

**THE BANKRUPTCY WORKING GROUP (BWG)
MINUTES OF MEETING HELD ON WEDNESDAY, July 11, 2007
JUDGE ROBERT SUMMERHAYS' CHAMBER
LAFAYETTE, LA @ 3:30 P.M.**

Present: Judge Robert Summerhays, Alice Dukes, Jerry Breaux, Ham Chauvin,
and Sim Sandoz

The items on the agenda and discussions were:

MOTIONS TO EXTEND STAY

The group approved the Affidavit which is attached to the Motion to Extend Stay.

POST CONFIRMATION ATTORNEYS' FEES

In our recent Newsletter dated June 25, 2007, - effective for services rendered on or after July 1, 2007, the no-look attorney fees allowed in Chapter 13 case for post-confirmation hearings were set forth.

MOTION TO DETERMINE STATUS OF HOME LOAN OBLIGATION

Attorney for Debtor should be the proper party to file this motion. The proposed form is being redrafted.

VALUATION OF COLLATERAL SET AT CONFIRMATION

When valuation is set at confirmation (by stipulation or by court ruling), attorney for debtor should consider objecting to the proof of claim when the value of the collateral in the proof of claim is different from the valuation set at confirmation.

MOTION AND ORDER FOR USE OF CASH COLLATERAL

The proposed revised form was approved by the group. The purpose of the revision was to remove the Trustee from becoming involved with handling the proceeds, and placing the duty upon the attorney for debtor.

RECENT 910 DECISION

Two recent decision from the 9th and 7th Circuit were reviewed.

MOTIONS TO LIFT STAY WHERE CREDITOR IS UNSECURED

The consensus of the group was that attorney for creditor was entitled to fees and costs.

LIQUIDATION VALUE OF COLLATERAL

There will be no court approved formula for determining the value of collateral in the circumstance where the collateral will be surrendered. There may, however, be a starting point much like the situation where valuation must be determined in a non-910 vehicle where there is cram down (starting point here would be Kelly Blue Book retail less 10%). This is not an attempt to preclude a valuation hearing, nor prevent evidence from being presented.

DEBTOR'S CERTIFICATION UNDER 1328

Under the new amendments, where the Debtor has a domestic support obligation, the Debtor must file a certification regarding the domestic support obligation in order to obtain a discharge. This provision will become significant very soon because we are now 22 months post-amendments. Some of the post-amendment cases will be ready for discharge in the near future.