

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

COVER SHEET FOR DIRECT APPEAL OF A BANKRUPTCY COURT DECISION

Case Caption [<i>caption as described in Fed. R. Bankr. P. 7010 or 9004(b), as applicable</i>]:	Bankruptcy Court Case No: Bankruptcy Adversary Proceeding No. [<i>if applicable</i>]: District Court Civil No. [<i>if applicable</i>]:	Bankruptcy Judge: District Judge [<i>if applicable</i>]:
	Date and Document Number of Notice of Appeal Filed in [] Adversary Proceeding or [] Bankruptcy Case:	Date and Document Number of Bankruptcy Court Judgment, Order or Decree in [] Adversary Proceeding or [] Bankruptcy Case:

[To answer questions below, place “X” on lines where appropriate:]

1. Who is certifying the direct appeal?

- ☐ Certification by Court (*indicate below which court is certifying*)
 ☐ Certification by Bankruptcy Court – district: _____
 ☐ Certification by District Court – district: _____

 ☐ At request of one or more parties
 ☐ On court’s own initiative

 ☐ Court is required to make certification under 28 U.S.C. § 158(d)(2)(B)

☐ Certification by *All Parties* using Official Form 24 – district from which appeal is taken: _____

2. Which paragraph of section 158(a) is applicable [28 U.S.C. § 158(a)]?

- ☐ 28 U.S.C. § 158(a)(1): appeal of a final judgment, order or decree
☐ 28 U.S.C. § 158(a)(2): appeal of an interlocutory order or decree issued under 11 U.S.C. § 1121(d)
☐ 28 U.S.C. § 158(a)(3): appeal of an interlocutory order or decree [*other than one issued under 11 U.S.C. § 1121(d)*] requiring leave of the court [*indicate below whether leave has been granted*]
 ☐ District Court has not yet granted leave
 ☐ District Court has already granted leave [*provide civil proceeding name and civil number, date of order, name of judge, etc., in space provided below*]

3. Indicate basis for direct appeal [*select one of the following*]:

- ☐ The judgment, order or decree involves a question of law as to which there is no controlling decision of the court of appeals for this circuit or of the Supreme Court of the United States, or involves a matter of public importance.
☐ The judgment, order or decree involves a question of law requiring resolution of conflicting decisions.
☐ An immediate appeal from the judgment, order or decree may materially advance the progress of the case or proceeding in which the appeal is taken.

4. *Indicate whether appellant has obtained a stay pending appeal and provide pertinent information pertaining to stay (date of issuance, etc.):*

Granted _____ Yes _____ No Date and Court of Issuance: _____

5. *Provide below a brief description of the matter decided by the bankruptcy judge [example: Order Confirming Chapter 11 Plan]:* _____

6. **Bankruptcy Judge:** _____

[For notifying bankruptcy judges, staff of the court of appeals should refer to the circuit clerk's list of e-mail addresses.]

Date: _____

Submitted by: _____
Name

Title/Firm or Court