



MEMORANDUM

To: Bankruptcy Practitioners in the Middle District of Georgia
From: Kyle George, Clerk of Court
Subject: Amendment to LBR 3001-1 Bar Date in Chapter 11 Cases January 23, 2020

1. One of the concerns regarding the new Small Business Reorganization Act (Subchapter V) revisions is the bar date for filing proofs of claim in Subchapter V cases, given that 11 U.S.C. § 1189 sets a deadline of not later than 90 days after the order for relief is entered for the plan to be filed.

2. Our current LBR 3001-1 sets a bar date for filing proofs of claim in Chapter 11 cases of 90 days from the first scheduled 11 U.S.C. § 341 meeting of creditors. Maintaining this standard will not allow sufficient time for the proof of claim to be processed and considered in the case.

3. After reviewing the situation, the judges of this Court have decided to follow national recommendations and set by local rule a bar date for filing proofs of claim in Subchapter V Chapter 11 cases of 70 days from the entry of the order for relief.

4. We propose an amendment to LBR 3001-1(d) as follows:

LBR 3001-1. Claims and Equity Security Interests (amended February 23, 2020)

(a) - (c) omitted.

(d) Bar Date for Filing Claims in non-Subchapter V Chapter 11 Reorganization Cases. For all bankruptcy petitions filed under Chapter 11, the bar date for filing of proofs of claim or interest shall be 90 days from the first scheduled 11 U.S.C. § 341(a) Meeting of Creditors. For cause shown, the Court shall consider extending the time to file proofs of claim upon the filing of an appropriate motion or request within the 90-day period.

(e) Bar Date for Filing Claims in Subchapter V Chapter 11 Reorganization Cases. For all bankruptcy petitions filed under Subchapter V of Chapter 11, the bar date for filing proofs of claim or interest shall be 70 days after the entry of the order for relief of the Subchapter V Chapter 11

case. For cause shown, the Court shall consider extending the time to file proofs of claim upon the filing of an appropriate motion or request within the 70-day period.

5. This amendment to the local rules will be available for public comment from January 23, 2020 to February 23, 2020. I would very much appreciate comments back to me via email no later than February 23, 2020. My email address is Kyle_George@gamb.uscourts.gov. Your assistance in this matter is greatly appreciated.