

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

GENERAL ORDER AND NOTICE OF FILE TO BE
MAINTAINED BY CLERK OF REGULATIONS AND
INSTRUCTIONS ISSUED BY THE UNITED STATES
TRUSTEE GOVERNING ESTATE ADMINISTRATION

Inasmuch as all Chapter 7 estates, liquidation, and distribution proceedings occur under the supervision of the United States Trustee with services rendered by a panel of Chapter 7 Trustees, it is the purpose of this General Order to give notice of that liquidation and distribution process and to require the Assistant United States Trustee for West Virginia to file and maintain with the Clerk of this Court a complete file of regulations or instructions under which Chapter 7 Panel Trustees and other Trustees are administering estate property and making distributions to creditors.

28 U.S.C. § 586 delegates substantial authority over marshaling of estate assets, liquidation of estate property and distribution to creditors to the United States Trustee. No provision is made for notice of the instructions of the United States Trustee to parties in interest. The purpose of this General Order is to provide notice to creditors and parties in interest of the responsibility various appointed professionals have for estate administration and to require the Clerk to maintain a file of regulations and instructions governing estate administration issued by the United States Trustee to ensure access by parties in interest to such regulations and instructions.

The Assistant United States Trustee for West Virginia with authority to act for the United States Trustee in this district is Debra A. Wertman. The Assistant United States Trustee and staff are located at 550 United Center, 500 Virginia Street East, Charleston, WV, 25301, (304) 347-5310.

The duties of the U.S. Trustee delineated in 28 U.S.C. § 586(a) and includes:

- (1) establish, maintain, and supervise a panel of private trustees that are eligible and available to serve as trustees in cases under chapter 7 of title 11;

(2) serve as and perform the duties of a trustee in a case under title 11 when required under title 11 to serve as trustee in such a case;

(3) supervise the administration of cases and trustees in cases under chapters 7, 11, 12 and 13 of title 11 by, whenever the United States trustee considers it to be appropriate--

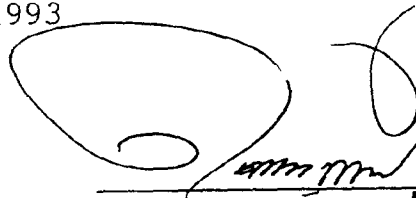
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To provide creditors reasonable access to practices and regulations with respect to the liquidation process, to provide a central place for creditors to gain access to regulations and instructions provided to Trustees and to promote fairness and understanding in the Bankruptcy liquidations process, it is hereinafter--

ORDERED that the Assistant United States Trustee for West Virginia shall, within twenty (20) days of the date of this Order, file and therefrom maintain with the Clerk of this Court a complete and current set of instructions the U.S. Trustee issues to Chapter 7 Panel Trustees and other Trustees who are appointed by the United States Trustee for the liquidation of estate property and distribution to creditors. These instructions shall be maintained by the Clerk of this Court in files known as United States Trustee Regulations and Instructions for Estate Administration and indexed as to the Trustee or Trustees to which they apply. These files shall be available during regular business hours for inspection by any creditor. Notice of the maintenance of this file shall be provided in every notice of the need to file claims in chapter 7 cases.

This Order and Notice is to be provided by the Clerk to all creditors who have made appearance in cases during the past year in five (5) cases or more and is to be indexed as a General Order of this Court.

ENTERED: November 24, 1993

A handwritten signature in black ink, appearing to be "William M. [unclear]", written over a horizontal line.

Judge