

FORMS ARE GENERIC SUGGESTIONS. PARTIES AND THEIR ATTORNEYS SHOULD REVISE THEM TO ADDRESS THE UNIQUE CIRCUMSTANCES OF EACH CASE.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
____ DIVISION
www.flmb.uscourts.gov

In re)	
)	
_____ ,)	Case No. _: __ -bk- ____ - ____
)	Chapter _
Debtor*.)	
_____)	

MOTION TO RESERVE ASSET FROM ABANDONMENT

NOTICE OF OPPORTUNITY TO
OBJECT AND REQUEST FOR HEARING

If you object to the relief requested in this paper you must file a response with the Clerk of Court at (address) [and, if the moving party is not represented by an attorney, mail a copy to the moving party at (address)] within (number) days from the date of the attached proof of service, plus an additional three days if this paper was served on any party by U.S. Mail.

If you file and serve a response within the time permitted, the Court will either notify you of a hearing date or the Court will consider the response and grant or deny the relief requested in this paper without a hearing. If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, and the Court may grant or deny the relief requested without further notice or hearing.

You should read these papers carefully and discuss them with your attorney if you have one. If the paper is an objection to your claim in this bankruptcy case, your claim may be reduced, modified, or eliminated if you do not timely file and serve a response.

COMES NOW, the Trustee, [insert name] by and through [his or her] undersigned attorney(s), and move this Honorable Court for authority to reserve any recovery that [he or she]

* All references to "Debtor" include and refer to both debtors in a case filed jointly by two individuals.
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might obtain in the cause of action against **the [insert names]** from being abandoned with the closing of the case and, as grounds therefore, states as follows:

1. That on [insert date], the Debtor(s) filed [his or her or their] voluntary petition under **[insert chapter]** of Title 11 of the United States Code in the United States Bankruptcy Court for the Middle District of Florida (“Petition Date”).

2. That, **[insert trustee name]** is the duly-appointed and acting Chapter 7 Trustee in the above-styled case.

3. That among the assets is **[insert complete description of asset; if a lawsuit, insert complete case information]**.

4. The Trustee wishes to close the bankruptcy case but wishes to reserve any recovery that **[he or she]** might obtain from being abandoned pursuant to 11 U.S.C. § 554(c). The bankruptcy case would be closed but in the event that any portion of the recovery is made pursuant to the **[insert description of asset]** for the Bankruptcy Estate, the Trustee would propose to reopen the to distribute the funds to unpaid creditors.

WHEREFORE, the Trustee moves this Honorable Court to close the bankruptcy case reserving from abandonment the **[insert description of asset]** described above.

Dated: [insert date].

/s/ Signature
Attorney Name
Attorney Bar No.
Attorney E-Mail
Attorney Address
Attorney Phone Number
Attorney for [insert name of client]

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PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail on _____ to:

/s/ Signature
Attorney Name
Attorney Bar No.
Attorney E-Mail
Attorney Address
Attorney Phone Number
Attorney for [insert name of client]