

OCT -5 2007

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 11
)
CIRILLO CUSTOM HOMES, INC.,) CASE NO. 07-72626-MHM
)
Debtor.)

**ORDER DENYING DEBTOR'S APPLICATION FOR
BAR DATE FIXING TIME FOR FILING CLAIMS**

On September 26, 2007, Debtor filed an application to establish a bar date in this Chapter 11 case. Debtor requested a bar date of November 15, 2007. This case commenced August 6, 2007. Debtor filed its schedules and other documents required by 11 U.S.C. §521 August 27, 2007. Debtor filed its small business statement of operations and balance sheet September 12, 2007. Debtor's §341(a) meeting of creditors was held September 12, 2007.

Bankruptcy Rule 3002 provides that the bar date for filing proofs of claim in a Chapter 7, Chapter 12 or Chapter 13 case is 90 days after the date first set for the §341(a) meeting of creditors. Bankruptcy Rule 3003, however, fails to provide such a formula for the bar date in a Chapter 11 case. Bankruptcy Rule 3002(c)(3) provides that the bankruptcy court will fix the bar date, and the custom and practice in this district is for Debtor to request a bar date appropriate to the case and the plan.

In the instant case, Debtor fails to set forth any reason for its choice of a bar date that falls so soon after the date of the §341(a) meeting of creditors. A reasonable bar date

for this case is December 11, 2007, and an order will be entered to that effect.

Accordingly, it is hereby

ORDERED that Debtor's application for an order establishing a bar date of November 16, 2007, is *denied*.

The Clerk, U.S. Bankruptcy Court, is directed to serve a copy of this order upon Debtor, Debtor's attorney and the U.S. Trustee.

IT IS SO ORDERED, this the 4th day of October, 2007.



MARGARET H. MURPHY
UNITED STATES BANKRUPTCY JUDGE