

United States Bankruptcy Court
Eastern District of New York

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In the Matter of

Technical Amendment to
Local Bankruptcy Rule 1073-2

General Order No. 639

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WHEREAS, Local Bankruptcy Rule 1073-2(b)(ii)(H) requires a technical amendment to conform to the renumbering of the Official Bankruptcy Forms 106A/B, *Schedule A/B: Property* and 206A/B, *Schedule A/B: Assets – Real and Personal Property*, effective December 1, 2015, it is hereby

ORDERED that Local Bankruptcy Rule 1073-2(b)(ii)(H) shall be amended effective December 1, 2015, to read as follows:

Rule 1073-2 DISCLOSURE OF RELATED CASES

(a) *Definition of Related Cases.*

Cases shall be deemed "Related Cases" for purposes of this rule and E.D.N.Y. LBR 1073-1 if the earlier case was pending at any time within 8 years before the filing of the current petition, and the debtors in such cases:

- (i) are the same;
- (ii) are spouses or ex-spouses;
- (iii) are affiliates, as defined in Bankruptcy Code § 101(2);
- (iv) are general partners in the same partnership;
- (v) are a partnership and one or more of its general partners;
- (vi) are partnerships which share one or more common general partners; or
- (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of the other debtor's estate under Bankruptcy Code § 541(a).

(b) *Disclosure of Related Cases.*

- (i) A petition commencing a case shall be accompanied by Local Form No. USBC-2 entitled "E.D.N.Y. LBR 1073-2 Statement."

- (ii) The E.D.N.Y. LBR 1073-2 Statement shall be executed by the debtor or any other petitioner under penalty of perjury and shall disclose, to the petitioner's best knowledge, information, and belief:
- (A) whether any Related Case is pending or has been pending at any time;
 - (B) the name of the debtor in such Related Case;
 - (C) the case number of such Related Case;
 - (D) the district and division in which such Related Case is or was pending;
 - (E) the Judge to whom such Related Case was assigned;
 - (F) the current status of such Related Case;
 - (G) the manner in which the cases are related; and
 - (H) any real property listed in a debtor's Schedule A/B, which was also listed in a Schedule A/B filed in a Related Case.

(c) *Sanctions.*

The failure to fully and truthfully provide all information required by the E.D.N.Y. LBR 1073-2 Statement may subject the debtor or any other petitioner and their attorney to appropriate sanctions, including without limitation, conversion, the appointment of a trustee, or the dismissal of the case with prejudice.

CROSS-REFERENCE: E.D.N.Y. LBR [1073-1](#)
REFERENCES: Bankruptcy Code §§ 101(2), 541(a); Court's Website
Committee Note: Local Form No. USBC-2 is available at the Court's Website and at the intake counter of the Clerk's office.

Dated: Brooklyn, New York
December 2, 2015

s/Carla E. Craig
Honorable Carla E. Craig,
Chief United States Bankruptcy Judge