

Local Rules of the United States Bankruptcy Court for the Western District of Missouri

Rule 3085-1. Notice to Allow Claims

A. Trustee Notice. After confirmation of the plan and after the claims deadline, the trustee shall file a notice to allow or disallow claims. The trustee will serve the notice on debtor and debtor's attorney. The trustee will mail to each scheduled creditor or claimant an acknowledgment of claim and notice of the proposed treatment of the claim. Thereafter, if the trustee loads a claim which was not on the original notice or otherwise adjusts a claim which was on the original notice, the trustee shall file and serve a notice allowing the claim as an additional, adjusted, or amended claim.

B. Response. No response to the notice is required. Claims will be deemed allowed as listed in the notice and the trustee will commence distribution based on the information contained in the notice unless, within 30 days, debtor or a creditor files and serves an objection to a claim listed therein. If an objection to claim is filed, the trustee shall not commence (or shall suspend) distribution on that claim until the objection is resolved. However, the trustee may disburse on a claim when an objection is filed if the objection requests to reduce the claim amount and disbursements have not exceeded the amount in the objection. If an objection to claim is filed after the 30-day period and the trustee has made distributions on the claim, the claim shall be allowed in the amount of such distributions, even if the Court sustains the objection and otherwise disallows the claim. Any objection shall reference the Court's claim register number rather than the trustee's payee record number.