

**THE BANKRUPTCY WORKING GROUP (BWG)
MINUTES OF MEETING HELD ON WEDNESDAY, JUNE 13, 2007
JUDGE ROBERT SUMMERHAYS' CHAMBER
LAFAYETTE, LA @ 1:30 P.M.**

Present: Judge Robert Summerhays, Alice Dukes, Keith Rodriguez, Jerry Breaux, Rick Keating, Ham Chauvin, Lisa Thomas, Herman Wessels and Sim Sandoz

The items on the agenda and discussions were:

MOTIONS TO EXTEND STAY

With the increased filings, more motions to extend stay are being filed. One of the problems we have experienced is that there will potentially be three hearings. The first hearing will take place within 30 days of filing. The two issues that will be addressed at that time are: 1) Why was the prior case dismissed and 2) What were the changes in circumstances that will allow this case to succeed.

If the stay is extended at this initial hearing, it normally will be extended until confirmation. In some cases, the plan will not be confirmed at the first confirmation hearing, and the motion to extend stay comes up again. The issues at that hearing are: 1) Is the debtor current on plan payments and 2) Is the debtor current on house payments? If confirmation is continued, there will be a third hearing on the motion to extend stay.

In order to avoid confusion and to expedite these matters on the docket, motion to extend stay will be heard at the end of the calendar along with the confirmation cases.

As an aside, the May 23, 2007 docket had 14 motions to extend stay, and the June 13 docket had 8 motions to extend stay.

POST CONFIRMATION ATTORNEYS' FEES

Jerry Breaux made a presentation regarding tasks performed and time expended by debtor's counsel on a motion to lift stay, motion to dismiss, and the filing of an amended plan. The purpose was to determine the reasonableness of attorneys' fees post-petition with regard to these services. Judge Summerhays is presently reviewing this matter.

MOTION TO DETERMINE STATUS OF HOME LOAN OBLIGATION

This involves the circumstances wherein the debtor successfully completed the plan. All payments have been paid, and the debtor is available for discharge. The purpose of this motion is to determine whether there are any outstanding or delinquent payments, charges or other obligations that are not current. An initial draft of the motion was reviewed, revisions are being made, and will be reviewed at the next meeting.

VALUATION OF COLLATERAL SET AT CONFIRMATION

This circumstance arises over the concern of the Howard case. When there is a stipulation regarding the valuation of the collateral, the proof of claim is never amended to reflect the stipulated value of the collateral and the resulting unsecured balance. There was a discussion suggesting that when the valuation is determined that the creditor would be ordered to file an amended proof of claim within 10 days from entry of the confirmation order to reflect the stipulated value of the collateral and the resulting unsecured balance. This matter will be reviewed at the next BWG meeting.

MOTION AND ORDER FOR USE OF CASH COLLATERAL

The Chapter 13 Trustee's office requests that they be kept out of the money loop with regard to insurance proceeds resulting from the debtor's wrecked vehicle. A draft the proposed changes in the procedure as well as the motion and order were reviewed by the BWG. Finalization of the changes will take place at the next BWG meeting.