

From: [REDACTED]
To: jkaplan; mepps; novuka
Date: Fri, Sep 21, 2001 11:25 AM
Subject: Bankruptcy Question

I received a call with a question about Letter 280 in the ABA Practice Manual involving bankruptcies.

The last paragraph says that prior to the existence of a contract between the two parties to a bankruptcy, we will accept a statement of good faith intention to proceed with the transaction with a copy of the bankruptcy court's order. My caller wants to know how to proceed with the bankruptcy court's approval but no official order. Apparently, no order has yet issued although they do have the court's approval to proceed to an agreement. Is there anything they can provide in lieu of an order?

I don't think a filing is appropriate without an order from the bankruptcy court -

(JK) 09/21/01

I agree,
(RS)