



MEMORANDUM

To: Bankruptcy Practitioners in the Middle District of Georgia
From: Kyle George, Clerk of Court
Subject: Amendment to LBR 6007-1(b) Other Abandonments
Date: October 31, 2019

1. Among the amendments to the Federal Rules of Bankruptcy Procedure (FRBP) effective December 1, 2019 is an amendment to FRBP 6007(b), which addresses abandonment or disposition of property. The Rule is being amended to designate the parties to be served with a Motion to Compel the Trustee to Abandon Property under 11 U.S.C. §554(b), and by establishing an objection deadline. The amendment to FRBP 6007(b), therefore, makes our LBR 6007-1(b) largely redundant and should be amended accordingly.

2. The LBR would be amended as follows:

LBR 6007-1. Abandonment

(a) Omitted for purposes of this memo.

(b) Other Abandonments: ~~(1) A notice of intent to abandon (filed by the Trustee or debtor) or motion to compel abandonment (filed by any other entity) shall be filed with the Clerk of Court and served on all parties in interest in accordance with these Rules. The notice shall substantially comply with the requirements of LBR 9004-1 and LBR 9007-1. (2) The motion or notice~~ shall include a description of the property, state the reason the property should be abandoned, ~~and~~ state the estimated value of the property, ~~and make clear the date of the abandonment.~~

3. For clarity, the LBR as amended is:

(b) Other Abandonments A notice of intent to abandon (filed by the Trustee or debtor) or motion to compel abandonment (filed by any other entity) shall include a description of the property, state the reason the property should be abandoned, state the estimated value of the property, and make clear the date of the abandonment.

4. This rule change is being made available for public commentary during the period October 31, 2019 to November 30, 2019. If you have any comments or suggestions, please submit them to me at Kyle_George@gamb.uscourts.gov.