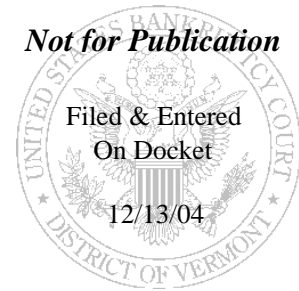


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

**WAYNE ARNOLD and
VALERIE HANST**

Debtors.

**Chapter 7 Case
04-11480**

ORDER

DENYING DEBTORS' MOTION TO CONDUCT CREDITORS' MEETING BY INTERROGATORIES

On November 9, 2004, the Debtors commenced the above-referenced bankruptcy case. The Debtors' petition, schedules and statement of financial affairs identify the Debtors' residential address to be 3528 Route 100, #100, South Londonderry, Vermont (doc.# 1). On December 6, 2004, the Debtors filed a motion requesting that they be excused from appearing at the 11 U.S.C. § 341 meeting (a/k/a the "meeting of creditors") because of their relocation to the Caymen Islands, BWI (doc. # 3). The Debtors assert that it would be a hardship for them to travel to Vermont for the meeting of creditors. On December 8, 2004, the Trustee filed a response to the Debtors' request (doc. # 4) (the "Trustee's Response") averring that he needs significant information, and the answers to a variety of questions, from the Debtors, and taking the position that the Debtors' personal appearance at the meeting is essential to the administration of the case.

The examination of the Debtors is prescribed by §343 of the Bankruptcy Code which provides that a debtor shall appear and submit to examination under oath at the meeting of creditors. 11 U.S.C. § 343(a); In re Larkham, 24 B.R. 70, 71 (Bankr. D. Vt. 1982). The debtor must file complete and accurate schedules and appear at the § 341 meeting in order to obtain a discharge. Under this Court's equitable powers, it has from time to time waived the debtor's appearance at the meeting of creditors upon a showing of good cause and the consent of the case trustee.


UPON CONSIDERATION of the Debtors' Motion to Conduct Creditor's Meeting by Way of Interrogatories and the Trustee's Response thereto,

IT IS HEREBY ORDERED that Debtor's Motion to Conduct Creditor's Meeting by Way of Interrogatories is DENIED.

IT IS FURTHER ORDERED that the Debtors shall personally appear at the creditors' meeting currently scheduled for **January 5, 2005 at 11:30 a.m. in Rutland, Vermont**, and that meeting will be rescheduled only upon the consent of the Trustee.

SO ORDERED.

December 13, 2004
Rutland, Vermont


Colleen A. Brown
United States Bankruptcy Judge