

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

BAKER & TAYLOR, LLC,

Debtor.

Chapter 11

Case No. 26-12863

KELLY EDWARDS, RAISHARD PAGE,
SHERYL MARTIN, and NELI SUJEEY
CAMACHO-PEREZ, on behalf of themselves
and others similarly situated,

Plaintiffs,

v.

BAKER & TAYLOR, LLC,

Defendant.

Adv. Proc. No. _____

**CLASS ACTION ADVERSARY
PROCEEDING COMPLAINT**

DEMAND FOR JURY TRIAL

Kelly Edwards, Raishard Page, Sheryl Martin, and Neli Sujeey Camacho-Perez (“Plaintiffs”), individually and on behalf of those similarly situated former employees as defined herein, hereby file this Class Action Adversary Proceeding Complaint against Baker & Taylor, LLC. (“Defendant”), alleging as follows.

NATURE OF THE ACTION

1. This is a Class Action Complaint brought under the Worker Adjustment and Retraining Notification Act, 29 U.S.C. §§ 2101–2109 (the “WARN Act”), by Plaintiffs on their own behalf and on behalf of the other similarly situated persons against Defendant, their employer, for WARN Act purposes.

2. Defendant filed for Chapter 11 Bankruptcy in this Court on March 16, 2026, Case No. 26-12863.

3. Defendant is a Delaware Limited Liability Company with a principal place of business in North Carolina, and is registered as a foreign Limited Liability Company doing business in Georgia and Illinois.

4. Upon information and belief, Defendant abruptly terminated at least 213 employees, including Plaintiff Edwards, and additional putative class members, unilaterally and without proper notice to employees or staff from its Georgia Facility, located in Commerce, Georgia (“the Georgia Facility”).

5. Upon information and belief, Defendant also abruptly terminated at least 112 employees, including Plaintiff Raishard Page, and additional putative class members, unilaterally and without proper notice to employees or staff from its North Carolina Facility, located in Charlottesville, North Carolina (“the North Carolina Facility”).

6. Upon information and belief, Defendant also abruptly terminated at least 318 employees, including Plaintiffs Martin and Camcho-Perez, and additional putative class members, unilaterally and without proper notice to employees or staff from its Illinois Facility, located in Momence, Illinois (“the Illinois Facility”).

7. Plaintiff Edwards was terminated from the Georgia Facility on or around October 6, 2025, as part of a mass layoff or plant closing without proper notice, along with at least 50 other employees and one third of the workforce of the Georgia Facility.

8. Plaintiff Page was terminated from North Carolina Facility on or around October 6, 2025, as part of a mass layoff or plant closing without proper notice, along with at least 50 other employees and one third of the workforce of the North Carolina Facility.

9. Plaintiffs Martin and Camcho-Perez were terminated from the Illinois Facility, on or around October 6, 2025, as part of a mass layoff or plant closing without proper notice, along with at least 50 other employees and one third of the workforce of the Illinois Facility.

10. Collectively, the Georgia Facility, North Carolina Facility, and Illinois Facility are referred to as “Facilities” herein.

11. Defendant terminated, upon information and belief, over 500 employees nationwide on October 6, 2025 without notice.

12. Plaintiff bring this action on behalf of themselves and other similarly situated former employees who worked for Defendant and were terminated as part of the foreseeable mass layoff or plant closing ordered at each of the respective Facilities by Defendant on or around October 6, 2025 and within 90 days of that date and who were not provided 60 days’ advance written notice of their terminations by Defendant, as required by the WARN Act.

13. Plaintiffs and the other similarly situated employees should have received the full protection afforded by the WARN Act.

14. Defendant did not provide proper WARN Act Notice, 60 days in advance, as required by 29 U.S.C. §§ 2101 *et seq.* even though it planned to abolish, terminate, and/or layoff at least 50 employees and 33% of the employees employed at each of the Facilities.

15. Upon information and belief, no circumstances existed that would have permitted Defendant from reducing the notification period as provided in 29 U.S.C. § 2102(b).

16. By failing to provide its affected employees who were temporarily or permanently terminated on or around October 6, 2025, with proper WARN Act Notices and other benefits Defendant violated the WARN Act.

17. Defendant acted willfully and cannot establish that it had any reasonable grounds or basis for believing its actions were not in violation of the WARN Act.

18. Plaintiffs' claims, as well as the claims of all similarly situated employees, are entitled to partial administrative expense status pursuant to United States Bankruptcy Code § 503(b)(1)(A) and partial, or alternatively, full priority status under 11 U.S.C. § 507(a)(4) and (5), up to the priority cap, with the balance, if any, being a general unsecured claim.

JURISDICTION AND VENUE

19. This Court has jurisdiction over this matter pursuant to 28 U.S.C §§ 1331, 1334, 1367 and 29 U.S.C. § 2104(a)(5).

20. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (B), and (O). Pursuant to Fed. R. Bankr. P. 7008. Plaintiff consents to entry of final orders or judgment by the bankruptcy court.

21. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and 1409(a) and 29 U.S.C. § 2104(a)(5).

PARTIES

22. At all times herein relevant, the Plaintiffs were and are members of the nationwide class (as defined below).

23. Plaintiff Edwards is a resident of Georgia and a citizen of the United States. Plaintiff was employed, full time, by Defendant for over 9 years at the time of termination. Plaintiff Edwards worked at the Georgia Facility, and she is an "aggrieved employee" within the meaning of 29 U.S.C. § 2104(a)(7). She was terminated without cause and did not receive 60 days' notice of termination.

24. Plaintiff Page is a resident of North Carolina and a citizen of the United States. Plaintiff was employed, full time, by Defendant for over one year at the time of termination. Plaintiff Page worked at the North Carolina Facility, and he is an “aggrieved employee” within the meaning of 29 U.S.C. § 2104(a)(7). He was terminated without cause and did not receive 60 days’ notice of termination.

25. Plaintiff Martin is a resident of Illinois and a citizen of the United States. Plaintiff was employed full time by Defendant for over six years at the time of termination. Plaintiff Martin worked at the Illinois Facility, and she is an “aggrieved employee” within the meaning of 29 U.S.C. § 2104(a)(7). She was terminated without cause and did not receive 60 days’ notice of termination.

26. Plaintiff Camacho-Perez is a resident of Illinois and a citizen of the United States. Plaintiff was employed, full time by Defendant for over three years at the time of termination. Plaintiff Camacho-Perez worked at the Illinois Facility, and she is an “aggrieved employee” within the meaning of 29 U.S.C. § 2104(a)(7). She was terminated without cause and did not receive 60 days’ notice of termination.

27. Upon information and belief, Defendant conducted business and operated the Facilities, where Plaintiffs and the other similarly situated individuals worked or were based at, reported to, and received assignments from.

28. Defendant is registered as a foreign limited liability company in Georgia and can be served through their Georgia registered agent, CT Corporation System, located at 289 South Culver Street, Lawrenceville, Georgia 30046-4805. Defendant is also registered to do business in Illinois and may also be served through its Illinois registered agent, CT Corporation System located at 208 S. Lasalle St., Suite 814, Chicago Illinois, 60604.

29. Defendant made the decision to terminate employees, including Plaintiffs and those other similarly situated former employees, without 60 days' advance notice, terminating over 50 employees and 33% of the workforce at each of the respective Facilities.

FACTS

30. On or about October 6, 2025, Defendant informed Plaintiffs that their positions were being terminated that same day with less than 60 days' notice. Upon information and belief, Defendant also terminated an additional 296 employees from the Facilities in the same manner, on the same day.

31. Defendant did not provide proper WARN Act Notice, 60 days' in advance, as required by 29 U.S.C. §§ 2101 et seq. even though it planned to abolish, terminate, and/or layoff at least 50 employees and 33% of the employees employed at each of the respective Facilities, including Plaintiffs.

32. Upon information and belief, no circumstances existed that would have permitted Defendant from reducing the notification period as provided in 29 U.S.C. § 2102(b).

33. By failing to provide its affected employees who were temporarily or permanently terminated on or around October 6, 2025, with proper WARN Act Notices and other benefits, Defendant acted willfully and cannot establish that they had any reasonable grounds or basis for believing its actions were not in violation of the WARN Act.

CLASS ACTION ALLEGATIONS

34. Plaintiffs bring their WARN Act claim as a Class Action pursuant to Federal Rule of Civil Procedure 23 on behalf of the following **Nationwide Class**:

All employees of Defendant who were terminated pursuant to a mass layoff or plant closing from the Facilities (as those terms are defined in the WARN Act) on October 6, 2025, and within 90 days of October 6, 2025.

35. Plaintiffs Martin and Camacho-Perez bring their Illinois WARN Act claim as a Class Action pursuant to Fed. R. Civ. P. 23 on behalf of the following **Illinois Subclass**:

ILLINOIS SUBCLASS: All employees of Defendant who were terminated at the Ohio Facility pursuant to a mass layoff or plant closing (as those terms are defined in the Ohio WARN Act) on October 6, 2025, and within 90 days October 6, 2025.

36. Class Action treatment of WARN Act claims is appropriate because all of Federal Rule of Civil Procedure 23's Class Action requisites can be satisfied. For example:

- a. The class and subclass include, upon information and belief, over 50 class members each, and, as such, is so numerous that joinder of all the class members is impracticable under these circumstances, thereby satisfying Federal Rule of Civil Procedure 23(a)(1).
- b. Questions of law and fact are common to the class and subclass, including, *inter alia*, whether Defendant provided adequate notice of its mass layoffs or plant closing under the WARN Act, 29 U.S.C. § 2102. Thus, Plaintiffs satisfy Federal Rule of Civil Procedure 23(a)(2).
- c. Plaintiffs are members of the class and subclass and brings claims typical of the claims of other class members. Plaintiffs have no interests that are antagonistic to or in conflict with the interests of other class members. Thus, Plaintiffs satisfy Federal Rule of Civil Procedure 23(a)(3).
- d. Plaintiffs will fairly and adequately represent the class and subclass, and their interests. Moreover, Plaintiffs have retained competent and experienced counsel who will effectively represent the interests of the class and subclass. Thus, Plaintiffs satisfy Federal Rule of Civil Procedure 23(a)(4).

37. Class certification is appropriate pursuant to Federal Rule of Civil Procedure 23(b)(1) because the prosecution of separate actions by individual class members would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for Defendant and/or because adjudications with respect to individual class members would as a practical matter be dispositive of the interests of non-party class members.

38. Class certification is appropriate pursuant to Federal Rule of Civil Procedure 23(b)(2) because Defendant acted or refused to act on grounds generally applicable to the class and subclass, making appropriate declaratory and injunctive relief with respect to Plaintiffs and the Class as a whole.

39. Class certification is appropriate under Federal Rule of Civil Procedure 23(b)(3) because common questions of law and fact predominate over any question affecting only individual class members, and because a class action is superior to other available methods for the fair and efficient adjudication for this litigation.

COUNT I
VIOLATIONS OF THE WARN ACT, 29 U.S.C. §§ 2101, *et seq.*
(WARN Act)
(On behalf of Plaintiff and the putative Nationwide Class)

40. Plaintiffs re-allege and incorporate all preceding paragraphs as if set forth in full here.

41. Defendant is an “employer” within the meaning of the WARN Act, 29 U.S.C. § 2101(a)(1).

42. Plaintiffs and the putative class were at all relevant times “affected employees” within the meaning of the WARN Act, 29 U.S.C. § 2101(a)(5).

43. The October 6, 2025, terminations resulted in “employment losses” as defined in 29 U.S.C. § 2101(a)(3)(B)(i)(I) and (II) for at least 50 employees and 33 percent of the Defendant’s

workforce at the Facility. Any ongoing terminations not known to Plaintiffs and occurring within any 90-day period, may be aggregated. 29 U.S.C. § 2102(d).

44. For purposes of 29 U.S.C. § 2101(a)(3)(B)(i)(I) and (II), the Facility constitutes a single site of employment in that it was the location to which relevant employees were assigned as the home base, the place from which work was assigned, and the place to which they reported for work.

45. The WARN Act requires employers to provide 60-days' notice of any plant closing or mass layoff "to each representative of the affected employees . . . or, if there is no such representative at that time, to each affected employee," 29 U.S.C. § 2102(a)(1), and "to the State or entity designated by the State to carry out rapid response activities under [29 U.S.C.] §3174(a)(2)(A)," as well as to "the chief elected official of the local government within which such closing or layoff is to occur," 29 U.S.C. § 2102(a)(2).

46. On information and belief, Defendant did not give 60 days' written notice of the plant closing or mass layoff to any "affected employee," including Plaintiffs and those they seek to represent, as that term is defined in 29 U.S.C § 2101(a)(5).

47. Defendant violated the WARN Act by failing to give timely written notice of the mass layoffs as required by 29 U.S.C. § 2102(a), which began on or about January 14, 2026.

48. As such, Plaintiffs, and those they seek to represent are "aggrieved employees" within the meaning of the WARN Act, 29 U.S.C. § 2104(a)(7).

49. The WARN Act expressly permits an "aggrieved employee" to bring a civil action individually and on behalf of all those similarly situated to seek relief for violations of the provisions of 29 U.S.C. § 2102. *See* 29 U.S.C. § 2104(5).

50. Moreover, Defendant's violations of the WARN Act were not in good faith, and Defendant has no reasonable grounds for believing that the plant closing or mass layoff it ordered at the Facility was not in violation of the notice requirements at 29 U.S.C. § 2102.

COUNT II
VIOLATIONS OF THE ILLINOIS WARN ACT, 820 ILCS 65
(Illinois WARN Act)
(On behalf of Plaintiffs Martin and Camacho-Perez and the putative Illinois Subclass)

51. Plaintiffs Martin and Camacho-Perez re-allege and incorporate all preceding paragraphs as if set forth in full here.

52. Defendant is an "employer" within the meaning of the WARN Act, 820 ILCS 65/5(c).

53. Plaintiffs Martin and Camacho-Perez and those they seek to represent were at all relevant times "affected employees" within the meaning of the Illinois WARN Act, 820 ILCS 65/5(a).

54. The October 6, 2025, terminations of at least 318 employees at the Illinois Facility resulted in "employment losses" as defined in 820 ILCS 65/5(b)(1).

55. For purposes of 820 ILCS 65/5(d), the Illinois Facility constitutes a single site of employment in that each employee's facility was the location to which relevant employees were assigned as their home base, the place from which their work was assigned, and the place to which they reported for work.

56. The WARN Act requires employers to provide 60-days' notice of any plant closing or mass layoff "(1) affected employees and representatives of affected employees; and (2) the Department of Commerce and Economic Opportunity." 820 ILCS 65/10(a)(1)-(2).

57. On information and belief, prior to October 6, 2026, Defendant did not give any written notice of the plant closing and/or mass layoff to any "affected employee," including

Plaintiffs Martin and Camacho-Perez, and those they seek to represent, as that term is defined in 820 ILCS 65/5(a). Nor upon information and belief did Defendants give any prior written notice to the Department of Commerce and Economic Opportunity, or to the chief elected official of the local government within which the mass layoff and/ or plant closing was ordered. Defendant did provide notice on October 6, 2025, noting that it's "plant closure" would result in a layoff of 318 employees from the Illinois Facility.

58. Defendant violated the Illinois WARN Act by failing to give timely written notice of the mass layoff and/or plant closing as required by 820 ILCS 65/10, which began on or about October 6, 2025.

59. Moreover, Defendant's violations of the WARN Act were not in good faith, and Defendant had no reasonable grounds for ignoring the notice requirements at 820 ILCS 65/10.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the following relief:

1. Certification of the Nationwide Class and Illinois Subclass as a Class Action pursuant to Federal Rule of Civil Procedure 23(b), and designation of Plaintiffs as a representatives of the Class, and their counsel of record as Class Counsel for each class, respectively;

2. A declaration that Defendant violated the WARN Act and Illinois WARN Act;

3. A first priority administrative expense claim against Defendant pursuant to 11 U.S.C. § 503(b)(1)(A) in favor of the Plaintiffs and the other similarly-situated former employees equal to the sum of their: unpaid wages, salary, commissions, bonuses, accrued holiday pay, accrued vacation pay, pension and 401(k) contributions and other COBRA benefits, for 60 days, that would have been covered and paid under the then-applicable employee benefits had that coverage continued for that period, all determined in accordance with the WARN Act, or alternatively, determining that the first \$17,150 of the claims of the Plaintiffs and each of the other

similarly-situated former employees are entitled to priority status under 11 U.S.C. § 507(a)(4)-(5), and the remainder is a general unsecured claim;

4. A judgment against Defendant and in favor of Plaintiffs and the putative class for back pay to the fullest extent permitted by the WARN Act, 29 U.S.C. § 2104(a)(1)(A) and the Illinois WARN Act, 820 ILCS 65/35;

5. A judgment against Defendant and in favor of Plaintiffs and the putative class for the loss of benefits, including, but not limited to, medical expenses incurred by Plaintiff and the putative class during the employment loss, to the fullest extent allowable under the WARN Act, 29 U.S.C. § 2104(a)(1)(B) and the Illinois WARN Act, 820 ILCS 65/35;

6. A finding that Defendant's violations of the WARN Act was willful, not in good faith, and that Defendant had no reasonable grounds for believing that their mass layoff or plant closing was not in violation of the notice requirements of the WARN Act, 29 U.S.C. § 2102 and the Illinois WARN Act, 820 ILCS 65/35;

7. A judgment against Defendant and in favor of Plaintiffs and the putative class for litigation costs, expenses, attorney's fees to the fullest extent permitted under the WARN Act, 29 U.S.C. § 2104(a)(6) and the Illinois WARN Act, 820 ILCS 65/35, and for discretionary costs pursuant to Federal Rule of Civil Procedure 54(d); and

8. Such other and further relief as this Court deems just and proper and allowed under the WARN Act and the Illinois WARN Act, 820 ILCS 65/35.

Dated: March 23, 2026

Respectfully submitted,

/s/ Jason H. Alperstein
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Counsel for Plaintiff and the Proposed Class

**pro hac vice forthcoming*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In the matter of:
BAKER & TAYLOR, LLC

Debtor

KELLY EDWARDS, RAISHARD PAGE,
SHERYL MARTIN, AND NELI SUJEEY
CAMACHO- PEREZ

Plaintiff(s)

Case No. 26-12863

v.
BAKER & TAYLOR, LLC

Adversary No. _____

Defendant(s)

Judge: Christine M. Gravelle

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk	Clarkson S. Fisher U.S. Courthouse 402 East State Street Trenton, NJ 08608
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At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney	James E. Cecchi and Jason H. Alperstein Carella Byrne, Cecchi, Brody & Agnello, P.C. 5 Becker Farm Road Roseland, NJ 07068
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If you make a motion, your time to answer is governed by Fed.R.Bankr.P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address	Courtroom: _____ Date and Time:
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IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Jeanne A. Naughton, Clerk

Date: _____

By: _____
Deputy Clerk

rev. 1/4/17

Pursuant to D.N.J. LBR 9019-2, Mediation: Procedures, there is a presumption of mediation in all adversary proceedings. For more information regarding the mediation program see the related Local Rules and forms on the Court's web site: njb.uscourts.gov/mediation.

B1040 (FORM 1040) (12/24)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)
Kelly Edwards, Raishard Page, Sheryl Martin and Neli Sujeey Camacho-Perez,	DEFENDANTS BAKER & TAYLOR, LLC	
ATTORNEYS (Firm Name, Address, and Telephone No.) James E. Cecchi and Jason H. Alperstein Carella, Byrne, Cecchi Brody & Agnello P.C. 5 Becker Farm Road Roseland, New Jersey 07068 (973) 994-1700	ATTORNEYS (If Known)	
PARTY (Check One Box Only) ☐ Debtor ☐ U.S. Trustee/Bankruptcy Admin ☒ Creditor ☐ Other ☐ Trustee	PARTY (Check One Box Only) ☒ Debtor ☐ U.S. Trustee/Bankruptcy Admin ☐ Creditor ☐ Other ☐ Trustee	
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) Worker Adjustment and Retraining Notification Act, 29 U.S.C. §§ 2101–2109		
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)		
FRBP 7001(a) – Recovery of Money/Property ☐ 11-Recovery of money/property - §542 turnover of property ☐ 12-Recovery of money/property - §547 preference ☐ 13-Recovery of money/property - §548 fraudulent transfer ☒ 14-Recovery of money/property - other FRBP 7001(b) – Validity, Priority or Extent of Lien ☐ 21-Validity, priority or extent of lien or other interest in property FRBP 7001(c) – Approval of Sale of Property ☐ 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(d) – Objection/Revocation of Discharge ☐ 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(e) – Revocation of Confirmation ☐ 51-Revocation of confirmation FRBP 7001(f) – Dischargeability ☐ 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims ☐ 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud ☐ 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny (continued next column)	FRBP 7001(f) – Dischargeability (continued) ☐ 61-Dischargeability - §523(a)(5), domestic support ☐ 68-Dischargeability - §523(a)(6), willful and malicious injury ☐ 63-Dischargeability - §523(a)(8), student loan ☐ 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) ☐ 65-Dischargeability - other FRBP 7001(g) – Injunctive Relief ☐ 71-Injunctive relief – imposition of stay ☐ 72-Injunctive relief – other FRBP 7001(h) Subordination of Claim or Interest ☐ 81-Subordination of claim or interest FRBP 7001(i) Declaratory Judgment ☐ 91-Declaratory judgment FRBP 7001(j) Determination of Removed Action ☐ 01-Determination of removed claim or cause Other ☐ SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> ☐ 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)	
☐ Check if this case involves a substantive issue of state law	☒ Check if this is asserted to be a class action under FRCP 23	
☒ Check if a jury trial is demanded in complaint	Demand \$	
Other Relief Sought		

B1040 (FORM 1040) (12/24)

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR BAKER & TAYLOR, LLC		BANKRUPTCY CASE NO. 26-12863
DISTRICT IN WHICH CASE IS PENDING New Jersey	DIVISION OFFICE Trenton	NAME OF JUDGE Christine M. Gravelle
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) /s/ Jason H. Alperstein		
DATE March 23, 2026	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Jason H. Alperstein	

INSTRUCTIONS

The filing of a bankruptcy case creates an “estate” under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor’s discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also complete and file Form 1040, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court’s Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 1040 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff’s attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.