# Mont. LBF 7-A. ORDER OF DISPOSITION.

# [Mont. LBR 2003-7]

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF MONTANA

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| IN RE:    ,  ,    Debtors. | Case No.  **ORDER** |

At Butte in said District this \_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

In this Chapter 13 bankruptcy, the Trustee filed a “Notice of Debtor’s Failure to Appear at § 341(a) Meeting of Creditors,” which Notice was accompanied by a request for dismissal. Mont. LBR 2003-7 provides:

If a debtor fails to appear at the meeting of creditors scheduled pursuant to 11 U.S.C. § 341(a), the case may be dismissed or converted by the Court upon notification by the trustee or the U. S. Trustee of debtor’s failure to appear (*see* Mont. LBF 7 and 7-A), unless the debtor or the debtor’s attorney filed an application for continuance not later than fourteen (14) days prior to the scheduled creditors’ meeting, as required under Mont. LBR 2003-4 above, and such application was granted by the U. S. Trustee. Failure to timely file an application for continuance may result in the case being dismissed or converted, unless the trustee or other party in interest requests that the case remain open or in the present chapter. If one debtor in a joint case fails to appear, the Court may bifurcate the joint case and dismiss or convert the absent debtor’s case.

Debtor failed to appear for the Meeting of Creditors, and as set forth above, Debtor’s failure to appear at the § 341(a) Meeting of Creditors subjects Debtor’s case to dismissal without further hearing or notice. Accordingly,

IT IS ORDERED the Trustee’s request for dismissal filed April 4, 2018, is granted; and this case is DISMISSED for Debtor’s failure to appear at the § 341 Meeting of Creditors.

IT IS FURTHER ORDERED and NOTICE IS HEREBY GIVEN that Debtor shall have fourteen (14) days from the date of this Order to request reconsideration of the instant Order, with a showing of good cause set forth in the request for reconsideration as to why Debtor failed to appear at the § 341 Meeting of Creditors.