

Service of Claim Objections

There is disagreement in the Ninth Circuit as to whether service of a claim objection upon claimant's address as listed in its proof of claim is sufficient service where the address listed in the proof of claim does not, itself, comply with Federal Rule of Bankruptcy Procedure ("Rule") 7004. See *In re 701 Mariposa Project, LLC*, 514 B.R. 10, 16 (B.A.P. 9th Cir. 2014) ("In the past, the Panel has offered conflicting views regarding whether Rule 3007(a)'s mailing/delivery requirements are in addition to or in lieu of Rule 7004's service requirements." (citing *United States v. Levoy (In re Levoy)*, 182 B.R. 827, 834 (9th Cir. BAP 1995); *Jorgenson v. State Line Hotel, Inc. (In re State Line Hotel, Inc.)*, 323 B.R. 703, 711–12 (9th Cir. BAP 2005), *vacated as moot*, 242 Fed.Appx. 460, 462 (9th Cir. 2007)).

This Court believes, and requires, that if the address listed in the proof of claim form does not comply strictly with Rule 7004, then the claim objection **must be served to both** (1) the address listed on the proof of claim; and (2) the address required for service under Rule 7004.

Any claim objection that fails to comply with these services requirements may be denied or continued to effectuate proper service, as stated herein.