

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
FRANK T. BOW FEDERAL BUILDING  
201 CLEVELAND AVE S.W.  
CANTON, OHIO 44702

RUSS KENDIG  
UNITED STATES BANKRUPTCY JUDGE

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MEMORANDUM

To: All Canton Bankruptcy Practitioners

Date: December 29, 2009

Re: Creditors' Addresses in Objections to Claims in the Canton Court

The Court has observed substantial inconsistency in the addresses at which attorneys are noticing creditors in objections to claims. As a result of this inconsistency, creditors are forced to monitor multiple addresses for bankruptcy notices.

**The proper address at which to notice an objection to claim is the address provided in the proof of claim in the field labeled "Name and address where notices should be sent."** Notice at this address complies with Federal Rule of Bankruptcy Procedure 3007, which governs objections to claims. *See In re Hensley*, 356 B.R. 68, 75-76 (Bankr. D. Kan. 2006). Notice at this address also meets the due process requirement that notice must be "reasonably calculated, under the circumstances, to apprise interested parties of pendency of the action and afford them an opportunity to present objections." *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

The Court will not grant objections to claims that are noticed at other addresses. Incorrect addresses include the address in the proof of claim in the field labeled "Name and address where payments should be sent" and any address listed in the debtor's petition that is inconsistent with the notice address in the proof of claim. Notice at an incorrect address is not effective notice under Rule 3007. The clerk's office may deficiency objections to claims that are noticed at incorrect addresses.



Russ Kendig, Bankruptcy Judge