
From: Burnette, Cindy (USTP)
Sent: Tuesday, November 22, 2016 10:59 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: New Information Concerning Uniformity in the Middle District of Florida
Attachments: NFR Submission Guide 10-21-16.pdf

Happy Thanksgiving:

In an effort to bring uniformity to the Middle District of Florida, the clerk has issued the attached guidance for the submission of Notices of Final Reports (“NFRs”). This guidance brings Jacksonville and Orlando in-line with the Tampa practice regarding cases which are \$1500 and less, where there are secured or late filed claims, and the service of the NFR by the clerk in administratively insolvent cases.

Some other changes that are not addressed in the attachment are as follows:

Docket text for approved NFRs.

If the Court has reviewed the NFR and has no changes to professional fees and costs, the clerk will make a “TEXT ONLY” docket entry that reads:

“Approved Notice of Final Report – Chapter 7 Asset Closing. The notice as submitted by Trustee is approved. No document is attached to this entry.”

If the Court has changes to the amounts reflected in the notice, the NFR with the changes noted will be attached to a docket entry that reads:

“Approved Notice of Final Report – Chapter 7 Asset Closing – The Notice is approved with changes.”

Submission of professional fee applications which are to be noticed in the NFR.

Because of the delay in the time that the professional fee applications are filed and the filing of the Trustee Final Report with the NFR, the Court is sometimes uncertain as to whether these applications need to be noticed in advance of the NFR. In order to eliminate the guess work, the Court requests that the professional include some language in the caption that alerts the

clerk that the application will be noticed when the NFR is mailed to all creditors. For example the caption could read:

**APPLICATION FOR FEES AND EXPENSE BY
ATTORNEY FOR CHAPTER 7 TRUSTEE
(Notice to be provided by the NFR)**

Please make sure that you advise your staff and the professionals you employ of this request.

If you have any questions, please let me know.

Cynthia P. Burnette

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Notice of Final Report Submission and Order Submission Guide

Notice Type	Description	Submission Event	Notice of Final Report Review	Order Submission
Notice of Final Report - Nominal Asset	A Notice of Final Report on cases where net proceeds realized is \$1,500 or less.	Submission of Notice of Final Report by US Trustee (Nominal Asset with No Service Requirement) Note: No response deadline is set nor is the notice served by the Trustee or Clerk's Office	Review of the Notice of Final Report will normally begin the next working day after submission to the Court.	Submit the related order after the Approved Notice of Final Report entry appears on the docket.
Notice of Final Report - Nominal Asset with either a late filed claim or a secured claim	A Notice of Final Report on cases where net proceeds realized is \$1,500 or less <u>and</u> there is either a late filed claim or a secured claim. Optional for a trustee in lieu of addressing the late or secured claim via a separate objection or motion.	Notice of Final Report of Trustee and Applications for Compensation (NFR) - Effective Apr Notice of Final Report of Trustee and Applications for Compensation (NFR) Note: Response deadline is set from this entry and Trustee serves the Notice of Final Report and Applications for Compensation (NFR).	Review of the Notice of Final Report will normally begin the next working day after the 24 day response/objection deadline expires. Deadline is established upon filing of the Notice of Final Report.	Submit the related order after the Approved Notice of Final Report entry appears on the docket.
Notice of Final Report - Administratively Insolvent	A Notice of Final Report submitted for the Clerk's Office to serve - where funds are not sufficient to pay administrative expenses and expenses are being paid on a pro rated basis.	Submission of Administratively Insolvent Notice of Final Report to Clerk for Noticing Note: No deadline is set from this entry. Clerk's office will redocket and notice which will then cause a response deadline to be set.	Review of the Notice of Final Report will normally begin the next working day after the 24 day response/objection deadline expires. Deadline is established upon entry of the Notice of Final Report by <u>Clerk's Office Staff</u> .	Submit the related order after the Approved Notice of Final Report entry appears on the docket.

Notice of Final Report Submission and Order Submission Guide

<p>Notice of Final Report - Standard</p>	<p>Used to submit the Notice of Final Report on cases where net proceeds realized exceeds \$1,500 and there are enough proceeds to cover the full cost of administrative expenses.</p>	<p>Notice of Final Report of Trustee and Applications for Compensation (NFR)</p> <p>Note: Response deadline is set from this entry and Trustee serves the Notice of Final Report and Applications for Compensation (NFR).</p>	<p>Review of the Notice of Final Report will normally begin the next working day after the 24 day response/objection deadline expires. Deadline is established upon filing of the Notice of Final Report.</p>	<p>Submit the related order after the Approved Notice of Final Report entry appears on the docket.</p>
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