

[Your Name/Law Firm]
[Address]
[City, State, Zip Code]
[Email]
[Phone Number]

[Date]

[Trustee Name or Plaintiff Counsel]
[Address]
[City, State, Zip Code]

RE: [Debtor Name] - Bankruptcy Case No. [Case Number]
Subject: Assertion of Subsequent New Value Exception (11 U.S.C. § 547(c)(4))

Dear [Name],

We represent [Creditor Name] regarding your demand for the return of alleged preferential transfers in the amount of \$[Total Demand Amount].

After reviewing the payment history during the 90-day preference period, it is our opinion that [Creditor Name] has a valid defense under 11 U.S.C. § 547(c)(4), commonly known as the "Subsequent New Value" exception.

Under this section of the Bankruptcy Code, a transfer is not avoidable to the extent that, after such transfer, the creditor gave new value to or for the benefit of the debtor. Our records indicate the following sequence:

- **Alleged Preferential Transfer:** Received on [Date] in the amount of \$[Amount].
- **Subsequent New Value Provided:** On [Date], which is after the receipt of the payment above, [Creditor Name] provided goods/services to the Debtor valued at \$[Amount].

This new value remains unpaid and was not secured by an otherwise unavoidable lien. Therefore, this amount must be netted against the alleged preferential transfers, reducing the avoidable exposure to \$[Remaining Amount, if any].

Attached is a summary table and copies of the invoices reflecting the new value provided after the transfers in question.

Based on this statutory exception, we request that you withdraw your demand or adjust the claim to reflect the offsets provided by the subsequent new value. We look forward to your response.

Sincerely,

[Your Signature]
[Your Printed Name]