

**PROCEDURE FOR REQUESTING THE UNITED STATES TRUSTEE TO RESCHEDULE
§341 MEETINGS OF CREDITORS IN CHAPTER 7 AND CHAPTER 11 CASES**

In furtherance of the duties imposed on the United States Trustee under the Bankruptcy Code ("Code") (11 U.S.C. §101 e-t. seq.) and 28 U.S.C. §586(a)(3), the United States Trustee, Region V herein promulgates the following procedures for requesting the rescheduling of §341 meetings of creditors in Chapter 7 & 11 cases (hereinafter referred to as "the request").

"The request" must be made in writing to the Office of the United States Trustee (U.S.T.), Texaco Center, 400 Poydras Street, Suite 1820, New Orleans, Louisiana, 70130 and should be submitted at least ten (10) days prior to the date of the scheduled §341 meeting. "The request" must set forth specific reasons supporting the need to reschedule the meeting and should have attached any supporting documentation including notes from the debtor's physician, notices of any previously scheduled court hearings, etc. Included below is the form to be submitted along with a self-addressed stamped envelope.

Upon approval, the requesting party shall notice all parties previously notified of the originally scheduled §341 date as well as parties subsequently added to the mailing matrix. An affidavit of notice must be filed into the court record with a copy to the U.S.T.

In situations of an emergency nature, (i.e. occurring within ten (10) days of the §341 meeting date) "the request" should include evidence that demonstrates that "the request" could not have been filed sooner. If approved, in addition to the procedures outlined in the above paragraphs, the requestor must also give notice of the new date by telephone to all creditors, the case trustee and all other parties in interest. The affidavit required to be filed must include a statement verifying that telephone notice was given.

In cases where the debtor fails to attend the originally scheduled §341 meeting and no prior approval has been sought, any request to reschedule must be received by the U.S.T. within five (5) days of the missed meeting. Should the U.S.T. deny "the request" the debtor should file the necessary pleadings with the Court, within ten (10) days of the originally set date in order to preclude the dismissal of the case.

The attached form entitled "REQUEST TO RESCHEDULE §341 MEETING OF CREDITORS" should be used and can be copied locally. Only an original need be submitted to the office of the U.S. Trustee. However, a self-addressed return envelope should also be provided.

DO NOT SUBMIT THE FORM TO THE CLERK'S OFFICE