UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

Paul R. Warren
Clerk of Court

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REVISED NOTICE CONCERNING AMENDMENTS TO BANKRUPTCY RULES EFFECTIVE DECEMBER 1, 2006

No. 06-05 December 1, 2006

PLEASE BE ADVISED THAT THE NOTICE TO ATTORNEYS SENT DECEMBER 4, 2006 INCLUDED CERTAIN AMENDMENTS TO THE BANKRUPTCY RULES THAT DO NOT BECOME EFFECTIVE UNTIL DECEMBER 1, 2007.

THE FOLLOWING BANKRUPTCY RULES WERE AMENDED EFFECTIVE DECEMBER 1, 2006.

Bankruptcy Rule 1009 (Amendments of Voluntary Petitions, Lists, Schedules and Statements): requires debtor to submit a corrected statement of social security number when the debtor becomes aware that the social security number previously submitted is incorrect.

Bankruptcy Rule 5005 (Filing and Transmittal of Papers): authorizes the district judge and clerk of the bankruptcy appellate panel to transmit erroneously delivered papers to the bankruptcy court clerk and the United States trustee.

Bankruptcy Rule 7004 (Process; Service of Summons; Complaint): clarifies that debtor's attorney must be served with the summons and complaint filed against the debtor.

Additional information regarding these amendments may be found at www.uscourts.gov> Federal Rulemaking> Completed Rules Amendments.

PAUL R. WARREN
Clerk of Court

AMENDMENTS TO THE FEDERAL RULES OF BANKRUPTCY PROCEDURE

Rule 1009. Amendments of Voluntary Petitions, Lists, Schedules and Statements.

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(c) STATEMENT OF SOCIAL SECURITY NUMBER.

If a debtor becomes aware that the statement of social security number submitted under Rule 1007(f) is incorrect, the debtor shall promptly submit an amended verified statement setting forth the correct social security number. The debtor shall give notice of the amendment to all of the entities required to be included on the list filed under Rule 1007(a)(1) or (a)(2).

(d) TRANSMISSION TO UNITED STATES TRUSTEE. The clerk shall promptly transmit to the United States trustee a copy of every amendment filed or submitted under subdivision (a), (b), or (c) of this rule.

Rule 5005. Filing and Transmittal of Papers

(a) FILING.

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(2) *Filing by Electronic Means.* A court may by local rule permit or require documents to be filed, signed, or verified by electronic means that are consistent with technical standards, if any, that the Judicial Conference of the United States establishes. A local rule may require filing by electronic means only if reasonable exceptions are allowed. A document filed by electronic means in compliance with a local rule constitutes a written paper for the purpose of applying these rules, the Federal Rules of Civil Procedure made applicable by these rules, and § 107 of the Code.

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(c) ERROR IN FILING OR TRANSMITTAL. A paper intended to be filed with the clerk but erroneously

delivered to the United States trustee, the trustee, the attorney for the trustee, a bankruptcy judge, a district judge, the clerk of the bankruptcy appellate panel, or the clerk of the district court shall, after the date of its receipt has been noted thereon, be transmitted forthwith to the clerk of the bankruptcy court. A paper intended to be transmitted to the United States trustee but erroneously delivered to the clerk, the trustee, the attorney for the trustee, a bankruptcy judge, a district judge, the clerk of the bankruptcy appellate panel, or the clerk of the district court shall, after the date of its receipt has been noted thereon, be transmitted forthwith to the United States trustee. In the interest of justice, the court may order that a paper erroneously delivered shall be deemed filed with the clerk or transmitted to the United States trustee as of the date of its original delivery.

Rule 7004. Process; Service of Summons, Complaint

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(b) SERVICE BY FIRST CLASS MAIL.

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(9) Upon the debtor, after a petition has been filed by or served upon the debtor and until the case is dismissed or closed, by mailing a copy of the summons and complaint to the debtor at the address shown in the petition or to such other address as the debtor may designate in a filed writing.

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(g) SERVICE ON DEBTOR'S ATTORNEY. If the debtor is represented by an attorney, whenever service is made upon the debtor under this Rule, service shall also be made upon the debtor's attorney by any means authorized under Rule 5(b) F. R. Civ. P.

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