

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**NOTICE TO THE BAR AND PUBLIC**  
**CONCERNING 11 U.S.C. § 1111(b) ELECTION DEADLINE**  
**IN SUBCHAPTER V CASES**

Federal Rule of Bankruptcy Procedure 3014 specifies when secured creditors may elect the application of 11 U.S.C. § 1111(b)(2) of the Bankruptcy Code in a chapter 9 or 11 case and, with respect to cases filed under subchapter V of chapter 11, states that “the election may be made not later than a date the court may fix.”

In accordance with FRBP 3014, please be advised that the Court will direct creditors seeking a § 1111(b)(2) election to make such election **no later than 60 days** from the petition date, unless extended by further order of the Court.

The Court’s *Notice of Status Hearing* has been modified to track the above language and will now be designated as *Notice of Status Hearing and § 1111(b) Election Deadline*, which the debtor must serve on all creditors and parties in interest.

Additionally, mandatory local form *Subchapter V Status Report* now includes a section requiring a debtor to confirm whether the *Notice of Status Hearing and § 1111(b) Election Deadline* has been properly served.

Dated: February 6, 2023

Jeanne A. Naughton, Clerk