

Notes on filing claims:

Pursuant to Section 28 (1) of the German Insolvency Code (InsO), creditors must register their claims with Prof. Dr. Lucas Flöther as trustee, providing full details of the debtor of the claims via <https://www.floether-wissing.de/insolvenzverwaltung/gis>.

I would like to point out that it is absolutely necessary to create a personal account with your own e-mail address and a password of your choice. An e-mail with the registration link will then be sent to your e-mail address. Access is activated when this link is confirmed. After subsequently logging in to the GIS with the data, the registration can be carried out in the respective procedure. This point does not apply if there is already existing access to a GIS system independent of the administrator and procedure. In this case, this can be used.

Please note that a form with the data entered is generated at the end of the registration. This form must be signed and sent to the following address together with the documents supporting the claim in order for the claim registration to be valid:

FLÖTHER & WISSING
Insolvenzverwaltung Rechtsanwalt
Prof. Dr. Lucas Flöther
- Zentrale Tabellenabteilung -
Franzosenweg 20, 06112 Halle (Saale)
Germany

Reference is made to the dates and deadlines specified in the respective decision.

The following must be observed when filing a claim:

- Claims with different grounds must be filed separately.
- The application must be made in a single copy. Documents (e.g. judgments, enforcement orders, cost assessment orders, bills of exchange, debt certificates, etc.) must be attached to the application. Printouts, copies or originals of documents must be submitted at the request of the administrator or the insolvency court (section 174 (4) sentence 4 InsO).
- The legal basis of the claim (e.g. purchase, loan, service or work contract, bill of exchange claim, claim for damages etc.) must be described precisely.
- The declared amount must be calculated and stated in EUR.
- Applications for claims in foreign currency are unsuitable for verification and determination. They must be converted into EUR - in each case at the exchange rate applicable at the place of the competent court at the time of opening.
- Claims that are not for the payment of money or whose monetary amount is undetermined must be registered at their estimated value.
- If the order to open insolvency proceedings also permits the filing of subordinated claims in accordance with section 39 InsO, these can only be filed with the administrator in writing using the filing form in paper form, enclosing meaningful documents substantiating the claim and in compliance with section 174 InsO. It is not technically possible to register subordinated claims via the creditor information system (GIS). The subordination and ranking class must be stated in the application (see page 2 of the form).
- In the case of interest, the interest rate and period must be specified precisely. The amount of interest due up to one day before the opening of insolvency proceedings must be calculated. Interest must be evidenced by suitable documents if the statutory interest rate is exceeded. If the opening order also permits the filing of subordinated claims in accordance with Section 39 InsO, interest from the opening until the filing date can also be claimed separately in writing in paper form exclusively using the filed application form. These must be calculated stating the interest rate, period and amount. The subordination and ranking class must be stated in the application (see page 2 of the form). It is not technically possible to register subordinated claims via the Creditor Information System (GIS).
- There is an obligation to immediately notify which security interests in movable property or rights of the respective insolvency debtor are being claimed. The object on which the security interest is claimed (this also includes any existing retention of title), the type and reason for the creation of the security interest and the secured claims must be specified. Anyone who culpably omits or delays the notification shall be liable for the resulting damage. If special rights are not asserted to me within the period set by the court, I shall assume that such rights do not exist or are not sought by you.
- Representatives of creditors are requested to enclose a power of attorney with the registration, which also authorizes them to receive money.

Telephone or written status inquiries will not be answered (see BGHZ 62, 1). You can obtain information via the creditor information system (GIS).