[*Caption as in Form 416A, 416B, or 416D, as appropriate*]

**OPTIONAL APPELLEE STATEMENT OF ELECTION TO PROCEED IN DISTRICT COURT**

**This form should be filed only if all of the following are true:**

* this appeal is pending in a district served by a Bankruptcy Appellate Panel,
* the appellant(s) did not elect in the Notice of Appeal to proceed in the District Court rather than in the Bankruptcy Appellate Panel,
* no other appellee has filed a statement of election to proceed in the district court, and
* you elect to proceed in the District Court.

**Part 1: Identify the appellee(s) electing to proceed in the District Court**

1. Name(s) of appellee(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Position of appellees(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

|  |  |
| --- | --- |
| For appeals in an adversary proceeding.   Plaintiff   Defendant   Other (describe) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | For appeals in a bankruptcy case and not in an adversary proceeding.   Debtor   Creditor   Trustee   Other (describe) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part 2: Election to have this appeal heard by the District Court (applicable only in certain districts)**

I (we) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 3: Sign below**

|  |  |
| --- | --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature of attorney for appellee(s) (or appellee(s)  if not represented by an attorney) | Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name, address, and telephone number of attorney (or appellee(s) if not represented by an attorney):  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |