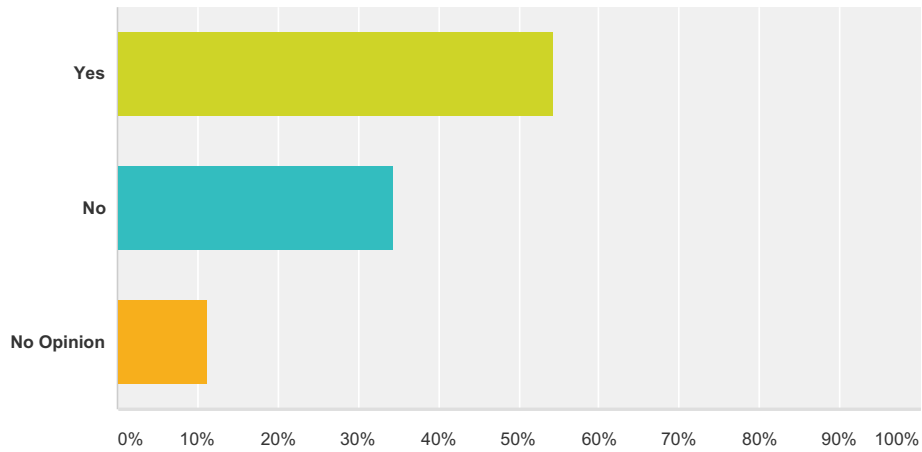


Q1 Should 503(b)(9) administrative priority claim (which goods sellers currently have) be extended to service providers (excluding lessors and utilities, which currently have strong existing remedies in the Bankruptcy Code)?

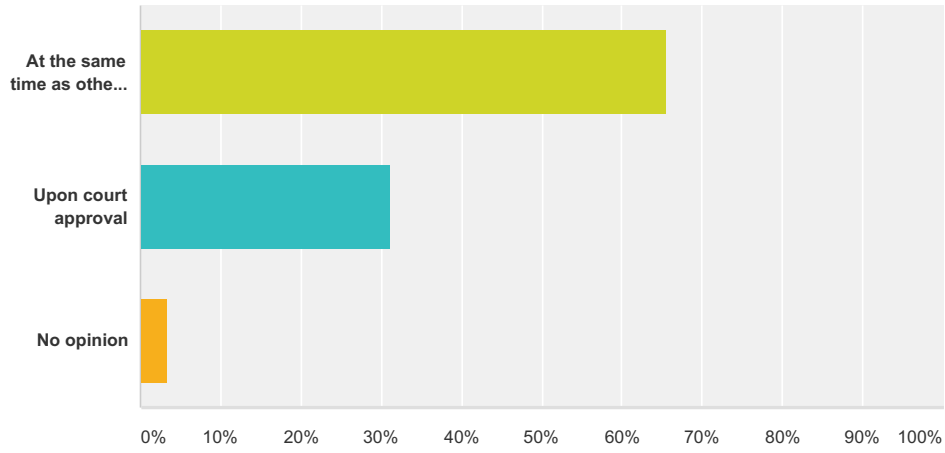
Answered: 186 Skipped: 0



Answer Choices	Responses
Yes	54.30% 101
No	34.41% 64
No Opinion	11.29% 21
Total	186

Q2 When should payment of trade creditors' administrative priority claims under 503(b)(9) occur?

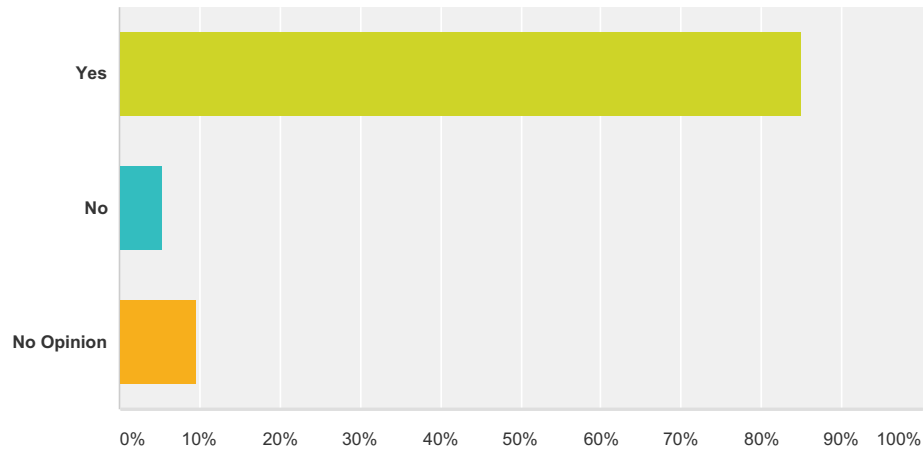
Answered: 183 Skipped: 3



Answer Choices	Responses	
At the same time as other administrative claims (without a proof of claim filing)	65.57%	120
Upon court approval	31.15%	57
No opinion	3.28%	6
Total		183

Q3 Should provisions be established regarding Venue that require bankruptcy petitions to be filed in the court where the filing company’s principle place of business or assets are located (eliminate “venue shopping”)?

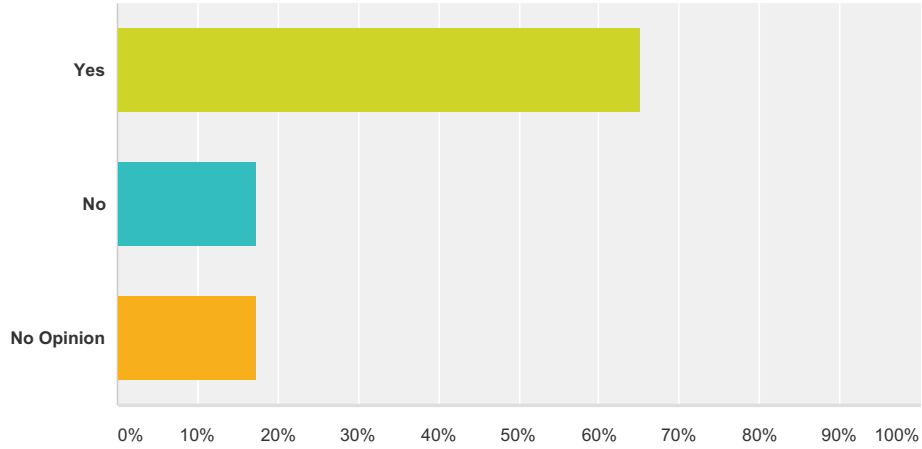
Answered: 186 Skipped: 0



Answer Choices	Responses
Yes	84.95% 158
No	5.38% 10
No Opinion	9.68% 18
Total	186

Q4 Should existing Preference language regarding “New Value Defense” be replaced with a “netting” concept. In other words, all pre-petitions extensions of credit provided for the benefit of the debtor will be subtracted from the total amount of payments received by the creditor during the preference period.

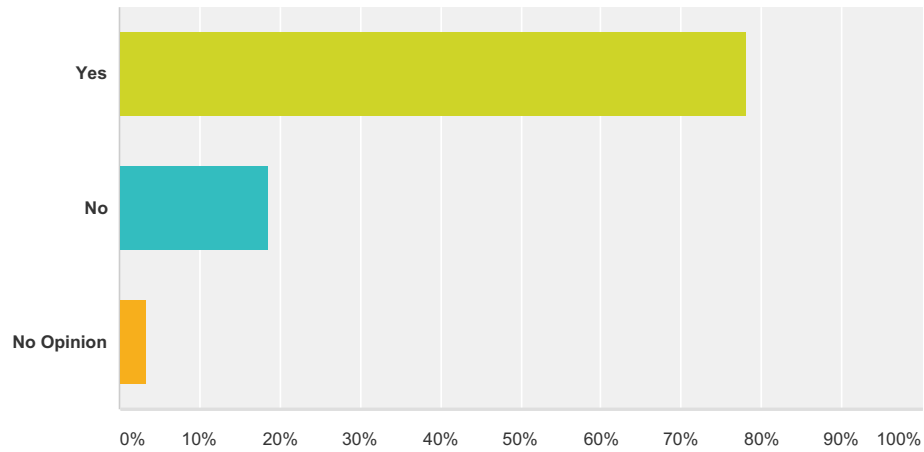
Answered: 184 Skipped: 2



Answer Choices	Responses	
Yes	65.22%	120
No	17.39%	32
No Opinion	17.39%	32
Total		184

Q5 Should provisions within existing Preference language be amended to ensure all payments made to a trade creditor within 90 days before a bankruptcy filing are presumed to have been made in the ordinary course of business?

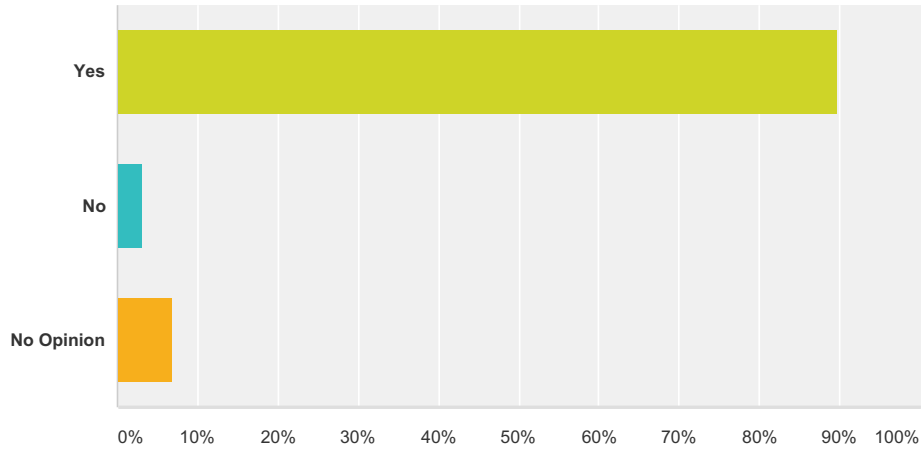
Answered: 182 Skipped: 4



Answer Choices	Responses
Yes	78.02% 142
No	18.68% 34
No Opinion	3.30% 6
Total	182

Q6 Regarding the Executory Contract statute, should creditors with long-term agreements be allowed to stop extending credit terms/accept COD payments prior to shipment of goods or rendering of services to a customer in bankruptcy?

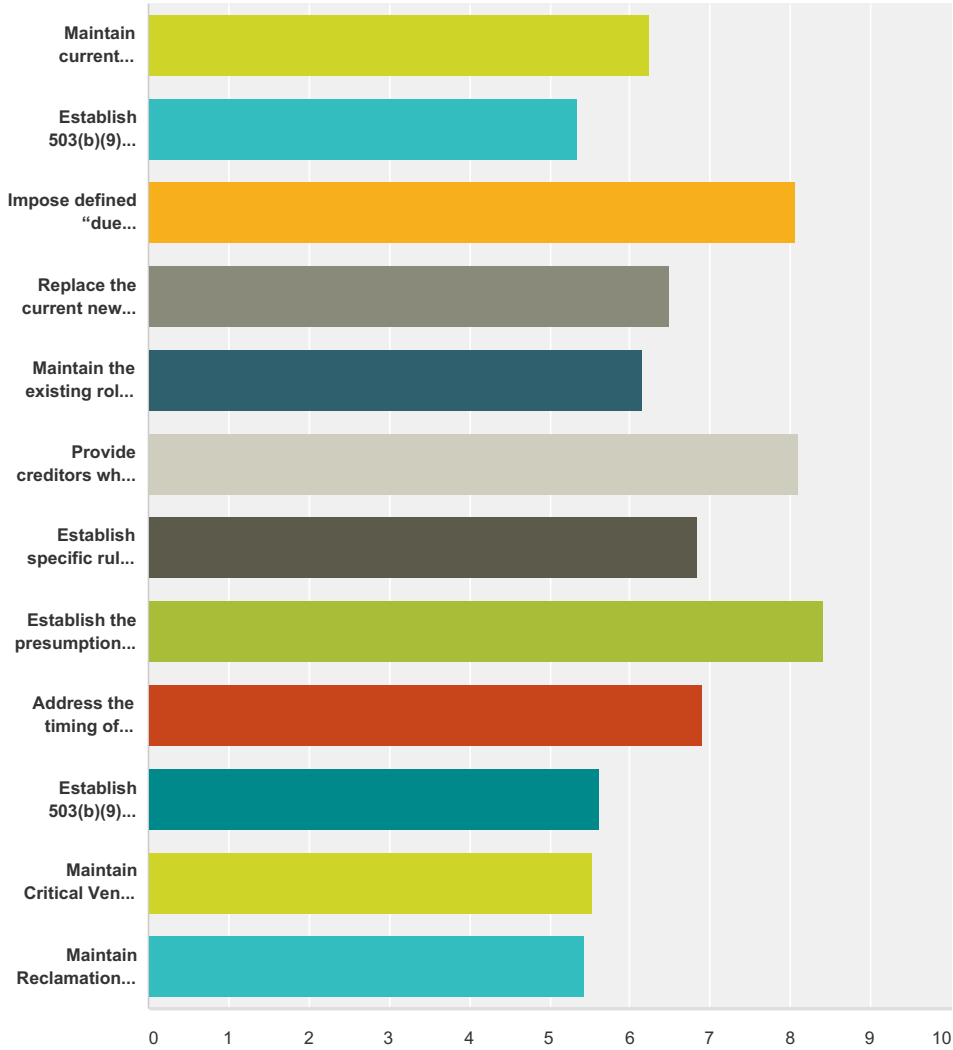
Answered: 186 Skipped: 0



Answer Choices	Responses	
Yes	89.78%	167
No	3.23%	6
No Opinion	6.99%	13
Total		186

Q7 Please rank the importance of the following issues 1(most important to you) through 12 (least):

Answered: 170 Skipped: 16



	1	2	3	4	5	6	7	8	9	10	11	12	Total	Score
Maintain current 503(b)(9) administrative priority rights for manufacturers.	15.03% 23	6.54% 10	4.58% 7	4.58% 7	8.50% 13	7.84% 12	4.58% 7	7.19% 11	8.50% 13	10.46% 16	11.11% 17	11.11% 17	153	6.24

NACM 2015 Bankruptcy Reform Survey

Establish 503(b)(9) administrative priority rights for service providers (excluding lessors and utilities, which have strong existing remedies already in the Bankruptcy Code).	8.23% 13	6.96% 11	6.96% 11	4.43% 7	3.80% 6	5.06% 8	6.33% 10	6.96% 11	9.49% 15	9.49% 15	12.03% 19	20.25% 32	158	5.34
Impose defined "due diligence" requirements on Trustees (end the practice of Trustees "emptying the check register").	12.99% 20	15.58% 24	11.69% 18	9.74% 15	7.14% 11	10.39% 16	10.39% 16	7.79% 12	5.84% 9	3.25% 5	4.55% 7	0.65% 1	154	8.06
Replace the current new value defense with a netting concept.	5.13% 8	5.13% 8	12.82% 20	10.90% 17	12.18% 19	6.41% 10	7.69% 12	6.41% 10	8.33% 13	8.33% 13	10.26% 16	6.41% 10	156	6.50
Maintain the existing role and automatic establishment of creditors' committees at the onset of a bankruptcy case.	4.00% 6	8.00% 12	8.00% 12	4.00% 6	8.67% 13	11.33% 17	10.67% 16	10.67% 16	12.67% 19	9.33% 14	6.67% 10	6.00% 9	150	6.16
Provide creditors who previously signed a long-term agreement to extend credit the ability to change from credit terms to COD terms in the event of a customer's bankruptcy filing. This would stop the requirement to continue extending of credit prior to shipment of goods/rendering of services to a customer in bankruptcy.	15.69% 24	15.03% 23	10.46% 16	9.80% 15	9.15% 14	7.84% 12	8.50% 13	8.50% 13	5.23% 8	4.58% 7	3.27% 5	1.96% 3	153	8.11
Establish specific rules governing establishment of Venue.	5.84% 9	9.74% 15	12.99% 20	7.14% 11	8.44% 13	8.44% 13	10.39% 16	11.04% 17	7.79% 12	7.79% 12	3.25% 5	7.14% 11	154	6.84

NACM 2015 Bankruptcy Reform Survey

Establish the presumption that all payments made to a trade creditor within 90 days before the filing are presumed to have been made in the ordinary course of business.	22.78% 36	16.46% 26	8.86% 14	10.76% 17	8.86% 14	5.06% 8	5.06% 8	7.59% 12	1.27% 2	2.53% 4	4.43% 7	6.33% 10	158	8.42
Address the timing of payment for creditors who assert 503(b)(9) priority claim rights (same time as other administrative claims or by court order or other).	1.97% 3	8.55% 13	13.16% 20	16.45% 25	7.24% 11	9.21% 14	10.53% 16	6.58% 10	11.18% 17	3.95% 6	6.58% 10	4.61% 7	152	6.90
Establish 503(b)(9) priority administration status for trade creditors in Drop Shipment (shipping of goods to a third party) transactions.	0.00% 0	3.25% 5	5.19% 8	10.39% 16	12.34% 19	8.44% 13	10.39% 16	10.39% 16	7.14% 11	20.78% 32	6.49% 10	5.19% 8	154	5.62
Maintain Critical Vendor status at is presently exists in U.S. bankruptcy cases.	5.88% 9	3.27% 5	5.88% 9	9.15% 14	7.19% 11	7.84% 12	7.19% 11	4.58% 7	10.46% 16	14.38% 22	18.30% 28	5.88% 9	153	5.54
Maintain Reclamation rights that exist in the U.S. Bankruptcy Code.	6.25% 10	5.00% 8	3.75% 6	5.63% 9	10.00% 16	10.63% 17	6.88% 11	8.75% 14	8.13% 13	4.38% 7	9.38% 15	21.25% 34	160	5.43

Q8 Name:

Answered: 186 Skipped: 0

Q9 Email Address:

Answered: 186 Skipped: 0