

IT IS SO ORDERED.

Dated: 21 August, 2025 03:20 PM


Suzana Krstevski Koch
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:)	Case No. 24-15172
)	
STEPHANIE A. GRIFFIN,)	Chapter 13
)	
)	
Debtor.)	Judge Suzana Krstevski Koch
)	
)	

**ORDER OVERRULING DEBTOR'S AMENDED OBJECTION TO
CLAIM 11 OF CITIBANK, NA**

This cause is before the Court on Debtor's Amended Objection to Claim 11-1 of Citibank, N.A. (the "Objection"). ECF No. 104.

JURISDICTION

Jurisdiction exists under 28 U.S.C. § 1334 and Local General Order 2012-07 of the United States District Court for the Northern District of Ohio. This is a core proceeding under 28 U.S.C. § 157(b)(2)(B).

BACKGROUND

Debtor filed a petition for relief under Chapter 13 of Title 11 of the United States Code on December 23, 2024. ECF No. 1. Debtor's case was dismissed on January 7, 2025 because Debtor had not filed her creditors' matrix. ECF No. 16. Debtor filed her creditors' matrix, and her case was reinstated on February 10, 2025. ECF No. 22.

The Court entered an Order requiring the Debtor to appear on March 4, 2025 and show cause why the case should not be dismissed for failure to file her schedules and other required documents. ECF No. 25. On March 3, 2025, Debtor filed a Motion To Extend Deadline To File Schedules. ECF No. 31. Also on March 3, 2025, Debtor's counsel filed a Notice of Appearance. ECF No. 30. The Court ordered Debtor to file her schedules and all required documents by April 1, 2025. ECF No. 41.

Debtor filed her schedules and all required documents on March 31, 2025. ECF No. 46. She also filed her Chapter 13 Plan on March 31, 2025. ECF No. 47.

Debtor's meeting of creditors was adjourned three times and was eventually held on April 30, 2025.

PROOF OF CLAIM

On February 28, 2025, Citibank, N.A. (the "Creditor") filed Proof of Claim 11-1, listing an other name of "Macy's Credit Card." Creditor used Official Form 410 and filed Proof of Claim 11-1 in a timely fashion, even before Debtor had filed her Schedules.

Creditor includes a "Bankruptcy Rule 3001(c)(3)(A) Statement of Account Information" to its Proof of Claim 11-1. It includes a redacted account number, the name of the creditor, the merchant name, the account name, the date the account was opened, the date of the last payments, the charge off date, the last transaction date, and the name of the entity to whom the

debt was owed at the time of the last transaction.¹ It also includes a “Bankruptcy Rule 3001(c)(2) Balance Itemization” listing the total claim amount, the principal amount, the interest amount, the fees, the costs; as well as mailing, phone, and email contact information for Creditor.

On June 25, 2025, Debtor filed the Objection. In her one page Objection, Debtor states that “[c]laim 11 asserts ‘interest’ due without proper documentation. The only document [Creditor] provides in support of its claim is self-serving ‘statement of accounts,’ that appears to be non-contemporaneous.” The Objection continues with the Debtor’s request that Creditor provide additional information and/or documentation to supplement its claim in order to give it *prima facie* validity.

LAW AND ANALYSIS

Section 502 of the Bankruptcy Code governs the allowance and disallowance of claims. 11 U.S.C. § 502. Generally, a proof of claim filed in compliance with Bankruptcy Rule 3001 is entitled to an initial presumption of validity. The filing of a proof of claim in accordance with the Federal Rules of Bankruptcy Procedure constitutes “prima facie evidence of the validity and amount of a claim.” *Midland Funding, LLC, v. Johnson*, 581 U.S. 224, 230 (2017) (quoting Fed. R. Bankr. P. 3001(f)); accord *State Bank of Florence v. Miller (In re Miller)*, 513 F. App’x 566, 570 (6th Cir. 2013); *PCFS Fin. v. Spragin (In re Nowak)*, 586 F.3d 450, 454-55 (6th Cir. 2009); see also *Bavelis v. Doukas (In re Bavelis)*, 773 F.3d 148, 154 (6th Cir. 2014).

A proof of claim filed under Section 501 of the Bankruptcy Code is deemed allowed unless a party in interest files an objection. 11 U.S.C. § 502. If, as here, an objection to a claim is made, then the court “‘shall allow’ the claim ‘except to the extent that’” the claim implicates any of the exceptions enumerated in § 502(b). *Travelers Cas. & Sur. Co. of Am. V. Pac. Gas &*

¹ This information is required pursuant to Bankruptcy Rule 3001(c)(4)(A).

Elec. Co., 549 U.S. 443, 449 (2007) (quoting 11 U.S.C. § 502(b)); *Official Comm. of Unsecured Creditors v. Dow Chem. Corp. (In re Dow Corning Corp.)*, 456 F.3d 668, 680 (6th Cir. 2006) (“If, as here, a party objects to a claim, § 502 requires that the bankruptcy court allow an otherwise valid claim unless one of the exceptions enumerated in subsection (b) precludes allowance.”); *see also Pension Benefit Guar. Corp. v. Belfance (In re CSC Indus., Inc.)*, 232 F.3d 505, 509 (6th Cir. 2000) (“[B]ankruptcy courts have the statutory authority to determine the allowability and amount of the claim”).

An objection to a claim can properly address three issues: (i) the validity of the debt; (ii) the amount due to the creditor as of the petition date; or (iii) whether the debt falls within a finite list of reasons under § 502(b) for which the claim may be denied. *In re Diehl*, No. 18-60608, 2018 WL 2670489, at *1, 2018 Bankr. LEXIS 1625, at *2 (Bankr. N.D. Ohio June 1, 2018). “If an objection to a claim posits some other basis, it is not an objection to a claim as set forth in § 502.” *Id.*

Here, Debtor’s sparse Objection does not implicate any of the reasons listed within § 502(b). Debtor objects only as to the amount of interest Creditor claims because of a lack of “proper documentation.” This could be viewed as a potential objection as to the validity of the debt or the amount due as of the petition date, but Debtor’s Objection is not clear. The Objection questions the *prima facie* validity of Proof of Claim 11-1, so the Court reviews the issue of the evidentiary burden.

***Prima Facie* Validity of a Proof of Claim**

The plain language of Bankruptcy Rule 3001(c)(2)(A) requires an itemized statement of interest and other charges to be filed with the proof of claim if a claim includes interest, fees, expenses, or other charges in any case in which the debtor is an individual. Fed. R. Bankr. P.

3001(c)(2)(A). Failure to provide documentation does not invalidate a creditor's proof of claim; it can deprive the claim of *prima facie* validity. *In re EP Energy E&P Co., L.P.*, 646 BR 795 (Bankr. S.D. Tex. 2022); *Namer v. Sentinel Trust Co. (In re AVN Corp.)*, 248 B.R. 540, 547 (Bankr. W.D. Tenn. 2000) ("In order to enjoy the presumption of validity, a proof of claim must allege facts that would entitle the creditor to recovery.").

Initially, the claimant must "allege sufficient facts to support a legal liability to the claimant." *Kelly v. Mace (In re Mace)*, 573 F. App'x 490, 496 (2014) (citing *In re Allegheny Int'l, Inc.*, 954 F.2d 167, 172-74 (3d Cir. 1992)). If that is done, the burden of proof shifts to the objector to produce evidence which, if believed, refutes at least one of the allegations that is essential to the legal sufficiency of the claim. *Id.*; *In re Bavelis*, 773 F.3d at 154.

Burden of Proof Shifts to Debtor

The evidentiary burden shifts during the claim filing and objection process. *In re Mace*, 573 F. App'x at 496.

The debtor, in objecting, bears the burden of presenting evidence sufficient to rebut the presumed validity and amount of the claim, although the debtor need not disprove the claim. *In re Walsh*, 264 B.R. 482, 484 (Bankr. N.D. Ohio 2001) ("In an Objection to Claim, the objecting party bears the burden of disproving the claim by a preponderance of the evidence."); *In re Walker*, No. 11-60413, 2011 WL 6369772, at *1-2 (Bankr. N.D. Ohio Dec. 19, 2011) ("An objection must meet the burden of producing evidence sufficient to rebut the presumption of the validity of the claim."); *In re Murdock*, 337 B.R. 308, 311-12 (Bankr. N.D. Ohio 2005) ("It is thus the Debtor's burden to put forth evidence which is sufficient to refute the *prima facie* presumption of validity afforded to the Creditor's proofs of claim."); *In re Pruden*, No. 04-36026, 2007 Bankr. LEXIS 4385, at *29 (Bankr. N.D. Ohio Dec. 28, 2007) (objecting party

bears the initial burden to produce evidence sufficient to rebut the presumption of validity of the claim) (citing *In re Leatherland*, 302 B.R. 250, 258-59 (Bankr. N.D. Ohio 2003)); *In re Allegheny Int'l*, 954 F.2d at 173-74; *Stancill v. Harford Sands, Inc. (In re Harford Sands, Inc.)*, 372 F.3d 637, 640 (4th Cir. 2004); *In re Frederes*, 98 B.R. 165, 166 (Bankr. W.D.N.Y. 1989); *In re Narragansett Clothing Co.*, 143 B.R. 582, 583 (Bankr. D.R.I. 1992); *In re DePugh*, 409 B.R. 84, 97 (Bankr. S.D. Tex. 2009) (“[I]f the debtor objects to that claim, he or she must produce evidence sufficient to rebut the presumption of validity and establish that the claim should be disallowed pursuant to § 502(b).”).

Having reviewed Proof of Claim 11-1, the Court finds that the Claim and its attachments contain all the information required by Rule 3001(c)-(e) and is regular on its face, rendering it presumptively valid under Rule 3001(f) and shifting the burden to the Debtor to offer evidence rebutting that presumption.

Overcoming Debtor’s Burden of Proof

If an objecting debtor has not provided any admissible evidence to rebut the proof of claim or the calculations provided by the creditor, then there is no issue of material fact in dispute between a creditor with a validly filed proof of claim and an objecting debtor regarding the amount of interest claimed by the creditor or as to the calculation of the claim. *In re Moehring*, 485 B.R. 571, 579 (Bankr. S.D. Ohio 2013).

The debtor has the burden of overcoming the *prima facie* validity of the proof of claim by presenting evidence that is of equal probative force to that underlying Creditor’s proof of claim. *In re Bauer*, 660 B.R. 649, 661 (Bankr. N.D. Ohio 2024). Case law is clear that to rebut a presumptively valid claim, the objector must offer his own evidence to “‘meet, overcome, or at least equalize’ the creditor’s claim.” *In re Muller*, 479 B.R. 508, 516 (Bankr. W.D. Ark. 2012);

see also *In re Lampe*, 665 F.3d 506, 514 (3d Cir. 2011) (requiring objector to produce sufficient evidence to negate the presumption of validity); *Diamant v. Kasparia (In re So. Cal. Plastics, Inc.)*, 165 F.3d 1243 (9th Cir. 1999) (debtor must come forward with evidence to rebut the presumption of validity); *McGee v. O'Connor, (In re O'Connor)*, 153 F.3d 258 (5th Cir. 1998) (Chapter 11 trustee who objected to the proofs of claim arising from an option contract to purchase a construction company, on the grounds that the contract was a sham transaction, failed to present enough evidence to overcome the prima facie effect of the claims).

The evidence must at least equal the probative force of the evidence contained in the claim. *In re Vaughn*, 536 B.R. 670, 675 (Bankr. D.S.C. 2015) (citing *Falwell v. Roundup Funding, LLC (In re Falwell)*, 434 B.R. 779, 784 (Bankr. W.D. Va. 2009)); *McKinney v. McKinney (In re McKinney)*, 507 B.R. 534, 555 (Bankr. W.D. Pa. 2014) (quoting *In re Wolfe*, 378 B.R. 96, 102 (Bankr. W.D. Pa. 2007) (citing *In re Allegheny Int'l Inc.*, 954 F.2d at 173-74); *In re Crutchfield*, 492 B.R. 60, 69 (Bankr. M.D. Ga. 2013) (citing *In re LJI Truck Ctr., Inc.*, 299 B.R. 663, 666 (Bankr. M.D. Ga. 2003)). Such evidence, if believed, would defeat at least one of the essential elements of the claim. *McKinney*, 507 B.R. at 555.

To rebut the presumption, successfully, that a proof of claim is allowable as filed, the objecting party must produce evidence that is equal in probative force to that of the proof of claim. *In re Simmons*, 765 F.2d 547, 552 (5th Cir. 1985). This means that the objecting party produce specific and detailed allegations that place the claim into dispute, by the presentation of legal arguments based upon the contents of the claim and its supporting documents, or by the presentation of pretrial pleadings, such as a motion for summary judgment, in which evidence is presented to bring the validity of the claim into question. *In re High Std. Mfg. Co.*, No. 15-33794, 2016 WL 5947244, at *3 (Bankr. S.D. Tex. Oct. 13, 2016).

“A bare statement that there is lack of documentation is insufficient as a matter of evidentiary burden to destroy the presumption.” *In re Cluff*, 313 B.R. 323, 337 n. 47 (Bankr. D. Utah 2004) (citing *Garner v. Shier*, 246 B.R. 617, 623 (9th Cir. B.A.P. 2000)); *In re Richardson*, 557 B.R. 686, 693 (Bankr. E.D. Ark. 2016). Mere denial of the claim’s validity or amount is not sufficient to meet that burden. *In re Equipment Serv., Ltd.*, 36 B.R. 241, 244 (Bankr. D. Alaska 1983).

For the objecting party to negate the *prima facie* validity of a claim, the objection must:

(1) assert in a writing filed with the Court that there is some reason the claimant does not have a right to payment; (2) sign the objection; (3) if appropriate, assert that the claim is in fact based on a writing and that the documentation attached to the claim is insufficient; and (4) come forward with some legal reason or some factual evidence to defeat the claim.

In re McLaughlin, 320 B.R. 661, 665 (Bankr. N.D. Ohio 2005) (citing *In re Kemmer*, 315 B.R. 706, 713 (Bankr. E.D. Tenn. 2004)); *cf. In re Outer Banks Ventures, Inc.*, 572 B.R. 604, 612 (Bankr. E.D.N.C. 2017) (debtor proffered ample evidence tending to rebut the validity and amount of the claim by putting forth evidence tending to show that creditor either manipulated or made calculation errors with respect to the interest component of the claim).

As with many burden-shifting presumptions, the amount of evidence necessary to rebut a presumption “will vary depending upon such factors as the policy reasons favoring the presumption, the strength of the evidence supporting the presumption, and the quality and believability of the rebutting evidence.” *In re Jones*, No. 22-50121, 2023 WL 5968261, at *3 (Bankr. M.D.N.C. June 15, 2023). The objector “must produce actual evidence; mere allegations, unsupported by evidence, are insufficient to rebut the movant’s *prima facie* case.” *In re F-Squared Inv. Mgmt., LLC*, 546 B.R. 538, 544 (Bankr. D. Del. 2016).

A proof of claim entitled to *prima facie* validity presents a greater obstacle to an objector seeking to disallow the claim. *In re Jones*, 2023 WL 5968261 at *2.

Here, Debtor presented no evidence or legal reason to defeat Proof of Claim 11-1. Debtor's "bare statement" that Proof of Claim 11-1 does not contain "proper documentation" is not sufficient to negate the *prima facie* validity of Proof of Claim 11-1.

Burden of Proof Does Not Shift Back to the Creditor

If the objector refutes at least one of the allegations that is essential to the legal sufficiency of the claim, then "the burden again shifts to the claimant to prove the validity of the claim by the preponderance of the evidence." *In re Mace*, 573 F. App'x at 496; *Leatherland*, 302 B.R. at 258-59; *In re Bosak*, 242 B.R. 400, 405 (Bankr. N.D. Ohio 1999); *In re Nelson*, 206 B.R. 869, 878 (Bankr. N.D. Ohio 1997).

Not until that obligation is met does the burden of production shift to the claimant. *In re Narragansett Clothing Co.*, 143 B.R. at 583; *In re Windmill Run Assocs., Ltd.*, 566 B.R. 396, 451 (Bankr. S.D. Tex. 2017) (If the objecting party successfully presents enough evidence to meet that burden, the burden then shifts and the claimant must, by a preponderance of evidence, prove the validity of the claim.); *In re Porretto*, 761 F. App'x 437, 442 (5th Cir. 2019) (ultimate burden of proof always rests upon the claimant).

Debtor did not meet her obligation here, so the burden of proof has not shifted back to Creditor.

CONCLUSION

Debtor's bare statement that there is lack of documentation is insufficient to overcome Proof of Claim 11-1's presumption of *prima facie* validity. The Objection is overruled.

IT IS SO ORDERED.