COPY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:) Administrative
Chapter 13 Cases,) General Order No.: 99-2

MOTION FOR SECOND ADMINISTRATIVE ORDER CONCERNING TRANSITION IN CHAPTER 13 CASES, REGARDING CHANGE OF PAYEE ON INCOME ATTACHMENT ORDERS

Gary J. Gaertner, Chapter 13 Trustee, respectfully represents as follows:

1. Effective with the close of business on September 30, 1999, Gary J. Gaertner will no longer serve as Chapter 13 Standing Trustee for this District.

2. Under Section 1325(c) of the Bankruptcy Code, the Court has broad discretion to order any entity from whom the debtor receives income to pay all or a part of such income to the Trustee. These income attachment orders have been a preferred means for the submission of payments in Chapter 13 cases.

3. For nearly 14 years, the income attachment orders have directed the respondent to remit payments to "Gary J. Gaertner, Trustee". The Trustee's individual name, rather than a more generic name, was adopted over twelve years ago at the recommendation of outside auditors who asserted that the risk of a forged endorsement on a receipt might be reduced in this fashion.

4. Effective with the close of business on September 30, 1999, the bank accounts held by Gary J. Gaertner as Trustee will be closed, and the funds in such accounts will be transferred to the successor Trustee. The payee must be changed on all receipts effective October 1, 1999 and thereafter, in order for such receipts to be negotiable.

5. It would be impractical to file and serve amended income attachment orders in every pending Chapter 13 case, merely for the purpose of changing the name of the payee on the attachment order.

6. The Trustee recommends the issuance of one general administrative order directing all entities from whom the debtors receive income to change the name of the payee to "Office of Chapter 13 Standing Trustee".

7. The Trustee's office will then undertake to mail photocopies of the general order to each entity from whom the debtors receive income, as checks are received from these entities who are currently making payments to the Trustee's office in pending Chapter 13 cases.

8. The current form of the income attachment order has been "hard coded" into the Chapter 13 software. A programming request has been submitted to Chase Manhattan Bankruptcy Information Services for the change in the form of the order, as soon as possible.

WHEREFORE, the undersigned respectfully requests that this Court enter a general order directing the recipients of income attachment orders to change the name of the payee, effective immediately.

Respectfully Submitted,

Gary J. Gaertner 9/3/99

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was served on this 3 day of Sept, 1999 by First Class, Postage Prepaid Mail to the following:

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