

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH DAKOTA

ROOM 211

FEDERAL BUILDING AND U.S. POST OFFICE

225 SOUTH PIERRE STREET

PIERRE, SOUTH DAKOTA 57501-2463

IRVIN N. HOYT  
BANKRUPTCY JUDGE

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November 29, 2001

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Subject: *In re Bradley M. and Debra J. Doerr,*  
Chapter 7; Bankr. No. 01-40036

Dear Counsel:

The matter before the Court is the Motion to Approve Stipulation to Revoke Discharge Between Debtors and the United States of America. This is a core proceeding under 28 U.S.C. § 157(b)(2). This letter decision shall constitute the Court's findings and conclusions under Fed.Rs.Bankr.P. 7052 and 9014. As set forth below, the Court concludes that the Motion shall be denied because the stipulation that the parties want approved is unnecessary.

*Summary.* On January 11, 2001, Bradley M. and Debra J. Doerr ("Debtors") filed a Chapter 7 petition. On the Statement of Intention filed January 26, 2001, Debtors indicated that they intended to reaffirm certain secured debts with the Farm Service Agency ("FSA"). On February 26, 2001, Debtors and their attorney of record in the bankruptcy case signed a "New Promise to Pay" with FSA, which contained the disclosures and other information required for an enforceable reaffirmation agreement under 11 U.S.C. 524(c).<sup>1</sup> With his signature, Debtors' attorney made the several declarations required by § 524(c)(3). Debtors' general order of discharge was entered April 16, 2001. On May 23, 2001, Debtors filed the New Promise to Pay that had been signed and dated by Debtors and their attorney on February 26, 2001.

On September 14, 2001, Debtors and FSA filed a Stipulation to Revoke Discharge Between Debtors and the United States of America, and

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<sup>1</sup> An attachment referenced in the agreement was not filed.



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Total notices mailed: 7

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