FILED
NOV - 2 1998
ED STATES BANKRUPTCY CO
TERN DISTRICT OF CALIFOR

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:	)	
Complaints Against *Pro Se* Debtors Pursuant to 11 U.S.C. §§ 523 and 727	)	General Order 98-5
	)	

IT IS HEREBY ORDERED that in all adversary proceedings in Chapter 7 cases in this district filed pursuant to either or both 11 U.S.C. §523 and 11 U.S.C. §727 where the debtor or debtors are not represented by counsel, the plaintiff shall serve with the summons and complaint a copy of NOTICE TO *PRO SE* DEBTOR(S), in the form attached hereto as Exhibit 1, together with a sufficient number of copies for service, filing, and conforming of the ANSWER in the form attached hereto as Exhibit 2 with the caption information completed. The "Exhibit" designations shall be deleted from the copies served. When service of Exhibits 1 and 2 is required, the plaintiff shall file with the clerk a declaration that copies of the NOTICE TO *PRO SE* DEBTOR(S) and the ANSWER, in the required number of copies, were served together with the summons and complaint.

IT IS FURTHER ORDERED that the clerk shall include a copy of this order and copies of Exhibits 1 and 2 with each summons issued with respect to complaints filed in Chapter 7 cases pursuant to 11 U.S.C. §§ 523 and 727 where the court records do not indicate that the debtor or debtors are represented by counsel.

This General Order supersedes General Order 98-1

DATED: November 2, 1998

David E. Russell, Chief Judge

Michael S. McManus, Judge

Christopher M. Klein, Judge

Jane Dickson McKeag, Judge

Brett Dorian, Judge

Whitney Rimel, Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

NOTICE TO PRO SE DEBTOR(S)

You have received this notice because the creditor whose name appears as "plaintiff" in the papers accompanying this notice has filed a proceeding against you to either have the bankruptcy discharge you will be receiving not affect the creditor's claim (non-dischargeability pursuant to Bankruptcy Code Section 523) or to deny entry of your discharge (denial of discharge pursuant to Bankruptcy Code Section 727).

Non-dischargeability as to a particular debt means that a creditor who obtains such a judgment will be free to enforce that creditor's claim against you despite your bankruptcy filing and the discharge entered in your bankruptcy proceeding. Enforcement can include wage garnishment and seizure of property not subject to exemption under federal or state law.

Denial of discharge means that despite your bankruptcy filing, you will not be granted a discharge and that all of your creditors (not just the party filing the complaint against you) will be able to continue to pursue their claims against you.

If you do not file with the bankruptcy court and serve upon the plaintiff's attorney a written response within thirty (30) days **from the date the summons was issued** (NOT 30 days from the date the summons and complaint were mailed to or received by you), your default and a judgment against you can be entered. There is no fee payable to the clerk for filing the answer.

You are urged to have an attorney represent you, but representation by an attorney is not required. If you wish to do so, you may utilize the form answer which accompanies this notice. A signed original must be **received** by the court clerk at 501 I Street, Suite 3-200, Sacramento, CA 95814 no later than **thirty (30) days from the date the summons was issued**. Your answer must also contain a certificate under penalty of perjury that a copy of the answer was mailed to the plaintiff's attorney at the address shown on the summons. A form for this appears at the end of the answer.

If you wish to have a copy of the answer you file with the clerk which shows the date on which it was received by the clerk, you must enclose an additional copy of the answer, together with a stamped return envelope, or you may personally file the answer at the clerk's office and receive back a file stamped copy at the time of filing.

It is also essential that you appear in court for the pre-trial hearing at the time and place noted on the summons.

This notice has been sent to you pursuant to order of the court.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

NOTICE TO PRO SE DEBTOR(S)

You have received this notice because the creditor whose name appears as "plaintiff" in the papers accompanying this notice has filed a proceeding against you to either have the bankruptcy discharge you will be receiving not affect the creditor's claim (non-dischargeability pursuant to Bankruptcy Code Section 523) or to deny entry of your discharge (denial of discharge pursuant to Bankruptcy Code Section 727).

Non-dischargeability as to a particular debt means that a creditor who obtains such a judgment will be free to enforce that creditor's claim against you despite your bankruptcy filing and the discharge entered in your bankruptcy proceeding. Enforcement can include wage garnishment and seizure of property not subject to exemption under federal or state law.

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You are urged to have an attorney represent you, but representation by an attorney is not required. If you wish to do so, you may utilize the form answer which accompanies this notice. A signed original must be **received** by the court clerk at 1130 O Street, Room 2656, Fresno, CA 93721, no later than **thirty (30) days from the date the summons was issued**. Your answer must also contain a certificate under penalty of perjury that a copy of the answer was mailed to the plaintiff's attorney at the address shown on the summons. A form for this appears at the end of the answer.

If you wish to have a copy of the answer you file with the clerk which shows the date on which it was received by the clerk, you must enclose an additional copy of the answer, together with a stamped return envelope, or you may personally file the answer at the clerk's office and receive back a file stamped copy at the time of filing.

It is also essential that you appear in court for the pre-trial hearing at the time and place noted on the summons.

This notice has been sent to you pursuant to order of the court.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
MODESTO DIVISION

NOTICE TO PRO SE DEBTOR(S)

You have received this notice because the creditor whose name appears as "plaintiff" in the papers accompanying this notice has filed a proceeding against you to either have the bankruptcy discharge you will be receiving not affect the creditor's claim (non-dischargeability pursuant to Bankruptcy Code Section 523) or to deny entry of your discharge (denial of discharge pursuant to Bankruptcy Code Section 727).

Non-dischargeability as to a particular debt means that a creditor who obtains such a judgment will be free to enforce that creditor's claim against you despite your bankruptcy filing and the discharge entered in your bankruptcy proceeding. Enforcement can include wage garnishment and seizure of property not subject to exemption under federal or state law.

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You are urged to have an attorney represent you, but representation by an attorney is not required. If you wish to do so, you may utilize the form answer which accompanies this notice. A signed original must be **received** by the court clerk at 1130 12th Street, Suite C, Modesto, CA 95354, *(mailing address: P.O. Box 5276, Modesto CA 95352)* no later than **thirty (30) days from the date the summons was issued**. Your answer must also contain a certificate under penalty of perjury that a copy of the answer was mailed to the plaintiff's attorney at the address shown on the summons. A form for this appears at the end of the answer.

If you wish to have a copy of the answer you file with the clerk which shows the date on which it was received by the clerk, you must enclose an additional copy of the answer, together with a stamped return envelope, or you may personally file the answer at the clerk's office and receive back a file stamped copy at the time of filing.

It is also essential that you appear in court for the pre-trial hearing at the time and place noted on the summons.

This notice has been sent to you pursuant to order of the court.

_____
Name(s)

_____
Address

_____
City, State, Zip Code

_____
Telephone Number

Defendant(s), *Pro Se*

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

In re	)	
	)	
	)	
	)	Bankruptcy Case No
_____ Debtor(s).	)	
	)	
	)	
Plaintiff(s),	)	Adversary Proceeding No.
v.		
_____ Defendant(s).		

ANSWER

Each defendant whose signature appears below, appearing *pro se*, alleges that this is a core proceeding and [CHECK ONE BOX]:

❑ denies each and every other allegation of the complaint other than the procedural facts regarding the filing of the bankruptcy petition herein; [OR]

❑ admits being indebted to plaintiff at the time the bankruptcy petition was filed herein but denies each and every other

allegation of the complaint, other than the procedural facts regarding the filing of the bankruptcy petition

Dated

_____
Defendant

_____
Defendant

CERTIFICATE OF SERVICE

I, the undersigned, whose address is _____
[STREET ADDRESS]
_____, certify that I
[CITY, STATE AND ZIP CODE]
am, and at all times hereinafter mentioned was, more than 18 years of age and that on _____, I served a true copy
[DATE ANSWER MAILED]
of the foregoing ANSWER by U.S. Mail, first class postage pre-paid, addressed as follows [INSERT BELOW NAME AND ADDRESS OF PLAINTIFF'S ATTORNEY AS SHOWN ON SUMMONS]:

_____

_____

_____

_____

I certify under penalty of perjury that the foregoing is true and correct

Dated:_____

_____
[SIGNATURE OF PERSON SERVING ANSWER]