

**Information to identify the case:**

Debtor \_\_\_\_\_ Name \_\_\_\_\_ EIN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_ (State) [Date case filed for chapter 12 \_\_\_\_\_ MM / DD / YYYY OR

Case number: \_\_\_\_\_ [Date case filed in chapter \_\_\_\_\_ MM / DD / YYYY

\_\_\_\_\_ Date case converted to chapter 12 \_\_\_\_\_ MM / DD / YYYY

**Official Form 309H (For Corporations or Partnerships)****Notice of Chapter 12 Bankruptcy Case**

10/20

**For the debtor listed above, a case has been filed under chapter 12 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor, the debtor's property, or certain codebtors. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 12 plan may result in the discharge of debt. Creditors who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**Do not file this notice with any proof of claim or other filing in the case.**

**1. Debtor's full name**

**2. All other names used in the last 8 years**

**3. Address**

**4. Debtor's attorney**

Name and address

Contact phone

Email

**5. Bankruptcy clerk's office**

Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <https://pacer.uscourts.gov>.

Hours open

Contact phone

**6. Bankruptcy trustee**

Name and address

Contact phone

Email

For more information, see page 2 ►

**7. Meeting of creditors**

The debtor's representative must attend the meeting to be questioned under oath.

Creditors may attend, but are not required to do so.

\_\_\_\_\_ at \_\_\_\_\_  
Date Time

Location: \_\_\_\_\_

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

**8. Exception to discharge deadline**

The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.

You must start a judicial proceeding by filing a complaint if you want to have a debt excepted from discharge under 11 U.S.C. § 523(a)(2), (4), or (6).

**Deadline for filing the complaint:** \_\_\_\_\_

**9. Filing of plan**

[The debtor has filed a plan, which is attached. The hearing on confirmation will be held on: \_\_\_\_\_ at \_\_\_\_\_  
Date Time ]  
Location: \_\_\_\_\_

Or [The debtor has filed a plan. The plan and notice of confirmation hearing will be sent separately.]

Or [The debtor has not filed a plan as of this date. A copy of the plan and a notice of the hearing on confirmation will be sent separately.]

**10. Deadlines**

**Deadline for all creditors to file a proof of claim (except governmental units):**

**Filing deadline:** \_\_\_\_\_

**Deadline for governmental units to file a proof of claim:**

**Filing deadline:** \_\_\_\_\_

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at [www.uscourts.gov](http://www.uscourts.gov) or any bankruptcy clerk's office.

If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed.

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

**11. Creditors with a foreign address**

If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

**12. Filing a chapter 12 bankruptcy case**

Chapter 12 allows family farmers and family fishermen to reorganize according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan. You may object to confirmation of the plan and attend the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business.

**13. Discharge of debts**

Confirmation of a chapter 12 plan may result in a discharge of debts, which may include all or part of your debt. Unless the court orders otherwise, the discharge will not be effective until all payments under the plan are made. A discharge means that you may never try to collect the debt from the debtor except as provided in the plan.

If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2), (4), or (6), you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.