

Rule 1009-1

Amendments to Voluntary Petitions, Lists, Schedules, and Statements

(a) Procedure and Form. A voluntary petition, list, schedule, statement, or other document filed to effect an amendment to a previously-filed document must clearly state in bold print that it is an amendment. The amendment must identify the added or changed information. The amended document must be signed by the amending party, who must attach to the amended documents a signed affirmation relating to all the amended pages in the same form as the original documents.

(b) Notice and Service of Amendment. The debtor must give notice and serve a copy of the amendment and the statement of purpose of the amendment to any appointed trustee, to the United States trustee, and to any entity affected by the amendment. The debtor must file a certificate of service showing the parties served and the date and method of service.

(c) Amendments Adding an Omitted Creditor. If pre-petition creditors not previously included on the mailing matrix are added by amendments at any time after the first notice of the meeting of creditors, the following procedures apply:

(1) The debtor must give notice of the amendment and statement of purpose together with a copy of the original Notice of § 341 Meeting of Creditors to the trustee, United States trustee, and the added creditor;

(2) In asset cases, the debtor must give notice informing the creditor of its right to file a Proof of Claim within ninety (90) days of service of the documents required by this LBR, or within the time set for previously scheduled creditors to file Proofs of Claim, whichever is later; or within such other time as allowed by Fed. R. Bankr. P. 9006(c) and ordered by the court; and

(3) In a chapter 7 case, the debtor must give notice informing the creditor of its right to file complaints under 11 U.S.C. §§ 523 and 727, and objections to the debtor's claim of exemptions, within sixty (60) days of service of the papers required by this LBR, or within the time set for previously scheduled creditors to file those complaints or objections, whichever is later.

(4) The extensions of deadlines granted by this LBR apply only to those creditors added by amendment.

(5) If a creditor is added after the order of discharge is entered in an individual chapter 7 case in which there is no distribution to creditors, the order of discharge is deemed to apply to the pre-petition debts owed to that creditor as of the later of:

(A) 60 days after the date the debtor provides evidence of service if the creditor has not filed complaints under 11 U.S.C. §§ 523 and 727; or

(B) the date the last orders denying or dismissing those complaints become final.