

in China of certain steel gratings, and that such products are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigations were requested in a petition filed May 29, 2009, by Alabama Metal Industries, Birmingham, AL and Fisher & Ludlow, Wexford, PA.

**Participation in the investigations and public service list.**—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

**Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.**—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Staff report.**—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on May 11, 2010, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

**Hearing.**—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on May 25, 2010, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before May 17, 2010. A nonparty who

has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on May 19, 2010, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

**Written submissions.**—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is May 18, 2010. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is June 1, 2010; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before June 1, 2010. On June 17, 2010, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before June 21, 2010, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also

be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.  
Issued: February 22, 2010.

**William R. Bishop,**

*Acting Secretary to the Commission.*

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## JUDICIAL CONFERENCE OF THE UNITED STATES

### Revision of Certain Dollar Amounts in the Bankruptcy Code Prescribed Under Section 104(A) of the Code

**AGENCY:** Judicial Conference of the United States.

**ACTION:** Notice.

**SUMMARY:** Certain dollar amounts in title 11 and title 28, United States Code, are increased.

**FOR FURTHER INFORMATION CONTACT:** Francis F. Szczebak, Chief, Bankruptcy Judges Division, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 502-1900 or by e-mail at [Bankruptcy\\_Judges\\_Division@ao.uscourts.gov](mailto:Bankruptcy_Judges_Division@ao.uscourts.gov).

**SUPPLEMENTARY INFORMATION:** Section 104(a) of title 11, United States Code, provides the mechanism for an automatic 3-year adjustment of dollar amounts in certain sections of titles 11 and 28. Bankruptcy Reform Act of 1994, Public Law 103-394, section 108(e), (1994) as amended by Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Public Law 109-8, section 102(j), (2005) and Public Law 110-406, (2008). The provision states:

(a) On April 1, 1998, and at each 3-year interval ending April 1 thereafter, each dollar amount in effect under 101(3), 101(18), 101(19A), 101(51D), 109(e), 303(b), 507(a), 522(d), 522(f)(3) and 522(f)(4), 522(n), 522(p), 522(q), 523(a)(2)(C), 541(b), 547(c)(9), 707(b), 1322(d), 1325(b), and 1326(b)(3) and section 1409(b) of title 28 immediately before such April 1 shall be adjusted:

(1) to reflect the change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for the most recent 3-year period ending immediately before January 1 preceding such April 1, and

(2) to round to the nearest \$25 the dollar amount that represents such change.

(b) Not later than March 1, 1998, and at each 3-year interval ending on March 1,

thereafter, the Judicial Conference of the United States shall publish in the **Federal Register** the dollar amounts that will become effective on such April 1 under sections 101(3), 101(18), 101(19A), 101(51D), 109(e), 303(b), 507(a), 522(d), 522(f)(3) and 522(f)(4), 522(n), 522(p), 522(q), 523(a)(2)(C), 541(b), 547(c)(9), 707(b), 1322(d), 1325(b), and 1326(b)(3) and section 1409(b) of title 28.

(c) Adjustments made in accordance with subsection (a) shall not apply with respect to cases commenced before the date of such adjustments.

**Revision of Certain Dollar Amounts in Bankruptcy Code**

Notice is hereby given that the dollar amounts are increased in the sections in

title 11 and title 28, United States Code, as set out in the following chart. These increases do not apply to cases commenced before the effective date of the adjustments, *i.e.*, April 1, 2010. Seven Official Bankruptcy Forms (1, 6C, 6E, 7, 10, 22A and 22C) and two Director's Forms (200 and 28.3) also will be amended to reflect these adjusted dollar amounts.

Dated: February 19, 2010.

**Francis F. Szczebak,**  
*Chief, Bankruptcy Judges Division.*

	Dollar amount to be adjusted	New (adjusted) dollar amount
<b>28 U.S.C.</b>		
1409(b)—a trustee may commence a proceeding arising in or related to a case to recover		
(1)—money judgment of or property worth less than .....	\$1,100 .....	\$1,175
(2)—a consumer debt less than .....	16,425 .....	17,575
(2)—a non consumer debt against a non insider less than .....	10,950 .....	11,725
<b>11 U.S.C.</b>		
101(3)—definition of assisted person .....	164,250 .....	175,750
101(18)(A) & (B)(ii)—definition of family farmer .....	3,544,525 (each time it appears) ..	3,792,650 (each time it appears).
101(19A)(A)(i) & (b)(ii)(II)—definition of family fisherman .....	1,642,500 (each time it appears) ..	1,757,475 (each time it appears).
101(51D)(A) & (B)—definition of small business debtor .....	2,190,000 (each time it appears) ..	2,343,300 (each time it appears).
109(e)—allowable debt limits for individual filing bankruptcy under chapter 13.	336,900 (each time it appears) .....	360,475 (each time it appears).
	1,010,650 (each time it appears) ..	1,081,400 (each time it appears).
303(b)—minimum aggregate claims needed for the commencement of involuntary chapter 7 or chapter 11 bankruptcy		
(1)—in paragraph (1) .....	13,475 .....	14,425
(2)—in paragraph (2) .....	13,475 .....	14,425
507(a)—priority expenses and claims		
(1)—in paragraph (4) .....	10,950 .....	11,725
(2)—in paragraph (5) .....	10,950 .....	11,725
(3)—in paragraph (6) .....	5,400 .....	5,775
(4)—in paragraph (7) .....	2,425 .....	2,600
522(d)—value of property exemptions allowed to the debtor		
(1)—in paragraph (1) .....	20,200 .....	21,625
(2)—in paragraph (2) .....	3,225 .....	3,450
(3)—in paragraph (3) .....	525 .....	550
	10,775 .....	11,525
(4)—in paragraph (4) .....	1,350 .....	1,450
(5)—in paragraph (5) .....	1,075 .....	1,150
	10,125 .....	10,825
(6)—in paragraph (6) .....	2,025 .....	2,175
(7)—in paragraph (8) .....	10,775 .....	11,525
(8)—in paragraph (11)(D) .....	20,200 .....	21,625
522(f)(3)(B)—exception to lien avoidance under certain state laws .....	5,475 .....	5,850
522(f)(4)(B)—items excluded from definition of household goods for lien avoidance purposes.	550 (each time it appears) .....	600 (each time it appears).
522(n)—maximum aggregate value of assets in individual retirement accounts exempted.	1,095,000 .....	1,171,650
522(p)(1)—qualified homestead exemption .....	136,875 .....	146,450
522(q)(1)—state homestead exemption .....	136,875 .....	146,450
523(a)(2)(C)—exceptions to discharge		
in subclause (i)(I)—consumer debts, incurred ≤90 days before filing owed to a single creditor in the aggregate.	550 .....	600
in subclause (i)(II)—cash advances incurred ≤70 days before filing in the aggregate.	825 .....	875
541(b)—property of the estate exclusions		
(1)—in paragraph (5)(C)—education IRA funds in the aggregate ..	5,475 .....	5,850
(2)—in paragraph (6)(C)—pre-purchased tuition credits in the aggregate.	5,475 .....	5,850

	Dollar amount to be adjusted	New (adjusted) dollar amount
547(c)(9)—preferences, trustee may not avoid a transfer if, in a case filed by a debtor whose debts are not primarily consumer debts, the aggregate value of property is less than.	5,475 .....	5,850
707(b)—dismissal of a case or conversion to a case under chapter 11 or 13 (means test)		
(1)—in paragraph (2)(A)(i)(I) .....	6,575 .....	7,025
(2)—in paragraph (2)(A)(i)(II) .....	10,950 .....	11,725
(3)—in paragraph (2)(A)(ii)(IV) .....	1,650 .....	1,775
(4)—in paragraph (2)(B)(iv)(I) .....	6,575 .....	7,025
(5)—in paragraph (2)(B)(iv)(II) .....	10,950 .....	11,725
(6)—in paragraph (5)(B) .....	1,100 .....	1,175
(7)—in paragraph 6(C) .....	575 .....	625
(8)—in paragraph 7(A)(iii) .....	575 .....	625
1322(d)(1)(c) & (2)(c)—contents of chapter 13 plan, monthly income ...	575 (each time it appears) .....	625 (each time it appears).
1325(b)(3) & (b)(4)—chapter 13 confirmation of plan, disposable income.	575 (each time it appears) .....	625 (each time it appears).
1326(b)(3)(B)—payments to former chapter 7 trustee .....	25 .....	25

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Dwayne LaFrantz Wilson, M.D.; Revocation of Registration

On October 22, 2008, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Dwayne LaFrantz Wilson, M.D. (Respondent), of Providence, Rhode Island. The Show Cause Order proposed the revocation of Respondent's DEA Certificate of Registration, BW6030857, which authorizes him to dispense controlled substances as a practitioner, and the denial of any pending applications to renew or modify his registration, on the ground that his Rhode Island medical license had been suspended, and that he therefore lacks authority to handle controlled substances under the laws of Rhode Island, the State in which he is registered. Show Cause Order at 1.

On October 23, 2008, the Government initially attempted to serve the Show Cause Order on Respondent by certified mail, return receipt requested, addressed to him at his registered address. However, the mailing was returned by the Post Office, with a sticker attached which stated: "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD."

Thereafter, a DEA Investigator (DI) contacted the Rhode Island Board of Medicine in an attempt to obtain Respondent's address. Declaration of Thomas Cook at 1. A board official indicated that he did not know Respondent's current address, but had heard that he had moved to somewhere

in the Southwestern United States. *Id.* The DI also unsuccessfully searched for Respondent through various online databases but could not find any information regarding the latter's whereabouts. *Id.* The DI also tried to contact him through the e-mail address he had previously provided to DEA; Respondent did not, however, reply to the e-mail. *Id.* Finally, the DI contacted the owner of the apartment which Respondent had rented and used as his registered location. *Id.* at 2. Respondent's ex-landlord advised that Respondent had moved in April 2008 and did not leave a forwarding address. *Id.* Accordingly, the Government has been unable to provide actual notice of this proceeding to Respondent.

In *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950), the Supreme Court held that "when notice is a person's due \* \* \* [t]he means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it." More recently, in a case in which a State attempted to serve a property owner with notice of a tax sale by certified mail which was returned as unclaimed, the Court explained that "when a letter is returned by the post office, the sender will ordinarily attempt to resend it, if it is practicable to do so." *Jones v. Flowers*, 547 U.S. 220, 230 (2006) (citing *Small v. United States*, 136 F.3d 1334, 1337 (DC Cir. 1998)).

In *Jones*, the Court reaffirmed, however, that "[d]ue process does not require that a property owner receive actual notice before the government may take his property." 547 U.S. at 226 (citing *Dusenbery v. United States*, 534 U.S. 161, 170 (2002)). Moreover, due process does not require "heroic efforts," *Dusenbery*, 534 U.S. at 170, but rather, only that "the government \* \* \* provide 'notice reasonably calculated, under all the circumstances, to apprise

interested parties of the pendency of the action and afford them an opportunity to present their objections.'" 547 U.S. at 226 (quoting *Mullane*, 339 U.S. at 314).

Applying these standards, I hold that the Government has satisfied the requirements of due process, notwithstanding that it has been unable to serve Respondent. In contrast to *Jones*, the Government was not required to resend the Show Cause Order by regular mail because the original certified mailing was not returned as unclaimed, but rather as undeliverable (apparently because Respondent did not leave a forwarding address with the Post Office). As the Court reasoned in *Jones*, "if there were no reasonable additional steps the government could have taken upon return of the unclaimed notice letter, it cannot be faulted for doing nothing." 547 U.S. at 234. Moreover, the Government made substantial efforts to locate Respondent. Even though its efforts were unsuccessful, they were "reasonably calculated, under all the circumstances, to apprise [Respondent] of the pendency of the action," and thus satisfy due process. *Dusenbery*, 534 U.S. at 173 (quoting *Mullane*, 339 U.S. at 314).

I further hold that this matter may proceed *in absentia*. I therefore enter this Decision and Final Order without a hearing based on the evidence contained in the record submitted by the Government. I make the following findings.

#### Findings

Respondent is the holder of DEA Certificate of Registration, BW6030857, which authorizes him to dispense controlled substances in schedules II through V as a practitioner. Respondent's registered location is 388 South Main St., #56, Providence, Rhode Island; his registration does not expire until May 31, 2010.