

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: Superseding General Order 192
Retention of a Claims and Noticing Agent General Order M-409
Pursuant to 28 U.S.C. § 156(c)

Pursuant to 28 U.S.C. § 156(c), certain administrative duties of the Clerk of Court – such as providing notice and claims processing – may be performed by a facility or service, provided that the costs of such facility or service are paid out of estate assets. A facility or service performing this role serves as the claims and noticing agent in a case where it has been retained by Court order to function as such. This General Order, which supersedes General Order 192,¹ requires the retention – pursuant to an order of the Court – of an approved claims and noticing agent² in a case having one thousand (1,000) or more creditors and/or equity security holders.

Nothing in this General Order prevents a debtor from retaining a claims and noticing agent where the number of creditors and/or equity security holders will be less than 1,000, provided that such retention is obtained by Court order.

To implement this General Order, the Clerk's Office may issue a protocol, model documents and guidelines pertaining to the retention of a claims and noticing agent, and may make revisions to such without the need to amend this General Order.

Dated: New York, New York
September 22, 2010

/s/ Arthur J. Gonzalez
ARTHUR J. GONZALEZ
Chief United States Bankruptcy Judge

¹ General Order M-408 also supersedes General Order 192 and applies in a case where a claims and noticing agent has not been retained.

² See the Court's website [www.nysb.uscourts.gov] for the list of approved claims and noticing agents.