

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

ADMINISTRATION OF
CHAPTER 7 CASES

Misc. No. _____


STANDING ORDER

WHEREAS, changes instituted by Bankruptcy Management Solutions, Inc. (“BMS”) and Bank of America Merrill Lynch would impose service fees (“Service Fees”) as administrative expenses in various asset chapter 7 cases for bank and case management technology services provided to chapter 7 trustees. These changes are part of a national policy instituted by these providers. The Service Fee schedules for BMS and Bank of America Merrill Lynch, as of July 22, 2011 and August 5, 2011, respectively are contained in Exhibit A attached hereto. Entry of this order is appropriate to promote the continued efficiency of the Chapter 7 Panel Trustees in their administration of estates pending the consideration of available alternatives, if any, brought to the attention of the Court.

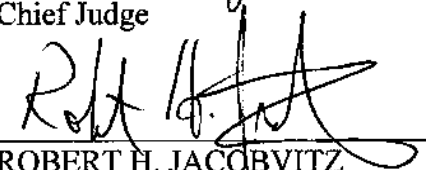
IT IS ORDERED, that Panel Trustees of the United States Bankruptcy Court for the District of New Mexico are authorized to incur Service Fees on a month to month basis beginning July 1, 2011 in amounts not to exceed those set forth in Exhibit A in exchange for bank and case management technology services provided in connection with the administration of estates.

This Standing Order is effective for all Chapter 7 cases pending in this District on or after July 1, 2011, and shall remain in effective until further order of the Court.

Dated 08-24-11



JAMES S. STARZYNSKI
Chief Judge



ROBERT H. JACOBVITZ
Judge

BMS Executive Update - Services Fee Program

July 22, 2011

Dear Valued Client,

As a follow-up to our July 15 letter, BMS is pleased to advise you that we have completed our revision of the Services Fee program. We believe that we have developed an equitable fee structure that is not only responsive to the challenges faced by the banking industry, but also meets the software and technical support needs of our clients.

The Services Fee will be adjusted as follows:

- The Services Fee will be a flat 2.5% per annum on accounts in excess of \$1,000 or a minimum monthly service charge of \$25, whichever is greater.
- The 2.5% Services Fee will be capped at \$2.5 million per account. Any account in excess of \$2.5 million will only be charged 2.5% on the first \$2.5 million.
- The minimum monthly account fee will be waived for the month of July. Only the 2.5% per annum rate will be applied to July accounts.
- This temporary authority to assess fees is scheduled to remain in effect only until December 31, 2012.

This has been a challenging time for all of us in the chapter 7 community. We are navigating through uncharted waters, and it has admittedly not always been "smooth sailing." BMS will continue to meet your bankruptcy administrative support needs with personalized service, along with the strength and stability of BNY Mellon, our experienced banking partner.

On behalf of all of us at BMS we want to express our gratitude for your patience, understanding and for giving us the opportunity to be of service to you.

Regards,

Steve Coffey and Raquel Edwards

Exhibit A



Federal Government Banking Division
Global Commercial Banking

August 5, 2011

Steven Speth
300 W. Douglas, Suite 230
Wichita, KS 67202

Dear Steven Speth:

As you may be aware, the current economic environment has presented challenges that prompted the banking industry to undergo dramatic and unprecedented changes which affect the bankruptcy business. Historically, banking and case management technology services have been funded through interest rate earnings on bankruptcy estate deposits. With interest rates near zero and substantial increases in FDIC and collateral costs, banks are now unable to generate adequate funding to pay for these services. To address this issue, on April 29, 2011, the Executive Office of the United States Trustee ("EOUST") decided to temporarily suspend its policy on bank service fees charged to trustees on Chapter 7 Bankruptcy Estate accounts until December 31, 2012. This decision was communicated to Regional/District U.S. Trustee Offices, Bankruptcy Trustees, and banks.

In light of this change, Bank of America Merrill Lynch will begin to assess a fee to cover costs associated with administration of Chapter 7 Bankruptcy Estate accounts and all other accounts using case management software. Beginning October 1, 2011, the fee will appear on your monthly bank statement as "BANK AND TECHNOLOGY SERVICE FEE" and will be charged on the current month's average collected balance and debited monthly. A transaction representing the fee will also be available for the case management software system. The case management software system will send the bank notification when Chapter 7 Bankruptcy Estate accounts enter the Trustee Final Report phase, ensuring that the fee will not be assessed during the Trustee Final Report phase.

The Bank and Technology Service Fee will be 1.50% of monthly average collected balance and a monthly cap of \$5,000 will be placed on all accounts. This fee translates into an approximate \$1.23* service charge per month for every \$1,000 in balances with the fee not to exceed \$5,000 per account.

The Bank and Technology Service Fee covers the actual and necessary costs and expenses associated with:

- Account maintenance (account opening/closing, online banking, and transfer services)
- Administrative costs (statement processing and check supplies)
- Regulatory/Compliance costs (FDIC coverage and Monthly/Quarterly UST reporting)
- Case Management Software, Maintenance, Hardware, and Training

This temporary provision remains in effect through December 31, 2012. According to the EOUST, "Trustees must comply with court practices and requirements to pay these service fees in the same manner as for other administrative expenses associated with case administration, including being subject to objection by the United States Trustee."

If you wish to discuss this change or other treasury options available to you, please call your Bank of America Client Manager, Barnard Woodruff at (404) 607-5661.

Very truly yours,

Robert A Chestnut
Senior Vice President; Market Executive

*Actual fee amount will vary due to number of days in the month