

Release from Active Duty

Reservists and National Guard Members; active duty or homeland defense activity. Members of a reserve component of the Armed Forces and members of the National Guard who were called to active duty (as defined in 10 U.S.C. § 109(d)(1)) after September 11, 2001, for a period of at least 90 days, or who have preformed homeland defense activity (as defined in 32 U.S.C. § 901(1)) for a period of at least 90 days, are excluded from all forms of means testing during the time of active duty or homeland defense activity and for 540 days thereafter (the “exclusion period.”) During your exclusion period you are not required to complete the balance of this form, but you must complete the form no later than 14 days after the date on which your exclusion period ends, unless the time for filing a motion raising the means test presumption expires in your case before the exclusion period ends.

If you are released from active duty after the initial filing of your petition, you must notify the court as to the date you were released. Please check the appropriate box and enter the date of your release from duty below:

- a. I was called to active duty after September 11, 2001, for a period of at least 90 days and I was released from active duty on _____;

OR

- b. I performed homeland defense activity for a period of at least 90 days, terminating on _____.

I declare under penalty of perjury that the information provided is true and correct.

Date: _____ Signature: _____

Return this form to:

United States Bankruptcy Court
Western District of New York
Robert H. Jackson U.S. Courthouse
2 Niagara Square
Buffalo, NY 14202

OR United States Bankruptcy Court
Western District of New York
100 State Street
Rochester, NY 14614