

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
RICHARD B. WAGNER) BANKRUPTCY NO. 05-69243 JPK
) Chapter 7
Debtor.)

ORDER REGARDING REAFFIRMATION AGREEMENT

On November 23, 2005, a document entitled "Reaffirmation Agreement" was filed, which purportedly states the terms of an agreement between the debtor and American General Finance.

The first problem is that the attorney of record for the debtor in this case is Thomas M. Zubeck, whose name appears nowhere on the Reaffirmation Agreement; instead, the "Declaration of Attorney For Debtor(s)" on that document is signed by Richard Tebek, who is a stranger to this case as far as the Court's record indicates.

There is a much more serious defect in the filing, however. Beginning with cases filed on and after October 17, 2005, the procedures and documentation necessary for the Court's consideration of reaffirmation agreement have been dramatically modified from the procedures and documentation which existed prior to that date. The initial documentation required with respect to a reaffirmation agreement is extensive, and the specific statements required to be made in that documentation are set forth in the new law. The Court will not outline those requirements: American General Finance and counsel for the debtor are referred to 11 U.S.C. §524 as to those requirements. The one page "Reaffirmation Agreement" filed on November 23, 2005 is entirely insufficient to present any matter to the Court regarding the proposed reaffirmation.

IT IS ORDERED that the Reaffirmation Agreement filed on November 23, 2005 presents nothing to the Court, and that said reaffirmation agreement shall not be deemed effective for any purpose.

Dated at Hammond, Indiana on December 14, 2005.

/s/ J. Philip Klingeberger
J. Philip Klingeberger
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor, Trustee, U.S. Trustee