale Mitchell"

hcc

Subject Fw: Error on Bankruptcy Official Form 5, Involuntary Petition

Please log in. Thanks

Peter

---- Original Message -----

From: Robin Hunt [coloatty@earthlink.net]

Sent: 09/22/2006 12:19 PM

To: Peter_McCabe@ao.uscourts.gov Cc: Kelly Sweeney@cob.uscourts.gov

Subject: Fw: Error on Bankruptcy Official Form 5, Involuntary Petition

Dear Mr. McCabe,

Kelly Sweeney, Chief Deputy Clerk, U.S. Bankruptcy Court, District of Colorado, suggested that I contact you about an apparent error on the Involuntary Petition, Official Bankruptcy Form 5 - part of the proposed revisions to the bankruptcy forms, which I found available via a link on the web site of the U.S. Bankruptcy Court for the District of Colorado.

http://www.uscourts.gov/rules/BK Forms 06 Official/Form_5_rev_1006.pdf

In the Filing Fee block of the Involuntary Petition, there are two references to section 304(g) regarding the availability of a waiver of the filing fee for a petitioner who is a child support creditor. Section 304 has been deleted entirely in BAPCPA, and there never was a subsection (g). Shouldn't the statutory reference be to section 303(g)?

Robin Hunt Associate Attorney Robert I. Cohen, P.C. 1888 Sherman St., Ste. 400 Denver, CO 80203 303-830-2811

>----Forwarded Message--->>From: Kelly_Sweeney@cob.uscourts.gov
>>Sent: Sep 22, 2006 8:13 AM
>>To: Robin Hunt <ColoAtty@EarthLink.net>
>>Subject: Re: News on Rule and Forms adopted by Judicial Conference
>>
>>Robin,
>>I have the same information that you have. You could read the comments or
>>try to contact Peter McCabe.
>>Sorry that I cannot be more help.
>>Kelly Sweeney
>>Chief Deputy Clerk, U.S. Bankruptcy Court
>>720-904-7303
>>kelly_sweeney@cob.uscourts.gov
>>

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>>The Bankruptcy Court strives for excellence in delighting its
>>practitioners, participants and the public by committing to their
>>satisfaction through flawless service with courtesy, competence,
>>efficiency, teamwork and professionalism.

>>Robin Hunt <ColoAtty@EarthLink.net>
>>09/22/2006 01:15 AM
>>To: "Kelly_Sweeney@cob.uscourts.gov" <Kelly_Sweeney@cob.uscourts.gov>
>>Subject: Re: News on Rule and Forms adopted by Judicial Conference
>>
>>Kelly,
>>
>>I was skimming over the revised forms on the web site for which you
>>provided a url. I noticed that the Involuntary Petition (page 6 of 45)
>>refers to section 304(g) in mentioning the waiver of the filing fee for a
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>>petitioner who is a child support creditor. Section 304 appears to have >>been completely deleted in BAPCPA, and there never was a subsection (g)

>>Robin Hunt





>>anyway. Isn't that a reference to section 303(g)?

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