



U.S. Department of Justice

Office of the United States Trustee
Byron G. Rogers Federal Building
1961 Stout St., Suite 12-200
Denver, Colorado 80294

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| Telephone | 303.312.7230 |
| Facsimile | 303.312.7259 |

via e-mail

RE: _____

Dear _____:

Upon your appointment as Chapter 11 Trustee in the above-mentioned case, you will be assuming the duties found in Section 1106. Below is an outline of matters which need attention.

Acceptance of appointment. Under Bankruptcy Rule 2008, you must give written notification to the court and the United States Trustee of acceptance within **six** (6) days after your notice of appointment. Rule 2008 indicates that failure to do so will be deemed a rejection.

Bond requirements. As you may know, the Code requires the U.S. Trustee to set the bond. The bond may require adjustment as you collect and liquidate assets of the estate. You must inform the Office of the United States Trustee when changes to the bond amount are required or made.

Pursuant to Section 322(a), the bond needs to be filed with the Court within 5 business days after your appointment. We have set the initial amount at \$ _____. We will set the bond amount to be no less than 150% of the funds on hand at any point in time, so it is important that you keep us informed as to any increases in funds so that the bond can be increased accordingly. Our office will also monitor the bond sufficiency through review of your Monthly Operating Reports – but because we receive those after the fact, we are primarily relying on you to keep us informed as to the need for an increase.

Below is the name of the agent that arranges trustee bonds (both blanket bonds and individual case bonds). You are not required to use this agent, but any agent that you do use must provide a bond in the proper form and with a surety that is listed in Treasury Circular 570. The agent listed below is versed in how trustee bonds are written.

If you choose to use International Sureties, Ltd., you will need to complete the applications and resume provided by them and return them to _____ along with the Order appointing you as trustee. Generally, they are able to issue the bond the same day.

Submission of Bond to UST for approval and filing. Once you receive the original bond from the agent, you will need to sign it as principal and then forward it to the UST (to _____ attention) so that we can approve it (the UST is the bond-approving officer) and file it with the Court. Because there is not a great deal of time to turn this around, you should ask the agent to send the original bond to you by overnight mail.

Section 1106(a)(3) investigation. Please be advised that except as ordered by the court, you will need to file a Section 1106(a)(3) Report of Investigation pursuant to 1106(a)(4), and are required to serve the report on any creditors' committee and the U.S. Trustee. This report must include any fact ascertained pertaining to fraud, dishonesty, incompetence, misconduct, mismanagement or irregularity in the management of the affairs of the debtor.

Individual debtor domestic support obligations. If the debtor is an individual debtor with domestic support obligations, provide the notice required by Section 1106(a)(3) and (c).

Chapter 11 Trustee Handbook and administrative requirements. Enclosed is the U.S. Trustee's Chapter 11 Trustee Handbook. Please also note that a Chapter 11 trustee shall also comply with the administrative requirement of the U.S. Trustee found in the Operating Guidelines and Reporting Requirements for Chapter 11 cases. <http://www.justice.gov/ust-regions-r19/region-19-chapter-11-0>.

Once you open an account for the estate (at an approved depository), please provide our office with, a) the name of the depository; b) the date the account was opened, and c) the routing number and account number.

If you have any questions, you may contact me or _____ or via email.

Yours truly,

Assistant U.S. Trustee

cc: