

BANKRUPTCY ^{UP}DATE

January 25, 2017

If someone else would like to receive these ^{UP}dates, please send an e-mail to Mary_Frederickson@sdb.uscourts.gov.

Telephonic Hearings on February 16

The telephonic hearing calendar for the morning of February 16 is filling up fast, so we are rescheduling some hearings from the morning to the afternoon on February 16. Please pay extra attention to the rescheduling orders, most of which will be text orders.

Joint Debtors and Sole Proprietorships

Counsel for debtors, please do **not** list a particular business as a dba or an fdba for both joint debtors. As stated in the Practice Pointers following Bankr. D.S.D. R. 1002-1:

If a married couple files a joint petition, only one joint debtor should be reflected on the petition as previously or presently operating a particular business as a sole proprietorship. If both joint debtors are associated with the same business, it indicates the couple operated the business as a partnership, not a sole proprietorship. However, a partnership is a legal entity that must file a separate petition to obtain bankruptcy relief.

Link

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