

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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 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 clerk of court at the address shown above 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 Local Bankruptcy Rule 7004-1(a).