

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE:           JOHN COLEMAN   CASE NO.   21-11833-SDM**  
**DEBTOR(S)   CHAPTER   11**

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**UNITED STATES TRUSTEE’S MOTION FOR ORDER COMPELLING JOHN  
COLEMAN TO APPEAR FOR CONTINUED § 341(a) MEETING OF CREDITORS**

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COMES NOW David W. Asbach, Acting United States Trustee for Region 5 (“UST”) pursuant to 11 U.S.C. § 343, Federal Rule of Bankruptcy Procedure 4002 and Rule 2003-1, Uniform Local Bankruptcy Rules for the Northern and Southern Districts of Mississippi and files this Motion for Order Compelling John Coleman (“Debtor”) to Appear for Continued § 341(a) Meeting of Creditors and in support thereof respectfully submits as follows:

1. On or about September 29, 2021, Debtor filed a voluntary petition for relief pursuant to 11 U.S.C. chapter 11.
2. Debtor’s initial § 341(a) meeting of creditors was duly scheduled for November 24, 2021, at 10:00 a.m. via telephone. While Debtor did appear telephonically, he had filed a Motion to Dismiss (DKT. #66) minutes before the meeting of creditors and refused to answer any questions. The meeting of creditors was continued until a date after which the court could rule on the motion.
3. Following the Court’s denial of the Motion to Dismiss (DKT. #94), the UST conferred with counsel for Debtor, and the § 341(a) meeting of creditors was rescheduled to March 8, 2022, at 10:00 a.m. via telephone.
4. The appearance of a debtor at the meeting of creditors is mandatory, unless waived for cause by the Court. *See* 11 U.S.C. § 343, Federal Rule of Bankruptcy Procedure 4002 and Rule

2003-1, Uniform Local Bankruptcy Rules for the Northern and Southern Districts of Mississippi

5. Debtor failed to appear for the March 8, 2022, § 341(a) meeting of creditors, and the UST has continued same to Wednesday, March 23, 2022, at 9:00 a.m.

6. The Court should compel Debtor to comply with his statutory obligations and appear for the continued § 341(a) meeting of creditors set for March 23, 2022, at 9:00 a.m. or any such other date and time as this court deems appropriate.

7. The UST reserves the right to provide additional grounds for cause to compel Debtor's appearance at a § 341(a) meeting of creditors at any hearing on this matter.

WHEREFORE, PREMISES CONSIDERED, the UST prays for an order compelling Debtor to appear telephonically on March 23, 2022, at 9:00 a.m. or any such other date and time as this court deems appropriate and submit to an examination as provided in 11 U.S.C. § 341(a). The UST further prays for all general and equitable relief to which he may be entitled.

RESPECTFULLY SUBMITTED, this the 8th day of March 2022.

DAVID W. ASBACH  
Acting United States Trustee  
Region 5, Judicial Districts  
of Louisiana and Mississippi

By: /s/ Abigail M. Marbury  
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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing pleading has been served this day on the below named individual(s) via first class U.S. Mail at the address listed below or by Notice of Electronic Filing via the email address on file with the Court's CM/ECF system:

Craig M. Geno, Esq.  
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DATED, this the 8<sup>th</sup> day of March 2022.

*/s/ Abigail M. Marbury*  
ABIGAIL M. MARBURY