

Committee Note:

This rule is intended to provide the Court, the debtor and the trustee with precise information concerning the dollar amount of the secured and unsecured components of an undersecured claim. A creditor with an undersecured claim should specify the information required by this rule in order to separately designate the secured component of its claim and the unsecured component of its claim. In the event an undersecured claim does not specify the dollar amount of the unsecured deficiency, the unsecured component may be disregarded by a trustee or debtor in possession. A beneficiary under a trust indenture or deed of trust covered by the Small Tract Financing Act of Montana may not be allowed a deficiency claim.

RULE 3001-2. Attachments to Proof of Claim.

A proof of claim shall include those documents required by F.R.B.P. 3001(c) and (d); and an itemized summary of the account showing, **as of the date of the commencement of the debtor's bankruptcy case**, the unpaid principal balance, all accrued interest, forced-placed insurance, late charges, and other charges; the rate of contract or other interest; and the per diem interest accrual as of the date of the commencement of the case. Entities filing documents or attachments not prepared in electronically produced text shall scan and electronically file only excerpts of the documents that are directly germane to the matter under consideration by the Court. Excerpted material must be clearly and prominently identified as such, and the complete exhibit must be made available to the attorneys and the Court on request. Entities filing excerpts do so without prejudice to their right to file by electronically scanning additional excerpts or the complete document with the Court. Responding entities may file by electronically scanning additional germane excerpts. Filing attachments by other than electronic means will not be allowed, except as permitted at the discretion of the Court. *See* Mont. LBR 5003-2. The following documents must be attached to any secured proof of claim and sent to the case trustee (or debtor's attorney in a Chapter 11 case): those pages of all notes, contracts or other agreements, and security and perfection documents, reflecting the names and addresses of the subject parties; the date signed, the date filed and/or recorded and/or perfected; the dollar amount of the debt; the description of the collateral; and all other information which might be necessary for a trustee or debtor in possession to verify the nature and amount of the debt, and the validity and perfection of the underlying lien.

Related Authority:
11 U.S.C. § 501
F.R.B.P. 3001 - 3005

RULE 3001-3. Interest on Claims of Oversecured Creditors.

If interest upon a debt is to be claimed, the proof of claim must state: