



U.S. Department of Justice

*Office of the United States Trustee
Region 2*

[INSERT DATE]

BY E-MAIL or MAIL

Re: (the "Debtor")

Case Number

Dear :

The purpose of this letter is to notify you of the requirement to attend an Initial Debtor Interview ("IDI") conducted by the Office of the United States Trustee. 11 U.S.C. § 1116(2) requires the Debtor to attend, through its senior management personnel **and counsel**¹, meetings scheduled by the court or the United States Trustee, including an IDI. The personnel of the Debtor to attend the IDI should be someone authorized to act on behalf of the Debtor and should be knowledgeable of the Debtor's business and financials.

The purpose of the IDI is to provide guidance and instructions pertaining to the Debtor's responsibilities as a Debtor-in-Possession ("DIP"). Although the IDI is conducted on an informal basis, it is mandatory for the Debtor to attend. A representative of the United States Trustee's Office will, among other things, review with the Debtor the proper preparation of the monthly operating report, payment of the United States Trustee Quarterly Fees and United States Trustee's Operating Guidelines and Reporting Requirements for Debtors in Possession.

The United States Trustee's Operating Guidelines and Reporting Requirements for Debtors in Possession (the "Operating Guidelines") were sent under a separate letter. (A copy can be located at <http://www.justice.gov/ust/r02/index.htm>). These Operating Guidelines should be reviewed by the Debtor prior to the IDI.

¹ A corporation, or other artificial entity, may appear in the federal courts only through licensed counsel. Rowland v. California Men's Colony, 113 S. Ct. 716, 721 (1993); Jones v. Niagara Frontier Transp. Auth., 722 F.2d 20, 22 (2d Cir. 1983) (a corporation involved in a legal proceeding must be represented by counsel); In re BSL Operating Corp., 57 B.R. 945, 947 (Bankr. S.D.N.Y. 1986). Failure to retain counsel in such cases may result in a dismissal or conversion this case. Individual Debtors are not required to have counsel.

The United States Trustee's Initial Debtor Interview Reporting Requirements Checklist and Certifications are enclosed. Kindly provide the requested documents at least 2 business days in advance of the scheduled IDI.

A telephonic IDI has been scheduled for:

Date:	
Time:	

Debtor's counsel should contact me to confirm the date and time of the IDI. Upon confirmation of the IDI, you will be provided with the phone number to call.

Thank you in advance for your cooperation.

Regards,

[INSERT NAME]
Bankruptcy Analyst
[INSERT OFFICE MAILING ADDRESS]

Encl.

cc: .- Trial Attorney
-Paralegal