

BANKRUPTCY RULES

Rule 2004: Examination

2004(a): On motion of any party in interest, the court may order the examination of any entity

2004(b): May relate only to the acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtor's estate, or to the debtor's right to a discharge

2004(c): The attendance of any entity for examination and for the production of documents, whether the examination is to be conducted within or without the district in which the case is pending, may be compelled as provided in Rule 9016 for the attendance of a witness at a hearing or a trial.

2004(d): The court may for cause shown and on terms as it may impose order the debtor to be examined under this rule at any time or place it designates, whether within or without the district wherein the case is pending.

Rule 9019: Compromise and Arbitration

9019(a): On motion by the trustee and after notice and a hearing, the court may approve a compromise or a settlement. Notice shall be given to creditors, the US trustee, the debtor and indenture trustees as provided in Rule 2002 and to any other entity as the court may direct.

9019(b): After a hearing on such notice as the court may direct, the court may fix a class or classes of controversies and authorize the trustee to compromise or settle controversies within such class or classes without further hearing or notice.

9019(c): On stipulation of the parties to any controversy affecting the estate the court may authorize the matter to be submitted to final and binding arbitration

Rule 2002: Notices to Creditors and Other Parties in Interest

Various rules about notices to various types of parties in interest with respect to different types of action

Section 341: Meetings of creditors and equity security

341(a): Within a reasonable time after the order for relief in a case under this title, the United States trustee shall convene and preside at a meeting of creditors

341(c): The court may not preside at, and may not attend, any meeting under this section including any final meeting of creditors. ... Nothing in this subsection shall be construed to require any creditor to be represented by an attorney at any meeting of creditors.

341(e): Notwithstanding subsections (a) and (b), the court, on the request of a party in interest and after notice and a hearing, for cause may order that the United States trustee not convene a meeting of creditors or equity security holders if the debtor has filed a plan as to which the debtor solicited acceptances prior to the commencement of the case

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Rule 60(b) - Relief from Judgment or Order

Federal Rules of Civil Procedure

"On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:

- 1) mistake, inadvertence, surprise or excusable neglect;
- 2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- 3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- 4) the judgment is void;
- 5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or
- 6) any other reason that justifies relief