

# THE UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF PENNSYLVANIA

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Ellen Linskey  
Chief Deputy

July 12, 2010

## **\*\*Public Notice\*\***

### **EFFECTIVE JULY 12, 2010, THE BANKRUPTCY NOTICING CENTER WILL NOT MAIL NOTICES TO A CREDITOR IF ADDRESS IS INVALID**

When a bankruptcy court mails notices to a creditor, the court is required to use the address a debtor provides on its creditor mailing list unless a creditor has provided the court with a different address. The court uses the Bankruptcy Noticing Center (BNC) to mail notices, but the BNC can only do so if an address is valid. If an address is not valid, the United States Postal Service (USPS) treats this as sending mail to an undeliverable address. Reasons for undeliverable mail may include: incomplete address; moved to a foreign address; moved and left no forwarding address; post office box closed; and forwarding order expired. In some instances the USPS will forward mail when a creditor has given the USPS a forwarding address, but only for a limited time. It is up to the debtor or creditor to file a change of address with the court.

Since the start of the BNC program, the Administrative Office of the U.S. Courts has authorized the BNC to bypass notices with incomplete addresses. Now, the BNC will no longer print and mail notices to undeliverable addresses for the additional reasons stated above. Instead, the BNC will mail a notification to the debtor or debtor's attorney stating that the notice was bypassed. The bypass notification will: (1) include a copy of the notice that the BNC did not mail to the undeliverable address; (2) identify the creditor and the undeliverable address; (3) instruct the debtor to immediately mail the undelivered notice to the creditor; (4) inform the debtor that the BNC will not mail future notices to the undeliverable address; and (5) include space on the notification for the debtor to insert a corrected address for the creditor.

Please refer to Local Rule 1007-2(d) regarding debtor responsibilities to notify the court of creditor address corrections.

The BNC will continue to identify undeliverable addresses for creditors on each BNC Certificate of Notice under the category "Bypassed." The BNC will also include the reason why a creditor's address was bypassed and state that the debtor or debtor's attorney was notified that the address was undeliverable.

Please note that the BNC will continue to mail notices to undeliverable addresses under the following conditions: (1) the address is for a debtor; or (2) the address is for a creditor who, pursuant to 11 U.S.C. § 342(f), has filed a preferred address with the BNC for all cases or who, pursuant to 11 U.S.C. § 342(e), has filed a preferred address with the court for a particular case. The BNC will attempt to contact the preferred address recipient regarding the need for address correction.

Providing valid addresses will reduce the volume of returned mail that the debtor, debtor's attorney and the courts receive, and it will avoid unnecessary postage costs.

See Sample Notices Attached Below:

- 1) SAMPLE BNC BYPASS NOTICE TO DEBTOR'S ATTORNEY
- 2) SAMPLE BNC BYPASS NOTICE TO DEBTOR

SAMPLE BNC BYPASS NOTICE TO DEBTOR'S ATTORNEY

June 24, 2010

From: United States Bankruptcy Court

RE: U.S. Courts, Bankruptcy Noticing Center - Undeliverable Notice, Case Number: 09-00912

**TO THE DEBTOR'S ATTORNEY:**

The attached notice could not be mailed to the notice recipient(s) listed below because the United States Postal Service (USPS) has determined that one or more addresses in the case mailing list are undeliverable.

Please be advised that dischargeability of a debt may be affected if a creditor fails to receive certain notices.

**NOTE:** You must immediately send a copy of the attached notice to the recipient(s) listed below. **No further notices will be mailed to the notice recipient(s) listed below until the address is updated in accordance with local court policy using this form, a separate notice of change of address, and/or an amended schedule.** This form cannot be used to add a new creditor not previously listed on the debtor's schedules.

If this form is used by your court in place of filing a separate notice of change of address and/or an amended schedule, you must: 1) locate the correct address and forward the attached notice to each creditor; 2) list each updated address below; 3) sign and date the form; and 4) file this form with the court.

**UNDELIVERABLE ADDRESS:** Price Modern of Washington, 9700A Martin Luther King Jr HW, Lanham, MD 20706

**Reason:** Forwarding address with USPS: 4400 FORBES BLVD STE A, LANHAM MD 20706-4447  
Forwarding order has expired.

**UPDATED ADDRESS:**

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\_\_\_\_\_  
Signature of Debtor or Debtor's Attorney

\_\_\_\_\_  
Date

SAMPLE BNC BYPASS NOTICE TO DEBTOR

June 24, 2010

From: United States Bankruptcy Court

RE: U.S. Courts, Bankruptcy Noticing Center - Undeliverable Notice, Case Number: 09-00857

TO THE DEBTOR:

The enclosed notice could not be mailed to the notice recipient(s) listed below because the United States Postal Service (USPS) has determined that one or more addresses in the case mailing list are undeliverable.

Please be advised that dischargeability of a debt may be affected if a creditor fails to receive certain notices. You should consult an attorney with any legal questions you might have.

NOTE: You must immediately send a copy of the enclosed notice to the recipient(s) listed below. No further notices will be mailed to the notice recipient(s) listed below until the address is updated in accordance with local court policy using this form, a separate notice of change of address, and/or an amended schedule. This form cannot be used to add a new creditor not previously listed on your schedules.

If this form is used by your court in place of filing a separate notice of change of address and/or an amended schedule, you must: 1) locate the correct address and forward the enclosed notice to each creditor; 2) list each updated address below; 3) sign and date the form; and 4) file this form with the court.

UNDELIVERABLE ADDRESS: HSBC, PO BOX, 15524, WILMINGTON, DE 19850

Reason: Forwarding order has expired.

UPDATED ADDRESS:

Table with 4 empty columns for updated address information.

UNDELIVERABLE ADDRESS: NCC, PO BOX, 18036, HAUPPAUGE, NY 11788-8836

Reason: P.O. Box has closed.

UPDATED ADDRESS:

Table with 4 empty columns for updated address information.

UNDELIVERABLE ADDRESS: UNITED AUTO CREDIT, 9932 MAIN, ST., FAIRFAX, VA. 22031

Reason: Forwarding address with USPS: 18191 VON KARMAN AVE STE 300, IRVINE CA 92612-7106 Forwarding order has expired.

UPDATED ADDRESS:

Table with 4 empty columns for updated address information.

Debtor's Signature

Date