

# New Chapter 7 Trustee Training

## Section 341 Meeting Skits

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Performed by the Region 6 Players

Featuring Audience Participation Problems Guaranteed  
to Keep Your Attention. (We hope.)

**Consumer Section 341 Meeting**  
***In re Virginia Mae Piccurepoquet,***  
**Case No. 19-11223-RLJ-7**



# Problem 1: What did the trustee forget?

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- A. She forgot to view Mel Practiss's Texas Bar Card.
- B. She forgot to request a copy of the engagement letter between Anna Turney and the debtor as proof of their attorney/client relationship.
- C. She forgot to turn the recording device on and test it before beginning the meeting.
- D. She forgot to announce the debtor's address and social security number on the record.

## **Problem 2: What should the trustee do instead of turning the 341 meeting over to debtor's counsel?**

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- A. Ask the debtor a few preliminary questions about the schedules and then turn it over to debtor's counsel.
- B. Let the creditor's lawyer go first.
- C. Ask the debtor to announce her social security number, date of birth, place of birth, and current address on the record.
- D. Ask the required section 341 meeting questions herself.



### **Problem 3: What should the trustee do to deal with lawyers getting testy with one another?**

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- A. Eject Mr. Practiss from the meeting because he's being unruly.
- B. Allow Mr. Practiss to stay, but tell him that he will not be allowed to ask any questions because he's been a very bad boy, indeed.
- C. Pause to ask Mr. Practiss to refrain from making side bar comments and let him know he will be allowed to ask his questions in due course.
- D. Call the guards because Mr. Practiss seems like a loose cannon.

## **Problem 4: What should the trustee do when the debtor asserts her Fifth Amendment privilege?**

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- A. Let Mr. Practiss continue his line of questioning.
- B. Tell Mr. Practice that he should stop asking controversial questions that the debtor doesn't want to answer.
- C. Continue the section 341 meeting to a date to be determine and instruct the attorneys to get a ruling from the Bankruptcy Court before the meeting can be recommenced and concluded.
- D. Instruct the debtor she is under oath and must answer all of Mr. Practiss's questions no matter what she thinks the Fifth Amendment might say.



## **Problem 5: What should the trustee do when a creditor treats the meeting like a deposition?**

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- A. Cut Mr. Practiss off in his questioning and forbid any further questions from Mr. Practiss.
- B. Call the guards to arrest Ms. Piccurepoquet because she is an obvious felon.
- C. Turn off the recorder and have an off-the-record discussion with the attorneys outside the presence of the debtor.
- D. Suggest that Mr. Practiss may wish to pursue a Rule 2004 exam to continue this line of questioning.

## Problem 6: What should the trustee do rather than leave the amendment deadline open-ended?

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- A. Immediately threaten Ms. Piccurepoquet with a 727 action for failure to disclose.
- B. Give Ms. Piccurepoquet and her counsel a clear deadline to file the amendments.
- C. Call Ms. Piccurepoquet a deceitful liar.
- D. Begin drafting a bar referral on Anna Turney.



# **Small Business Section 341 Meeting**

***In re D'Meaux's Demos, Inc.***

**Case No. 20-10003-RLJ-7**

# Problem 1: What did the trustee forget?

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- A. To check Mr. D'Meaux's Social Security number before the meeting.
- B. To swear in Mr. D'Meaux.
- C. Create a safety barrier between Mr. D'Meaux and the Angry Ad Hocs by placing secured lender's counsel between them.
- D. To get Mr. D'Meaux to sign creditor sign in sheet.



## Problem 2: What should the trustee say about the debtor's failure to turn over tax returns prior to the meeting?

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- A. "Oh, just forget those returns, Lou, they are more bother than they are worth."
- B. "Dagnabit it, Lou, how can you be so stupid?! I'm stopping the meeting now. Meeting continued!"
- C. "Since we have creditors present, we will go forward with Mr. D'Meaux's testimony today. However, Mr. D'Meaux will have to appear at my February 10, 2020 docket if he does not provide my office with tax returns by Wednesday, January 20, 2020. If the returns are provided by the 20<sup>th</sup>, then I will conclude the meeting and the Debtor will not be required to appear at the continued meeting date."
- D. Just say nothing and move on.

### **Problem 3: What should the trustee do when the debtor's representative cannot speak or understand English?**

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- A. Question Mr. D'Meaux closely about why he cannot speak English. After all, the man had to have passed an English proficiency test to become an American citizen.
- B. Continue the meeting in English but with a raised voice since that should assist Mr. D'Meaux's comprehension.
- C. Continue the meeting so that Mr. D'Meaux can bring his thirteen year daughter Julienne to interpret next time.
- D. Dial the interpreter service number that the United States Trustee gave you and request a French interpreter to assist.



## Problem 4: What should the trustee do when the meeting attendees become unruly?

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- A. Throw a sealed can of coins at the Angry Ad Hoc Group to get their attention and then spray water in their faces to get them to stop shouting.
- B. Hit the duress alarm button and/or call security.
- C. Pause the meeting and instruct the Angry Ad Hoc Group (in a firm, calm voice) to sit down, remain quiet, and to permit their attorney Powdered Toast to ask questions of the Debtor's representative.
- D. Hide under the desk in a fetal position and whimper.

**Problem 5: How should the trustee respond to the revelation that the debtor's principal took \$350,000 from the debtor for his personal use and failed to disclose it?**

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- A. Tell Mr. D'Meaux that he must be dumber than a miniature poodle to do something that stupid.
- B. Ask Mr. D'Meaux whether his mother did drugs when she was pregnant with him. Really, she is just trying to understand.
- C. Pause to take a deep breath and then calmly ask Debtor's counsel for both documents and amendments to the SOFA.
- D. Throw her pen at Mr. D'Meaux's face.



## Problem 6: What should the trustee say in response to this very interesting line of questioning?

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- A. “Ms. Quint, we will have to continue this meeting so we can continue this line of questioning since I too want to get to the bottom of these public drunkenness allegations.”
- B. “Ella, WHY are you asking these questions? What do they have to do with anything?”
- C. “Ms. Quint, these questions are outside the scope of this 341 meeting. Please move on.”
- D. “Mr. D’Meaux, where did you get the booze? I thought Sweetwater was a dry jurisdiction...”

**THE END**