

June 10, 2008 www.orb.uscourts.gov

Recent Opinions

Full text of opinions is available on the Bankruptcy Court's website; click on Opinions on left-side index, then search by date.

In re Lorenz, Case No. 07-30593-elp7, Appellate No. CV-08-443-KI

June 4, 2008

11 USC §707(b)(3), abuse, use of IRS standards, Equal Access to Justice Act, attorney fees, 28 USC §2412

The US District Court affirmed the bankruptcy court's denial of debtor's attorney fees. The US Trustee had moved to dismiss the chapter 7 case based on debtor's "extravagant lifestyle," arguing that under the IRS standards for reasonable expenses the debtor could have afforded monthly payments. The bankruptcy court denied the motion to dismiss, but also rejected the debtor's contention that he should be awarded attorney fees because the UST's position was unjustified. The US District Court affirmed.

PREVIOUSLY PUBLISHED ITEMS:

The following is a summary of items added in the past several weeks.

Unclaimed Funds

New reports were posted on May 23, 2008: a full report through March 31, 2008, and a report for July 1, 2007, through March 31, 2008.

US Trustee - Debtor Audits

Debtor audits by the US Trustee's office, which had been temporarily suspended for budgetary reasons, resumed May 12, 2008. See the notice on the right-hand side of the US Trustee Program's main web page: <http://www.usdoj.gov/ust>.

Judicial Misconduct

The Judicial Misconduct page contains a link ("Orders") to a Ninth Circuit page with decisions on complaints of judicial misconduct from December 19, 2007, to the present.

Meet-Me Hearing Number

Effective April 28, 2008, the court's Meet-Me phone number has changed. Telephone numbers and ID numbers will show on the hearing notice.

ECF Training

Lawyers get 4 CLE credits for ECF training. Sessions run from 8:30 am to 12:30 pm. The only currently scheduled training date (posted on the website) is June 12 (Portland and Eugene).

Debtor-Creditor Section Website

An archive of these court updates is maintained on the Debtor-Creditor Section website at <http://www.osb-dc.org/orb.htm>.