

SD Iowa Bankruptcy CM/ECF User's Guide Part 3
(July 2003 Edition; Last Revised: NA)

CHAPTER CASES—APPLICATIONS, MOTIONS, NOTICES, OBJECTIONS AND PLANS
AND
ADVERSARY PROCEEDINGS—APPLICATIONS, MOTIONS, NOTICES AND OBJECTIONS

GENERAL NOTES: This chart covers the documents listed above, a few pleadings in adversary proceedings and a few miscellaneous items. It does not cover petitions for relief in chapter cases or complaints in adversary proceedings. Otherwise, if you do not find a specific document in this chart, that is either because it is not authorized under any applicable section of the United States Code (“**USC**”), any current Federal Rule of Bankruptcy Procedure (“**FRBP**”) or any related Federal Rule of Civil Procedure (“**FRCP**”; typically indicated as only a number after a slash—for example, FRBP 7068/“68”) or because, though authorized, the document has never been or has only rarely been filed in this district. For such items, consult the federal rules to determine whether the relief you seek and the manner by which you seek it are authorized. If so, apply the guidelines in the next two notes to determine upon whom you should serve the document.

NOTE REGARDING FRBP 9013 (Motions: Form and Service). The rule states in part that “[a] request for an order, except when an application is authorized by these rules, shall be by written motion, unless made during a hearing.” (As reflected by this chart, the current federal rules authorize very few applications.) The rule further provides that “[e]very written motion other than one which may be considered ex parte shall be served by the moving party on the trustee or debtor in possession and on those entities specified by these rules” (As reflected by this chart, the current federal rules authorize very few ex parte requests.) When the federal rules are silent regarding service, a local court may direct service of the document upon specific entities. Since this Court is abolishing its local rules effective upon conversion to CM/ECF (August 4, 2003), the Certificate of Service (“**COS**”) information in the “Docket and Serve” column attempts to mirror the minimum service requirements of the federal rules. The few exceptions to that approach appear with references to the “General Order regarding this Court’s Conversion to CM/ECF.” Keep in mind, however, that “service” is a fluid concept in the CM/ECF world. For example, FRBP 9034 indicates not every item docketed in a case or proceeding need be served upon the United States Trustee (“**UST**”) but, in actuality, the UST will receive electronic notification of every item that is docketed and will be able to access the document upon such notification. Finally, as instructed in Part 2 of the User’s Guide, remember to include the COS as part of the document you are docketing. Do not docket it separately or attach it to the document.

NOTE REGARDING THE “DOCKET AND SERVE” COLUMN FOR EVENTS GOVERNED BY FRBP 9014 (Contested Matters): The rule states in part that “[i]n a contested matter in a case under the Code not otherwise governed by these rules, relief shall be requested by motion” and “[t]he motion shall be served in the manner provided for service of a summons and complaint by Rule 7004.” In other words, in addition to the basic service covered by FRBP 9013, the motion should be served upon the entity against whom relief is sought in the manner required by FRBP 7004. Special attention should be paid when serving entities covered by FRBP 7004(b)(3). See *generally* “Corp Search” under “Business Center” at www.sos.state.ia.us. Likewise, when serving entities covered by FRBP 7004(b)(4), (5) and (6), remember to consult “Government Agency Addresses” at www.iasb.uscourts.gov for pertinent information.

NOTE REGARDING THE “COURT ACTION” COLUMN FOR EVENTS GOVERNED BY FRBP 9014 (Contested Matters): The rule states in part that “reasonable notice and opportunity for hearing shall be afforded the party against whom relief is sought. No response is required under this rule unless the Court directs otherwise.” As reflected by the “Court Action” column, the Court will prepare bar date notices, notices of hearings (“**NOH**”) and, for certain events, notices of hearings that include bar dates (“**NOH & BD**”) and will serve those notices electronically or via the Bankruptcy Noticing Center (“**BNC**”).

Part I. Commencement of Case; Proceedings Relating to Petition and Order for Relief (with cross-references to Part2-4100 of the CM/ECF User’s Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	<p>Payment of Filing Fee in Installments</p> <p>FRBP 1006(b), 9006(b)(3)</p> <p>4100: 5</p>	<p>Debtor</p> <p>Note: Only debtors who are individuals may utilize this rule. The number of installments may not exceed four. The final installment must be paid no later than 120 days after the OFR unless cause is established, and then the final installment must be paid no later than 180 days after the OFR. FRBP 9006(f) does not apply to extend the 180 days further.</p> <p>Note: Neither the debtor nor the chapter 13 trustee may pay debtor’s attorney or any other person who renders services to the debtor in connection with the case until the filing fee is paid in full.</p>	<ul style="list-style-type: none"> • Application to Pay Filing Fee in Installments 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
2	<p>Extension of Time (to file lists of creditors and equity security holders)</p> <p>FRBP 1007(a)(4), 9013</p> <p>4100: 11</p>	<p>Debtor</p>	<ul style="list-style-type: none"> • Motion to Extend Time • COS on UST, trustee and any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 per FRBP 1007(a)(4) and 9013 <p>Note: Motion must set forth cause.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
3	<p>Extension of Time (to file schedules</p>	<p>Debtor</p>	<ul style="list-style-type: none"> • Motion to Extend Time 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge

	and statements) FRBP 1007(c), 9013 4100: 11		<ul style="list-style-type: none"> • COS on UST, trustee, any examiner and any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 per FRBP 1007(c) and 9013 <p>Note: Motion must set forth cause.</p>	<p>or designee enters order on docket and serves order electronically.</p> <ul style="list-style-type: none"> • If motion granted, order serves as notice of extension on UST, trustee and any committee per FRBP 1007(c).
4	Change of Venue (case filed in proper district or case filed in improper district) 28 USC § 1412 FRBP 1014(a), 9013 4100: 6	Party in interest Note: If you seek dismissal exclusive of a change of venue for a case filed in an improper district, do not use this event. Instead use one of the FRBP 1014(a)(2) Motion to Dismiss Chapter events found in the dismissal chart for chapters 7, 11, 12 and 13.	<ul style="list-style-type: none"> • Motion to Change Venue • COS on trustee or debtor in possession per FRBP 9013 <p>Note: In show text box, indicate the district to which you request the case be transferred.</p>	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case.
5	Consolidation of Cases Pending in Same Court FRBP 1015, 9013 Note: Though FRBP 1015 does not require service of the motion beyond that required by FRBP 9013 and does not provide for notice and hearing, the Court treats this event as one requiring a hearing on notice to everyone in the chapter cases. 4100: 25	Party in interest Note: Use this event when seeking substantive consolidation of two or more estates having assets and debts that are so intermingled that administering the estates separately would be virtually impossible.	<ul style="list-style-type: none"> • Motion for Substantive Consolidation • COS on trustee or debtor in possession per FRBP 9013 <p>Note: Motion should be filed in all cases to be consolidated.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter cases.
6	Joint	Party in interest	<ul style="list-style-type: none"> • Motion for Joint 	<ul style="list-style-type: none"> • Assigned judge

	<p>Administration of Cases Pending in Same Court</p> <p>FRBP 1015, 9013</p> <p>Note: Though FRBP 1015 does not require service of the motion beyond that required by FRBP 9013 and does not provide for notice and hearing, the Court treats this event as one requiring a hearing on notice to everyone in the chapter cases depending upon the extent of joint administration requested.</p> <p>4100: 14</p>	<p>Note: Use this event when seeking less than substantive consolidation of two or more estates.</p>	<p>Administration</p> <ul style="list-style-type: none"> • COS on trustee or debtor in possession per FRBP 9013 <p>Note: Motion should be filed in all cases to be consolidated.</p>	<p>reviews. Judge or designee either enters order on docket and serves order electronically or schedules courtroom (no testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter cases.</p>
7	<p>Dismissals and Conversions</p> <p>FRBP 1017</p>	<p>See Separate</p>	<p>Dismissal Charts and (Appendix A)</p>	<p>Conversion Charts (Appendix B)</p>
8	<p>Extension of Time (to file 707(b) motion to dismiss)</p> <p>FRBP 1017(e)(1), 9006(b)(3), 9013</p> <p>4100: 12</p>	<p>UST</p>	<ul style="list-style-type: none"> • Motion to Extend Time to File Motion to Dismiss 707(b) • COS on trustee per FRBP 9013 <p>Note: Motion must set forth cause and must be filed within 60 days after the first date set for the § 341 meeting of creditors.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
9	<p>Extension of Time (to file statement of intention when Chapter 11, 12 or 13 case converts to Chapter 7)</p> <p>FRBP 1019(1)(B)</p>	<p>Debtor</p>	<ul style="list-style-type: none"> • Motion to Extend Time • COS on trustee per FRBP 9013 <p>Note: Motion must set forth cause.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If motion

	9013 4100: 11			granted, order serves as notice of extension on UST, trustee and any committee per FRBP 1019(1)(B).
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Part II. Officers and Administration; Notices; Meetings; Examinations; Elections; Attorneys and Accountants (with cross-references to Part2-4100 of the CM/ECF User’s Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	Examination FRBP 2004(a), 9013 Note: For possible subsequent events, see FRBP 9016. 4100: 1	Party in interest	<ul style="list-style-type: none"> • Motion for 2004 Examination • COS on trustee or debtor in possession per FRBP 9013 	<ul style="list-style-type: none"> • Clerk enters docket text order granting motion and serves order electronically.
2	Order to Appoint Trustee in a Chapter 11 Reorganization Case 11 USC §1104(a) FRBP 2007.1, 9013, 9014 4100: 5	Party in interest	<ul style="list-style-type: none"> • Motion to Appoint Trustee—Ch 11 • COS on trustee (if one has been appointed), on debtor in possession and on UST per FRBP 9013, 9014 and 9034(g) 	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case.
3	Order to Appoint Examiner in a Chapter 11 Reorganization Case 11 USC §1104(c) FRBP 2007.1, 9013, 9014	Party in interest Note: Per 11 USC § 1104(c), this event is available if the Court has not ordered the appointment of a trustee.	<ul style="list-style-type: none"> • Motion to Appoint Examiner—Ch 11 • COS on trustee (if one has been appointed), on debtor in possession and on UST per FRBP 	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case.

	4100: 5		9013, 9014 and 9034(g)	
4	<p>Employment of Professional Persons</p> <p>11 USC §§ 327, 1103, 1114, FRBP 2014(a)</p> <p>Note: Though FRBP 2014(a) requires neither service of the underlying application on more than the UST in chapters 7, 11, 12 and 13 nor notice and hearing in any of those chapters, the Court will serve a bar date notice on everyone in an attempt to avoid having a professional's employment challenged only after all the work is performed.</p> <p>4100: 5</p>	<p>Trustee, debtor in possession, or committee</p> <p>Note: Trustee should use trustee event SD1a-300.</p>	<ul style="list-style-type: none"> • Application to Employ Professional Person • Include verified statement of person to be employed • COS on UST (required in all chapters except Chapter 9) per FRBP 2014(a) and 9034(d) <p>Note: In show text box, indicate the name of the individual and in what capacity that individual will be employed; for example, "John W. Smith, Appraiser."</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic or courtroom hearing (per assigned judge's instructions on a case by case basis). Clerk serves NOH electronically or via the BNC on applicant and on objector/s.
5	<p>Compensation for Services Rendered and Reimbursement of Expenses</p> <p>11 USC §§ 330, 331, 503(b)(2) and (4) FRBP 2016(a), 2002(a)(6)</p> <p>Note: Though FRBP 2002(a)(6) indicates notice and hearing if compensation or reimbursement of expenses exceeds \$1,000.00, the Court will bar date</p>	<p>Trustee, examiner or professional person employed under 11 USC § 327 or § 1103, or attorney for chapter 12 individual debtor or chapter 13 debtor</p> <p>Note: Entities seeking allowance or payment of administrative expenses under other subsections of 11 USC § 503(b) should use the event in the following row.</p>	<ul style="list-style-type: none"> • Application for Compensation • COS on UST (required in all chapters except Chapter 9) per FRBP 2016(a) and 9034(e) <p>Note: In show text box, indicate whether the application is for interim or final compensation.</p> <p>Note: In the application include the statements required by FRBP 2016(a) and follow the guidelines set forth in <i>Matter of</i></p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(6). • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic or

	notice all applications to simplify case management oversight. 4100: 4		<i>Pothoven</i> , 84 B.R. 579 (Bankr. S.D. Iowa 1988) and subsequent decisions from this district that are available at the Court's web site.	courtroom hearing (per assigned judge's instructions on a case by case basis). Clerk serves NOH electronically or via the BNC on applicant and on objector/s.
6	Allowance of Administrative Expenses 11 USC § 503(b)(1), (3), (5) and (6) FRBP 9013 4100: 1	Entities seeking allowance or payment of administrative expenses under 11 USC § 503(b)(1), (3), (5) or (6)	<ul style="list-style-type: none"> • Motion for Administrative Expenses • COS on trustee or debtor in possession per FRBP 9013 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(6). • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic or courtroom hearing (per assigned judge's instructions on a case by case basis). Clerk serves NOH electronically or via the BNC on movant, trustee or debtor in possession and on objector/s.

Part III. Claims and Distribution to Creditors and Equity Interest Holders; Plans (with cross-references to Part2-4100 of the CM/ECF User's Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	<p>Withdrawal of Claim</p> <p>FRBP 3006</p> <p>4100: 26</p>	<p>Creditor</p> <p>Note: If bar date noticed objection to your proof of claim is pending and you do not intend to file a responsive objection, the better practice is to let the bar date run and an order sustaining the objection be entered rather than to file a withdrawal of your proof of claim. See last column in this row.</p>	<ul style="list-style-type: none"> • Notice of Withdrawal of Claim 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on trustee or debtor in possession, and any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 per FRBP 3006. • If no objection/s, clerk enters docket text order and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on entity that filed notice, on trustee or debtor in possession and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
2	<p>Objection to Claims</p> <p>11 USC § 502(a) FRBP 3007, 9014</p> <p>4100: 19</p>	<p>Party in interest</p>	<ul style="list-style-type: none"> • Objection to Claim • COS on claimant, debtor or debtor in possession and trustee per FRBP 3007 and 9014. <p>Note: In show text box, include the number of the proof of claim and the name of the claimant.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received objection and on objector. • If no responsive objection, assigned judge reviews. Judge or designee

			<p>Note: When objecting to more than one proof of claim, objector should file a separate objection for each proof of claim. Failure to do so will result in no order being entered as to any of the objections until any and all responsive objections are resolved.</p>	<p>enters order on docket and serves electronically.</p> <ul style="list-style-type: none"> If responsive objection, clerk schedules telephonic or courtroom hearing (per assigned judge's instructions on a case by case basis) and serves NOH electronically or via the BNC on objector and responsive objector/s.
3	<p>Reconsideration of Claims</p> <p>11 USC § 502 3008, 9013</p> <p>4100: 20</p>	Party in interest	<ul style="list-style-type: none"> Motion for Reconsideration of Order on Claims COS trustee or debtor in possession per FRBP 9013 	<ul style="list-style-type: none"> Assigned judge reviews. Judge or designee enters order granting or denying motion on docket and serves order electronically. If motion granted, clerk schedules telephonic or courtroom hearing on underlying controversy (per assigned judge's instructions on a case by case basis) and serves NOH & BD electronically or via the BNC on movant and on trustee or debtor in possession.
4	<p>Valuation of Security</p> <p>11 USC § 506 FRBP 3012, 9013</p>	Party in interest	<ul style="list-style-type: none"> Motion for Valuation of Security COS on holder of secured claim, 	<ul style="list-style-type: none"> Clerk schedules courtroom (testimony) hearing and serves NOH &

	4100: 26		trustee or debtor in possession per FRBP 3012 and 9013	BD electronically or via the BNC on entities that received the motion and on movant.
5	Chapter 12 Plan FRBP 3015(a), (c), (d), (e) 4100: 7	Debtor in possession	<ul style="list-style-type: none"> • Chapter 12 Plan • COS on all creditors and trustee per General Order regarding this Court's Conversion to CM/ECF and on UST per FRBP 9034(i). 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(8) and (k). • If no objection/s, trustee enters docket text Notice to Enter OCP, and then clerk enters docket text OCP per FRBP 3015(f) and serves electronically or via the BNC per FRBP 2002(f)(7) and (k). • If objection/s, clerk schedules telephonic (no testimony) preliminary hearing on confirmation and serves NOH electronically or via the BNC on debtor in possession, trustee, UST and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
6	Chapter 13 Plan FRBP 3015(b), (c), (d), (e)	Debtor	<ul style="list-style-type: none"> • Chapter 13 Plan • COS on all creditors and trustee per General Order 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on

	4100: 7		regarding this Court's Conversion to CM/ECF and on UST per FRBP 9034(i).	<p>everyone in the chapter case per FRBP 2002(b)(2) and (k).</p> <ul style="list-style-type: none"> • If no objection/s, trustee enters docket text Notice to Enter OCP, and then clerk enters docket text OCP per FRBP 3015(f) and serves electronically on debtor, trustee and UST (and others receiving electronic notice of filings). • If objection/s, clerk schedules courtroom (no testimony) hearing on confirmation and serves NOH electronically or via the BNC on debtor, trustee, UST and objector/s.
7	<p>Modification of Chapter 12 plan Before Confirmation</p> <p>11 USC 1223</p> <p>Note: Under the current Federal Rules of Bankruptcy Procedure, there is no rule regarding a motion to modify a plan before confirmation. The Court reads the structure of FRBP 3015 (a), (c), (d), (e) and (f) to mean that no motion is</p>	Debtor in possession	<ul style="list-style-type: none"> • Modified Ch 12 Plan Before Confirmation • COS on all creditors and trustee per General Order regarding this Court's Conversion to CM/ECF and on UST per FRBP 9034(i). 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(5) and (k). • If no objection/s, trustee enters docket text Notice to Enter OCP, and then clerk enters docket text OCP per FRBP 3015(f) and serves order electronically or

	<p>required.</p> <p>4100: 16</p>			<p>via the BNC per FRBP 2002(f)(7) and (k).</p> <ul style="list-style-type: none"> • If objection/s, contested confirmation proceeds to courtroom (testimony) hearing per Judge Jackwig's Order and Notice of Deadlines and Hearing entered at the time of the telephonic preliminary hearing on the original plan.
8	<p>Modification of Chapter 13 plan Before Confirmation</p> <p>11 USC 1323</p> <p>Note: Under the current Federal Rules of Bankruptcy Procedure, there is no rule regarding a motion to modify a plan before confirmation. The Court reads the structure of FRBP 3015 (b), (c), (d), (e) and (f) to mean that no motion is required.</p> <p>4100: 16</p>	Debtor	<ul style="list-style-type: none"> • Modified Ch 13 Plan Before Confirmation • COS on all creditors and trustee per General Order regarding this Court's Conversion to CM/ECF and on UST per FRBP 9034(i). 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(5) and (k) • If no objection/s, trustee enters docket text Notice to Enter OCP, and then clerk enters docket text OCP per FRBP 3015(f) and serves electronically on debtor, trustee and UST (and others receiving electronic notice of filings). • If objection/s, clerk schedules courtroom (no testimony) hearing on confirmation and serves NOH electronically or

				via the BNC on debtor, chapter trustee, UST and objector/s.
9	<p>Objection to Confirmation of Chapter 12 Plan</p> <p>FRBP 3015(f), 9014</p> <p>4100: 19</p>	<p>Party in interest</p> <p>Note: In the context of an objection to a plan modified before confirmation, the holder of a secured claim that has accepted or rejected the plan is deemed to have accepted or rejected the modified plan unless the modification provides for a change in the rights of such holder and such holder changes its previous acceptance or rejection.</p>	<ul style="list-style-type: none"> • Objection to Confirmation of Plan (dated:) • COS on debtor, trustee and UST per FRBP 3015(f), 9014 and 9034(i) 	<ul style="list-style-type: none"> • If original plan, clerk schedules telephonic (no testimony) preliminary hearing on confirmation and serves NOH electronically or via the BNC on debtor in possession, chapter trustee, UST and objector/s. • If modified plan, contested confirmation proceeds to courtroom (testimony) hearing per Judge Jackwig's Order and Notice of Deadlines and Hearing entered at the time of the telephonic preliminary hearing on the original plan.
10	<p>Objection to Confirmation of Chapter 13 Plan</p> <p>FRBP 3015(f), 9014</p> <p>4100: 19</p>	<p>Party in interest</p> <p>Note: In the context of an objection to a plan modified before confirmation, the holder of a secured claim that has accepted or rejected the plan is deemed to have accepted or rejected the modified plan unless the modification provides for a change in the rights of such holder and such holder</p>	<ul style="list-style-type: none"> • Objection to Confirmation of Plan (dated:) • COS on debtor, trustee and UST per FRBP 3015(f), 9014 and 9034(i) 	<ul style="list-style-type: none"> • Clerk schedules courtroom (no testimony) hearing on confirmation and serves NOH electronically or via the BNC on debtor, trustee, UST and objector/s.

		changes its previous acceptance or rejection.		
11	<p>Modification of Chapter 12 Plan After Confirmation</p> <p>11 USC § 1229 FRBP 3015(g), 9013</p> <p>4100:16</p>	Debtor, trustee or holder of allowed unsecured claim	<ul style="list-style-type: none"> • Motion to Modify Plan After Confirmation • COS on debtor, trustee and UST per FRBP 3015(g), 9013 and 9034(i). <p>Note: Set forth any and all proposed modifications in the motion itself unless many extensive modifications are contemplated. Only in that situation and in addition to the above indicated motion, prepare a Modified Plan After Confirmation using the document event.</p> <p>4100: 28.</p>	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case per FRBP 3015(g) and 2002(a)(5) and (k). • If no objection/s, trustee enters docket text Notice to Enter order granting motion. Then clerk enters docket text order that grants motion to modify plan after confirmation and that cancels hearing. Clerk serves order electronically on debtor, trustee and UST (and others receiving electronic notice of filings).
12	<p>Modification of Chapter 13 Plan After Confirmation</p> <p>11 USC § 1329 FRBP 3015(g), 9013</p> <p>Note: In lieu of former motions to extend plan payments and motions for moratoriums, use this event to extend the term of</p>	Debtor, trustee or holder of allowed unsecured claim	<ul style="list-style-type: none"> • Motion to Modify Plan After Confirmation • COS on debtor, trustee and UST per FRBP 3015(g), 9013 and 9034(i). <p>Note: Set forth any and all proposed modifications in the motion itself unless many extensive modifications are contemplated. Only</p>	<ul style="list-style-type: none"> • Clerk schedules courtroom (no testimony hearing) and serves NOH & BD electronically or via the BNC on everyone per FRBP 3015(g) and 2002(a)(5) and (k). • If no objection/s, trustee enters docket text Notice to Enter order granting

	<p>the plan or to change the timing of the plan payments.</p> <p>4100: 16</p>		<p>in that situation and in addition to the above indicated motion, prepare a Modified Plan After Confirmation using the document event.</p> <p>4100: 28.</p>	<p>motion. Then clerk enters docket text order that grants motion to modify plan after confirmation and that cancels hearing. Clerk serves order electronically on debtor, trustee and UST (and others receiving electronic notice of filings).</p>
13	<p>Objection to Motion to Modify Chapter 12 Plan after Confirmation</p> <p>FRBP 3015(g), 9014</p> <p>4100: 19</p>	Party in interest	<ul style="list-style-type: none"> • Objection • COS on debtor, trustee and UST per FRBP 3015(g), 9014 and 9034(i) 	<ul style="list-style-type: none"> • Assigned judge considers at hearing (already noticed).
14	<p>Objection to Motion to Modify Chapter 13 Plan after Confirmation</p> <p>FRBP 3015(g), 9014</p> <p>4100: 19</p>	Party in interest	<ul style="list-style-type: none"> • Objection • COS on debtor, trustee and UST per FRBP 3015(g), 9014 and 9034(i) 	<ul style="list-style-type: none"> • Assigned judge considers at hearing (already noticed).
15	<p>Chapter 11 Plan; Disclosure Statement and Injunction</p> <p>FRBP 3016</p> <p>4100: 7 4100: 9</p>	<p>Debtor in possession or party in interest</p> <p>Note: Party in interest can not file during exclusivity period governed by 11 USC § 1121.</p>	<ul style="list-style-type: none"> • Chapter 11 Plan • Disclosure Statement 	<ul style="list-style-type: none"> • Judge Jackwig typically conducts an 11 USC § 105(d) hearing on notice to everyone in the chapter case within 30 to 60 days of the order for relief. Deadlines and future hearings are set at that time and notice of the same is served on everyone in the

				chapter case.
16	<p>Conditional Approval of Disclosure Statement</p> <p>11 USC § 1125(f) FRBP 3017.1(a)</p> <p>4100: 5</p>	<p>Plan proponent</p> <p>Note: Debtor must be a small business, as defined in 11 USC 101(51C), that elected treatment as a small business under 11 USC § 1121(e).</p>	<ul style="list-style-type: none"> • Application for Conditional Approval of Disclosure Statement 	<ul style="list-style-type: none"> • Judge Jackwig typically conducts an 11 USC § 105(d) hearing on notice to everyone in the chapter case within 30 to 60 days of the order for relief. Whether the disclosure statement will be conditionally approved is discussed at that time. Deadlines and future hearings are set at that time and notice of the same is served on everyone in the chapter case.
17	<p>Modification of Accepted Plan Before Confirmation in a Chapter 11 Case</p> <p>11 USC 1127(a) FRBP 3019</p> <p>4100: 28</p>	<p>Plan proponent</p>	<ul style="list-style-type: none"> • Modification of Accepted Plan Before Confirmation <p>Note: Use document event for this USC/FRBP event.</p> <p>4100: 28</p>	<ul style="list-style-type: none"> • Judge Jackwig conducts confirmation hearings in all Chapter 11 cases. Such a modification filed after the deadline for balloting, would be considered at that time.
18	<p>Final Decree in Chapter 11 Reorganization Case</p> <p>FRBP 3022, 9013</p> <p>4100:13</p>	<p>Party in Interest</p>	<ul style="list-style-type: none"> • Motion for Final Decree—Ch 11 • COS per 9013 and on UST per 9034(i) <p>Note: Set forth in the motion (A) the total <u>percent</u> paid and to be paid under the plan; (B) where applicable, the <u>dollar amounts</u> for (1) gross cash</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH electronically or

			<p>receipts, (2) trustee compensation, (3) fees and expenses for the trustee's attorney and (4) other professional fees and expenses; and (C) where applicable, the total <u>dollar amounts</u> distributed and to be distributed to (1) the secured creditors, (2) the priority creditors, (3) the unsecured creditors, (4) the equity holders and (5) any others.</p> <p>Note: Typically, in a confirmed Chapter 11 context, there is no trustee or debtor in possession to serve per FRBP 9013.</p>	<p>via the BNC on movant, trustee or confirmed debtor and UST.</p>
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Part IV. The Debtor: Duties and Benefits (with cross-references to Part2-4100 of the CM/ECF User's Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	<p>Relief from Stay</p> <p>11 USC § 362(d) FRBP 4001(a), 9013, 9014</p> <p>4100: 21</p>	Party in interest	<ul style="list-style-type: none"> • Motion for Relief from Stay • COS on debtor, trustee, and any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 or its authorized agent* per FRBP 4001(a), 9013 and 9014 <p>*if chapter 9 or if chapter 11 and no committee, then on FRBP 1007(d) creditors</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing within

				<p>30 days of the date the motion was entered on the docket. Clerk serves NOH electronically or via the BNC on movant and on objector/s.</p> <p>Note: The NOH will name the attorneys the judge will call.</p>
2	<p>Ex Parte Relief in lieu of "Event 1" in Part IV</p> <p>11 USC § 362(f) FRBP 4001(a)(2), 9013 (ex parte)</p> <p>4100: 11</p>	Party in interest	<ul style="list-style-type: none"> • Motion for Ex Parte Relief <p>Note: If motion is not verified, include affidavit per FRBP 4001(a)(2).</p> <p>4100: 2</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically. <p>Note: If order grants motion, FRBP 4001(a)(2) indicates the movant must (1) give oral notice to the trustee or debtor in possession and the debtor and (2) immediately transmit the order to those parties. In most instances, the latter requirement will be satisfied by the electronic service of the order.</p>
3	<p>Prohibiting or Conditioning the Use, Sale, or Lease of Property</p> <p>11 USC §§ 361, 363(e) FRBP 4001(a)(1), 9013, 9014</p> <p>4100: 1 4100: 19</p>	Entity that has an interest in the property	<ul style="list-style-type: none"> • Motion for Adequate Protection <i>or</i> • Motion to Prohibit or Condition the Use, Sale or Lease of Property • COS on debtor, trustee, and any committee elected pursuant to 11 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and

			<p>USC § 705 or appointed pursuant to § 1102 or its authorized agent* per FRBP 4001(a)(1), 9013 and 9014</p> <p>*if chapter 9 or if chapter 11 and no committee, then on FRBP 1007(d) creditors</p>	<p>serves order electronically.</p> <ul style="list-style-type: none"> If objection/s, clerk schedules telephonic (no testimony) hearing as soon as possible and on shortened notice. Clerk serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
4	<p>Ex Parte Relief in lieu of “Event 3” in Part IV</p> <p>11 USC § 363(e) FRBP 4001(a)(2), 9013 (ex parte)</p> <p>4100: 11</p>	Entity that has an interest in the property	<ul style="list-style-type: none"> Motion for Ex Parte Relief <p>Note: If motion is not verified, include affidavit per FRBP 4001(a)(2).</p> <p>4100: 2</p>	<ul style="list-style-type: none"> Assigned judge reviews. Judge or designee enters order on docket and serves order electronically. <p>Note: If order grants motion, FRBP 4001(a)(2) indicates the movant must (1) give oral notice to the trustee or debtor in possession and the debtor and (2) immediately transmit the order to those parties. In most instances, the latter requirement will be satisfied by the electronic service of the order.</p>
5	<p>Use of Cash Collateral</p> <p>11 USC § 363 FRBP 4001(b), 9006(c)(2), 9013, 9014</p> <p>4100: 26</p>	Trustee or debtor in possession	<ul style="list-style-type: none"> Motion to Use Cash Collateral COS on any entity that has an interest in the cash collateral, any committee elected pursuant to 11 USC § 705 or appointed 	<ul style="list-style-type: none"> Clerk schedules courtroom (testimony) hearing on first available date but no earlier than 15 days after service of the motion. Clerk serves

			<p>pursuant to § 1102 or its authorized agent,* and UST per FRBP 4001(b)(1), 9013, 9014 and 9034(f)</p> <p>*if chapter 9 or if chapter 11 and no committee, then on FRBP 1007(d) creditors</p>	<p>NOH & BD electronically or via the BNC on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If motion requests preliminary hearing within 15 days of service of the motion, the Court typically will conduct a telephonic (no testimony) hearing on shortened notice to the movant and the entities that received the motion.</p>
6	<p>Obtaining Credit (unsecured)</p> <p>11 USC § 364(c)(1) FRBP 4001(c), 9006(c)(2), 9013, 9014</p> <p>4100: 19</p>	Trustee or debtor in possession	<ul style="list-style-type: none"> Motion to Obtain Unsecured Credit Include copy of agreement COS on any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 or its authorized agent,* and UST per FRBP 4001(b)(1), 9013, 9014 and 9034(f) <p>*if chapter 9 or chapter 11 and no committee, then on FRBP 1007(d) creditors</p>	<ul style="list-style-type: none"> Clerk schedules courtroom (testimony) hearing on first available date but no earlier than 15 days after service of the motion. Clerk serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. If no objections are filed, assigned judge reviews. If judge

				<p>determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.</p> <p>Note: If motion requests preliminary hearing within 15 days of service of the motion, the Court typically will conduct a telephonic (no testimony) hearing on shortened notice to the movant and the entities that received the motion.</p>
7	<p>Obtaining Credit (secured)</p> <p>11 USC § 364(c)(2) or (3) FRBP 4001(c), 9006(c)(2), 9013, 9014</p> <p>4100: 19</p>	Trustee or debtor in possession	<ul style="list-style-type: none"> • Motion to Obtain Secured Credit • Include copy of agreement • COS on any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 or its authorized agent,* and UST per FRBP 4001(b)(1), 9013, 9014 and 9034(f) <p>*if chapter 9 or if chapter 11 and no committee, then on FRBP 1007(d) creditors</p>	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing on first available date but no earlier than 15 days after service of the motion. • Clerk serves NOH & BD electronically or via the BNC on everyone in the case per FRBP 2002(a)(2) and (k). • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.

				<p>Note: If motion requests preliminary hearing within 15 days of service of the motion, the Court typically will conduct a telephonic (no testimony) hearing on shortened notice to the movant and the entities that received the motion.</p>
8	<p>Agreement Relating to Relief from the Automatic Stay, Prohibiting or Conditioning the Use, Sale, or Lease of Property, Providing Adequate Protection, Use of Cash Collateral, and Obtaining Credit</p> <p>FRBP 4001(d)(1), (2) or (3)</p> <p>4100: 24</p>	<p>Party in interest</p> <p>Note: Do not use this event if the agreement amounts to a consent order, meaning one that settles a pending motion.</p>	<ul style="list-style-type: none"> • Stipulated Motion Re: Rule 4001(d)(1),(2),(3), not (4) • Include copy of agreement • COS on any committee elected pursuant to 11 USC § 705 or appointed pursuant to § 1102 or its authorized agent,* and, where applicable, on the UST per FRBP 4001(d)(1), 9013, 9014 and 9034(f) <p>*if chapter 9 or chapter 11 and no committee, then on FRBP 1007(d) creditors</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
9	<p>Agreement (Consent Order) Relating to Pending Motion for Relief from the Automatic Stay, Prohibiting or Conditioning the Use, Sale, or Lease of Property, Providing</p>	<p>Parties in interest</p> <p>Note: Use this event if the agreement amounts to a consent order disposing of a pending motion under FRBP 4001(a), (b) or (c).</p>	<ul style="list-style-type: none"> • Motion for Approval of Agreement Relating to Pending Motion • Include copy of agreement (or incorporate agreement into motion) 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.

	Adequate Protection, Use of Cash Collateral, and Obtaining Credit FRBP 4001(d)(4) 4100: 5			
10	Objecting to a Claim of Exemptions 11 USC § 522(b) FRBP 4003(b) 4100: 19	Party in interest	<ul style="list-style-type: none"> • Objection to Exemptions • COS on trustee, person filing Schedule C, and attorney for that person <p>Note: Objection must be filed within 30 days of the conclusion of the 11 USC § 341 meeting or within 30 days after any amendment to Schedule C or any supplemental schedules is filed.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the objection and on objector. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on objector and responsive objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
11	Extension of Time to Object to Exemptions FRBP 4003(b), 9006(b)(3), 9013 4100: 12	Party in interest	<ul style="list-style-type: none"> • Motion to Extend Time to Object to Claim of Exemptions • COS on trustee or debtor in possession per FRBP 9013 <p>Note: Motion must set forth cause and must be filed before time to</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.

			object expires.	
12	<p>Avoidance by Debtor of Transfers of Exempt Property</p> <p>11 USC §522(f) FRBP 4003(d), 9013, 9014</p> <p>4100: 6</p>	Debtor	<ul style="list-style-type: none"> • Motion to Avoid Lien • COS on trustee and on lien holder per FRBP 9013 and 9014 <p>Note: At party screen, identify name of lien holder.</p> <p>Note: When avoidance of more than one lien is sought, debtor should file a separate motion for each lien. Failure to do so will result in no order being entered as to any of the liens until any and all objections to one or more of the liens are resolved.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
13	<p>Extension of Time (11 USC § 727)</p> <p>FRBP 4004(a) and (b), 9006(b)(3), 9013</p> <p>Note: Though neither FRBP 4004(b) nor the advisory committee notes specifically indicate this event falls under FRBP 9014, the rule does require hearing on notice and that implies the party against whom relief is</p>	<p>Party in interest</p> <p>Note: Do not use this event unless you are seeking a determination that the debtor should not receive a discharge of debts based on one or more subsections of 11 USC § 727. If you are seeking only a determination that your debt is nondischargeable, use "Event 15" or "Event 18" in Part IV.</p>	<ul style="list-style-type: none"> • Motion to Extend Time to Object to Discharge • COS on trustee, debtor or debtor in possession per FRBP 4004(b) and 9013 <p>Note: Motion must set forth cause and must be filed before time to object expires.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony)

	<p>sought (the debtor) be given an opportunity to object.</p> <p>4100: 13</p>			<p>hearing and serves NOH electronically or via the BNC on movant and on objector/s.</p> <p>Note: The NOH will name the attorneys the judge will call.</p>
14	<p>Defer Discharge</p> <p>FRBP 4004(c)(2), 9013</p> <p>4100: 9</p>	<p>Debtor</p> <p>Note: The federal rule is clear that it is the debtor who may file such a motion. The advisory notes indicate such relief may be appropriate when more time is needed to negotiate a reaffirmation as part of a settlement of a dischargeability action. Creditors should not file under this event nor attempt the same outcome through a motion to extend the time to file a reaffirmation agreement. The execution of an agreement between the parties, rather than entry of the agreement on the docket, controls per 11 USC § 524(c)(1).</p>	<ul style="list-style-type: none"> • Motion to Defer Discharge • COS on trustee per 9013 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If granted, clerk extends deadline to enter the general discharge of debts. <p>Note: This is not the equivalent of extending the time for parties in interest to object to the general discharge of debts.</p>
15	<p>Extension of Time (11 USC § 523(c))</p> <p>FRBP 4007(c), 9006(b)(3), 9013</p> <p>Note: Though neither FRBP 4007(c) nor the advisory committee notes specifically indicate this event falls under FRBP 9014, the rule</p>	<p>Party in interest</p>	<ul style="list-style-type: none"> • Motion to Extend Time to File Complaint to Determine Dischargeability • COS on trustee, debtor or debtor in possession per FRBP 4007(c) and 9013 <p>Note: Motion must set forth cause and must be filed before time to</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on

	<p>does require hearing on notice and that implies the party against whom relief is sought (the debtor) be given an opportunity to object.</p> <p>4100: 13</p>		object expires.	<p>docket and serves order electronically.</p> <ul style="list-style-type: none"> If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
16	<p>Motion for Chapter 12 Hardship Discharge</p> <p>11 USC § 1228(b) FRBP 9013</p> <p>4100: 13</p>	Debtor	<ul style="list-style-type: none"> Motion for Hardship Discharge Ch 12 COS on trustee per FRBP 9013 	<ul style="list-style-type: none"> Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on debtor and trustee.
17	<p>Motion for Chapter 13 Hardship Discharge</p> <p>11 USC § 1328(b) FRBP 4007(d), 9013</p> <p>4100: 13</p>	Debtor	<ul style="list-style-type: none"> Motion for Hardship Discharge Ch 13 COS on trustee per FRBP 9013 	<ul style="list-style-type: none"> Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on debtor and trustee. <p>Note: If the order grants the motion, the order will fix the time to file 11 USC § 523(c) complaints. The clerk will serve the order electronically or via the BNC on the debtor, the trustee, all creditors and all indenture trustees per FRBP 2002(f)(5).</p>
18	<p>Motion to Extend (time to file 11 USC § 523(c)</p>	Party in interest	<ul style="list-style-type: none"> Motion to Extend Time to File Complaint to 	<ul style="list-style-type: none"> Clerk prepares bar date notice and serves

	<p>complaint in a chapter 13 hardship discharge case)</p> <p>11 USC § 1328(b) FRBP 4007(d), 9013</p> <p>Note: Though neither FRBP 4007(d) nor the advisory committee notes specifically indicate this event falls under FRBP 9014, the rule does require hearing on notice and that implies the party against whom relief is sought (the debtor) be given an opportunity to object.</p> <p>Note: FRBP 9006(b)(3) does not apply to this event.</p> <p>4100: 13</p>		<p>Determine Dischargeability</p> <ul style="list-style-type: none"> • COS on trustee, and debtor per FRBP 4007(d) and 9013 <p>Note: Motion must set forth cause and must set forth excusable neglect if filed after time to object expires.</p>	<p>electronically or via the BNC on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
19	<p>Motion for Approval of a Reaffirmation Agreement</p> <p>11 USC § 524(c) FRBP 4008, 9013</p> <p>4100: 28</p>	<p>Debtor</p> <p>Note: Where debtor is represented by an attorney who has signed the 11 USC § 524(c)(3) declaration or affidavit and who is not a party to the agreement, the reaffirmation agreement may be entered on the docket without the motion.</p>	<ul style="list-style-type: none"> • Motion • COS trustee per FRBP 9013 	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH electronically or via the BNC on debtor, trustee and party to the reaffirmation agreement. <p>Note: The clerk routinely schedules courtroom hearings on reaffirmation agreements entered in pro se cases.</p>

Part V. Courts and Clerk (with cross-references to Part2-4100 of the CM/ECF User's Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	<p>Reopening Cases</p> <p>11 USC § 350(b) FRBP 5010, 9013</p> <p>4100: 21</p>	<p>Party in interest</p> <p>Note: Trustee should use trustee event 4520: 5, No. 21.</p>	<ul style="list-style-type: none"> • Motion to Reopen Case Ch (*) • COS per 9013 <p>* Use chapter specific event found in Part 2 of the User's Guide.</p> <p>Note: Since the case is closed, technically there is no trustee or debtor in possession to serve per 9013.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically. <p>Note: If an order granting a motion to reopen a case directs the UST to appoint a chapter trustee, the Clerk brings that directive to the attention of the UST.</p>
2	<p>Withdrawal (of Reference)</p> <p>28 USC § 157(d) FRBP 5011(a); 9013</p> <p>4100: 27</p>	<p>Party in interest</p>	<ul style="list-style-type: none"> • Motion for Withdrawal of Reference • COS on trustee or debtor in possession per FRBP 9013 <p>Note: Motion must set forth cause.</p>	<ul style="list-style-type: none"> • Clerk sends motion to district court for disposition.
3	<p>Abstention from Hearing a Proceeding</p> <p>28 USC § 1334(c) FRBP 5011(b), 9013, 9014</p> <p>Note: Advisory committee note (1987) states FRBP 5011(b) does not apply to motions under 11 USC § 305 for abstention from hearing a case.</p> <p>4100: 1</p>	<p>Party in interest</p>	<ul style="list-style-type: none"> • Motion for Abstention • COS on trustee or debtor in possession and all parties to the proceeding which is the subject of the motion per FRBP 9013 and 9014 	<ul style="list-style-type: none"> • Clerk schedules courtroom (no testimony) hearing. • Clerk serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters

				order on docket (granting motion and canceling hearing) and serves order electronically.
4	Motion for Stay (pending disposition of motion for withdrawal) FRBP 5011(c), 9013 4100: 28	Party in interest	<ul style="list-style-type: none"> • Motion for stay pending disposition of motion for withdrawal • COS on trustee or debtor in possession per FRBP 9013 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant.
5	Motion for Stay (pending disposition of motion for abstention) FRBP 5011(c), 9013, 9014 4100: 28	Party in interest	<ul style="list-style-type: none"> • Motion for stay pending disposition of motion for abstention • COS on trustee or debtor in possession and all parties to the proceeding which is the subject of the motion per FRBP 9013 and 9014 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules courtroom (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant.

Part VI. Collection and Liquidation of the Estate (with cross-references to Part2-4100 of the CM/ECF User’s Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	Notice of Proposed Use,	Trustee, Chapter 11 or Chapter 12 debtor	<ul style="list-style-type: none"> • Notice of Proposed Use, 	<ul style="list-style-type: none"> • Clerk schedules courtroom

	<p>Sale, or Lease of Property</p> <p>11 USC § 363 FRBP 6004(a)</p> <p>Note: This notice event does not apply to use of cash collateral; see instead “Event 5” in Part IV.</p> <p>4100: 18</p>	<p>in possession or Chapter 13 debtor</p> <p>Trustee should use trustee event SDIa-201.</p>	<p>Sale or Lease of Property</p> <ul style="list-style-type: none"> • COS on all creditors and trustee per General Order regarding this Court’s Conversion to CM/ECF and on UST per FRBP 9034(a). <p>Note: Except for the date for objections, the notice must include all the information required by FRBP 2002(c)(1).</p>	<p>(testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(2) and (k).</p> <ul style="list-style-type: none"> • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
2	<p>Objection to Proposal</p> <p>11 USC § 363 FRBP 6004(b), 9014</p> <p>4100: 19</p>	<p>Party in interest</p>	<ul style="list-style-type: none"> • Objection • COS upon trustee, debtor in possession or debtor, and UST per FRBP 9014 and 9034(a) 	<ul style="list-style-type: none"> • Assigned judge considers at hearing (already noticed).
3	<p>Sale Free and Clear of Liens and Other Interests</p> <p>11 USC § 363(f) FRBP 6004(c), 9013, 9014</p> <p>4100: 24</p>	<p>Trustee, Chapter 11 or Chapter 12 debtor in possession or Chapter 13 debtor</p>	<ul style="list-style-type: none"> • Motion to Sell Free and Clear • COS on trustee, debtor in possession or debtor, parties who have liens or other interests in property to be sold and UST per FRBP 6004(c), 9013, 9014 and 9034(a) 	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(2) and (k). • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or

				designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
4	<p>Sale of Property Under \$2,500</p> <p>11 USC § 363 FRBP 6004(d)</p> <p>4100: 28</p>	<p>Trustee, Chapter 11 or Chapter 12 debtor in possession or Chapter 13 debtor</p> <p>Note: Trustee may use trustee event SDIa-201.</p>	<ul style="list-style-type: none"> • Notice of Sale <p>Note: In show text box, indicate what is being sold, to whom and for how much.</p> <p>Note: Use document event to create this notice.</p> <p>4100: 28</p>	<ul style="list-style-type: none"> • Clerk schedules courtroom (testimony) hearing and serves NOH & BD electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(2) and (k). • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
5	<p>Motion to Assume, Reject or Assign Executory Contract or Unexpired Lease</p> <p>11 USC § 365 FRBP 6006(a), 9013, 9014</p> <p>4100: 6</p>	<p>Trustee, Chapter 11 or Chapter 12 debtor in possession or Chapter 13 debtor</p>	<ul style="list-style-type: none"> • Motion to Assume, Reject or Assign • COS on trustee, debtor in possession or debtor, other party to the contract or lease and, except in a chapter 9 case, on UST per FRBP 6006(c), 9013, 9014 and 9034(a) 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules

				<p>telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s.</p> <p>Note: The NOH will name the attorneys the judge will call.</p>
6	<p>Motion to Require Trustee, Debtor in Possession or Debtor to Assume, Reject or Assign Executory Contract or Unexpired Lease</p> <p>11 USC § 365 FRBP 6006(b), 9013, 9014</p> <p>4100: 21</p>	<p>Party to an executory contract or unexpired lease</p>	<ul style="list-style-type: none"> • Motion to Require Assumption or Rejection • COS on trustee and debtor in possession or debtor and, except in a chapter 9 case, on UST per FRBP 6006(c), 9013, 9014 and 9034(a) 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
7	<p>Notice of Proposed Abandonment or Disposition</p> <p>11 USC FRBP 6007(a)</p> <p>4100: 18</p>	<p>Trustee or debtor in possession</p> <p>Note: Trustee should use trustee event SD1a-200.</p>	<ul style="list-style-type: none"> • Notice to Abandon by DIP <p>Note: In show text box, indicate what is being abandoned and to whom.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 6007(a). • If no objection/s, assigned judge

				<p>reviews. Judge or designee enters order on docket and serves order electronically.</p> <ul style="list-style-type: none"> • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
8	<p>Motion to Require Trustee or Debtor in Possession to Abandon Property of the Estate</p> <p>11 USC § 554(b) FRBP 6007(b), 9013</p> <p>4100: 7</p>	Party in interest	<ul style="list-style-type: none"> • Motion to Compel Abandonment • COS on trustee or debtor in possession and UST per FRBP 9013 and 9034(a) <p>Note: In show text box, identify type of property for which abandonment is sought.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
9	Redemption of Property from Lien	Debtor	<ul style="list-style-type: none"> • Motion to Redeem 	<ul style="list-style-type: none"> • Clerk prepares bar date notice

	<p>11 USC § 722 FRBP 6008, 9013, 9014</p> <p>4100: 20</p>		<ul style="list-style-type: none"> • COS on trustee and lien holder per FRBP 9013 and 9014 	<p>and serves electronically or via the BNC on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
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Part VII. Adversary Proceedings (with cross-references to Part2-4100 of the CM/ECF User's Guide)

	USC/FRBP	Filed by	Docket and Serve	Court Action
1	<p>Defenses and Objections Presented by Motion</p> <p>FRBP 7012/12(b), 9013</p> <p>Note: FRCP 12(b) is specific as to defenses that may be brought by motion rather than by responsive pleading.</p> <p>4100: 10</p>	<p>Any party before pleading if further pleading is permitted</p>	<ul style="list-style-type: none"> • Motion to Dismiss—Defendant <i>or</i> • Motion to Dismiss • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is

	4100: 28			<p>necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
2	<p>Motion for Judgment on the Pleadings</p> <p>FRBP7012/12(c), 9013</p> <p>Note: If disposition of the motion goes beyond the pleadings, the motion will be considered under FRBP 7056.</p> <p>4100: 28</p>	Any party after the pleadings are closed	<ul style="list-style-type: none"> • Motion for Judgment on the Pleadings • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
3	<p>Motion for More Definite Statement</p> <p>FRBP 7012/12(e), 9013</p> <p>4100: 16</p>	Any party before interposing a responsive pleading (where such responsive pleading is permitted)	<ul style="list-style-type: none"> • Motion for More Definite Statement • COS on all parties per FRBP 7005/5(a), on the trustee or debtor 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC

			<p>in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034</p> <p>Note: Motion must point out defects of concern and details sought.</p>	<p>on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
4	<p>Motion to Strike</p> <p>FRBP 7012/12(f), 9013</p> <p>4100: 28</p>	<p>Any party either before responding to a pleading or within 20 days of service of the pleading if no responsive pleading permitted by the federal rules</p>	<ul style="list-style-type: none"> Motion to Strike COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and</p>

				objector/s.
5	<p>When Defendant May Bring in Third Party</p> <p>FRBP 7014/14(a), 9013</p> <p>4100: 28</p>	<p>Third party plaintiff filing third party complaint more than 10 days after serving original answer</p>	<ul style="list-style-type: none"> • Motion • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
6	<p>When Plaintiff May Bring in Third Party</p> <p>FRBP 7014(b), 9013</p> <p>4100: 28</p>	<p>Plaintiff against whom counterclaim is brought</p>	<ul style="list-style-type: none"> • Motion • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
7	<p>Amended Pleadings</p>	<p>Party amending <u>before</u> responsive pleading is served <u>or</u>,</p>	<ul style="list-style-type: none"> • Amended Complaint or 	

	FRBP 7015(a) 4100: 3 4100: 2 4100: 27	when no responsive pleading is permitted and trial has not been scheduled, <u>within</u> 20 days after pleading was served	<ul style="list-style-type: none"> • Amended Answer <i>or</i> • Amended (name pleading) • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: For last item, use amended document.</p> <p>4100: 27</p>	
8	Amended Pleadings FRBP 7015(a) 4100: 3 4100: 2 4100: 27	Party amending <u>with</u> written consent of adverse party, <u>after</u> responsive pleading is served <u>or</u> when no responsive pleading is permitted but trial has been scheduled	<ul style="list-style-type: none"> • Amended Complaint <i>or</i> • Amended Answer <i>or</i> • Amended (name pleading) • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: For last item, use amended document.</p> <p>4100: 27</p> <p>Note: The amended pleading must bear consent signature of the adverse party.</p>	
9	Amended Pleadings	Party amending a complaint or other pleading <u>without</u>	<ul style="list-style-type: none"> • Motion to Amend Complaint <i>or</i> 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves

	<p>FRBP 7015(a), 9013</p> <p>4100: 2 4100: 28</p>	<p>written consent of adverse party, <u>after</u> responsive pleading is served <u>or</u> when no responsive pleading is permitted but trial has been scheduled</p>	<ul style="list-style-type: none"> • Motion to Amend (name pleading) • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Include the amended pleading (unexecuted) as an attachment to the motion. If the motion is granted, then docket the amended pleading (executed).</p>	<p>electronically or via the BNC on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
10	<p>Supplemental Pleadings</p> <p>FRBP 7015(d), 9013</p> <p>4100: 28</p>	<p>Any party to the action</p>	<ul style="list-style-type: none"> • Motion to Supplement Pleading • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Include the supplemental pleading (unexecuted) as an attachment to the motion. If the motion is granted, then docket the supplemental pleading (executed).</p>	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.

				<p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
11	<p>Scheduling and Planning</p> <p>FRBP 7016/16(b)</p> <p>4100: 24</p>	Parties to the action	<ul style="list-style-type: none"> • Stipulation Re: Scheduling <p>Note: The stipulation must cover the items set forth in FRCP 16(b)(1), (2) and (3) and must also set forth the date by which the parties will docket the Trial Stipulation Re: Facts, Issues, Exhibits and Witnesses. (See “Event 13” in Part VII.)</p> <p>Note: The stipulation must be executed by all parties.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order (approving or qualifying stipulation) on docket per FRBP 7016/16(e) and serves order electronically. <p>Note: The date and time for the scheduling conference appear in the summons issued by the Clerk. (1) In adversary proceedings assigned to <u>Judge Jackwig</u>, docketing the stipulation cancels the scheduling conference even if all answers have not been docketed. (2) In adversary proceedings assigned to <u>Judge Hill</u>, docketing the stipulation cancels the scheduling conference only if answers by all defendants have been docketed.</p>
12	<p>Modifying Stipulation Re: Scheduling</p> <p>FRBP 7016/16(b), 9013</p> <p>4100: 28</p>	Any party to the action	<ul style="list-style-type: none"> • Motion to Modify Stipulation Re: Scheduling • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no

			<p>where applicable, on the UST per FRBP 9034</p> <p>Note: Motion must set forth good cause.</p>	<p>testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
13	<p>Final Pretrial Conference</p> <p>FRBP 7016/16(d)</p> <p>4100: 26</p>	Parties to the action	<ul style="list-style-type: none"> • Trial Stipulation Re: Facts, Issues, Exhibits and Witnesses 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket per FRBP 7016/16(e) and serves order electronically. <p>Note: In most adversary proceedings, neither Judge Jackwig nor Judge Hill conduct final pretrial conferences.</p>
14	<p>Joinder of Persons Needed for Just Determination</p> <p>FRBP 7019/19, 9013</p> <p>4100: 28</p>	Any party to the action or any person meeting requirements of the federal rule	<ul style="list-style-type: none"> • Motion for Joinder of Person Needed for Just Determination • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion)

				<p>and canceling hearing) and serves order electronically.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
15	<p>Permissive Joinder of Parties</p> <p>FRBP 7020/20</p> <p>4100: 14</p>	<p>Any person meeting requirements of the federal rule</p>	<ul style="list-style-type: none"> • Joinder 	
16	<p>Misjoinder and Non-Joinder of Parties</p> <p>FRBP 7021/21, 9013, 9014(c)</p> <p>4100: 10</p>	<p>Any party to the action</p>	<ul style="list-style-type: none"> • Motion to Dismiss Party • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
17	<p>Intervention</p> <p>FRBP 7024/24(a) and 24(b), 9013</p> <p>4100: 13</p>	<p>Any person meeting the requirements of the federal rule</p>	<ul style="list-style-type: none"> • Motion to Intervene • Include pleading setting forth the claim or defense for which 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that

			<p>intervention is sought</p> <ul style="list-style-type: none"> • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: In show text box, indicate whether intervention is as of right or permissive.</p>	<p>received the motion and on movant.</p> <ul style="list-style-type: none"> • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and on objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
18	<p>Substitution of Parties</p> <p>FRBP 7025/25, 9013, 9014(c)</p> <p>4100: 28</p>	<p>Any party or by successor or representative of original party</p>	<ul style="list-style-type: none"> • Motion • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge</p>

				will call movant and objector/s.
19	Protective Orders FRBP 7026/26(c), 9013, 9014(c) 4100: 28	Any party or person from whom discovery is sought	<ul style="list-style-type: none"> • Motion for Protective Order • Include certification required by the federal rule • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Motion must set forth good cause.</p>	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
20	Depositions Upon Oral Examination; When Leave Required FRBP 7030/30(a)(2), 9013, 9014(c) 4100: 28	Any party to the action under the circumstances set forth in the federal rule	<ul style="list-style-type: none"> • Motion for Leave to Take Deposition Upon Oral Examination • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
21	Depositions Upon Written Questions; When Leave Required FRBP	Any party to the action under the circumstances set forth in the federal rule	<ul style="list-style-type: none"> • Motion for Leave to Take Deposition Upon Written Questions • COS on all parties per FRBP 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order

	7031/31(a)(2), 9013, 9014(c) 4100: 28		7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 Note: Do not enter the written questions on the docket. Do not attach them to the motion.	electronically.
22	Interrogatories; When Leave Required FRBP 7033/33(a), 9013, 9014(c) 4100: 28	Any party to the action under the circumstances set forth in the federal rule	<ul style="list-style-type: none"> • Motion for Leave to Serve More Than 25 Interrogatories/Motion for Leave to Serve Interrogatories Before Rule 27(f) Conference • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 Note: Do not enter the interrogatories on the docket. Do not attach them to the motion.	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
23	Production of Documents and Things and Entry upon Land for Inspection and Other Purposes; When Leave Required FRBP 7034/34(b), 9013, 9014(c) 4100: 28	Any party to the action under the circumstances set forth in the federal rule	<ul style="list-style-type: none"> • Motion for Leave to Serve Request Before Rule 27(f) Conference • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 Note: Do not enter the request for	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.

			production or inspection on the docket. Do not attach to the motion.	
24	<p>Requests for Admissions; When Leave Required</p> <p>FRBP 7035/35(a), 9013, 9014(c)</p> <p>4100: 28</p>	Any party to the action under the circumstances set forth in the federal rule	<ul style="list-style-type: none"> • Motion for Leave to Serve Requests for Admissions Before Rule 27(f) Conference • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Do not enter the requests for admissions on the docket. Do not attach them to the motion.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
25	<p>Sufficiency of Answers or Objections to Requests for Admissions</p> <p>FRBP 7036/36(a), 9013, 9014(c)</p> <p>4100: 28</p>	Party who requested the admissions	<ul style="list-style-type: none"> • Motion to Determine the Sufficiency of Answers or Objections to Requests for Admissions • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge</p>

				will call movant and objector/s.
26	<p>Effect of Admission</p> <p>FRBP 7036/36(b), 9013, 9014(c)</p> <p>4100: 28</p>	<p>Party seeking to withdraw or amend admission</p>	<ul style="list-style-type: none"> • Motion to Withdraw or Amend Admission • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Do not use Motion to Withdraw Document; 4100: 26.</p>	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
27	<p>Motion for Order Compelling Disclosure or Discovery; Sanctions</p> <p>FRBP 7037/37(a), 9013, 9014(c)</p> <p>Note: FRCP 37(a) does not reference FRCP 36; but see FRCP 37(c).</p> <p>4100: 07</p>	<p>Any party if failure is covered by Rule 37(a)(2)(A); discovering party if failure is covered by Rule 37(a)(2)(B)</p>	<ul style="list-style-type: none"> • Motion to Compel • Include certification required by the federal rule • COS on all parties per FRBP 7005/5(a), on all parties affected thereby per FRBP 7037/37(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Motion may</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing</p>

			include request for sanctions. Do not file separate Motion for Sanctions; 4100: 22.	goes forward, judge will call movant and objector/s.
28	<p>Failure to Disclose; False or Misleading Disclosure; Refusal to Admit</p> <p>FRBP 7037/37(c), 9013, 9014(c)</p> <p>4100: 22</p>	Discovering party	<ul style="list-style-type: none"> • Motion for Sanctions • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic or courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
29	<p>Failure of Party to Attend at Own Deposition or Serve Answers to Interrogatories or Respond to Request for Inspection</p> <p>FRBP 7037/37(d), 9013, 9014</p> <p>4100: 22</p>	Discovering party	<ul style="list-style-type: none"> • Motion for Sanctions • Include certification required by federal rule • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic or courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or

				designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
30	<p>Voluntary Dismissal of Adversary Proceeding (other than one under 11 USC § 727)</p> <p>7041/41(a)(1)(i), 9014(c)</p> <p>4100: 17</p> <p>Note: Use Motion to Dismiss 727 Complaint if seeking a voluntary dismissal of a complaint including one or more § 727 counts.</p> <p>4100: 10</p>	Plaintiff before service of answer or motion for summary judgment, whichever first occurs	<ul style="list-style-type: none"> • Notice of Dismissal • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk closes adversary proceeding after assigned judge reviews matter.
31	<p>Voluntary Dismissal of Adversary Proceeding (other than one under 11 USC § 727)</p> <p>7041/41(a)(1)(ii), 9014(c)</p> <p>4100: 24</p> <p>Note: Use Motion to Dismiss 727 Complaint if seeking a voluntary dismissal of a complaint that includes one or</p>	Plaintiff after service of answer or motion for summary judgment, whichever first occurs	<ul style="list-style-type: none"> • Stipulated Dismissal • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Stipulation must be signed by all parties who have appeared in the action.</p>	<ul style="list-style-type: none"> • Clerk closes adversary proceeding after assigned judge reviews matter.

	<p>more § 727 counts.</p> <p>4100: 10</p>			
32	<p>Voluntary Dismissal of Adversary Proceeding (other than one under 11 USC § 727)</p> <p>7041/41(a)(2), 9013, 9014(c)</p> <p>4100: 10</p> <p>Note: Use Motion to Dismiss 727 Complaint if seeking a voluntary dismissal of a complaint that includes one or more § 727 counts.</p> <p>4100: 10</p>	Plaintiff	<ul style="list-style-type: none"> • Motion to Dismiss—Plaintiff • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p> <p>Note: If a defendant who plead a counterclaim prior to the service of the motion objects to the motion, the action brought by the plaintiff will be dismissed only if the counterclaim can proceed to adjudication independent of that action.</p>
33	<p>Voluntary Dismissal of 11 USC § 727</p>	Plaintiff	<ul style="list-style-type: none"> • Motion to Dismiss 727 Complaint 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves

	<p>Adversary Proceeding</p> <p>7041/41(a), 9013, 9014(c)</p> <p>Note: See generally 18 USC § 152.</p> <p>4100: 10</p>		<ul style="list-style-type: none"> • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and on the UST per FRBP 7041 and 9034(j) 	<p>electronically or via the BNC on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p> <p>Note: If the motion fails to set forth any and all terms and conditions of the dismissal, the assigned judge will conduct a hearing notwithstanding no objections being filed.</p>
34	<p>Involuntary Dismissal of Adversary Proceeding</p> <p>FRBP 7041/41(b), 9013, 9014(c)</p> <p>4100: 10</p>	<p>Defendant for failure of plaintiff to prosecute or to comply with the federal rules or with any order of the court</p>	<ul style="list-style-type: none"> • Motion to Dismiss—Defendant • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no

				<p>hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
35	<p>Voluntary Dismissal of Counterclaim, Cross-Claim, or Third Party Claim</p> <p>7041/41(c), 9014(c)</p> <p>4100: 17</p>	<p>Claimant before service of responsive pleading or before introduction of evidence at trial if no responsive pleading permitted by the federal rules</p>	<ul style="list-style-type: none"> • Notice of Dismissal • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Assigned judge reviews.
36	<p>Voluntary Dismissal of Counterclaim, Cross-Claim, or Third Party Claim</p> <p>7041/41(c), 9014(c)</p> <p>4100: 24</p>	<p>Claimant after service of responsive pleading or after introduction of evidence at trial if no responsive pleading permitted by the federal rules</p>	<ul style="list-style-type: none"> • Stipulated Dismissal • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Stipulation must be signed by all parties who have appeared in the action.</p>	<ul style="list-style-type: none"> • Assigned judge reviews.
37	<p>Voluntary Dismissal of Counterclaim, Cross-Claim, or Third Party Claim</p> <p>7041/41(c), 9013, 9014(c)</p>	<p>Claimant</p>	<ul style="list-style-type: none"> • Motion to Dismiss • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the

	4100: 28		FRBP 9034	<p>motion and on movant.</p> <ul style="list-style-type: none"> If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
38	<p>Involuntary Dismissal of Counterclaim, Cross-Claim, or Third Party Claim</p> <p>7041/41(c), 9013, 9014(c)</p> <p>4100: 28</p>	Defending party for failure of claimant to prosecute or to comply with the federal rules or with any order of the court	<ul style="list-style-type: none"> Motion to Dismiss COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>

39	<p>Consolidation</p> <p>FRBP 7042/42(a), 9013, 9014(c)</p> <p>4100: 25 4100: 28</p>	Any party to the action/s	<ul style="list-style-type: none"> • Motion for Substantive Consolidation or • Motion to Consolidate (identify nature and extent of motion) • COS on all parties in all actions to be consolidated per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Do not use the first option if you are seeking consolidation that is less than substantive. For example, a motion to consolidate trials would not be substantive.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
40	<p>Findings by Court; Amendment</p> <p>FRBP 7052(b), 9006(b)(2), 9013, 9014(c)</p> <p>4100: 28</p>	Any party to the action	<ul style="list-style-type: none"> • Motion to Amend Findings • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: Motion must be brought not more than 10 days after entry of judgment, a/k/a any appealable order per FRBP 9001(7).</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>

41	<p>Default</p> <p>FRBP 7055/55(a) and (b), 9013, 9014(c)</p> <p>Note: The Court treats motions for default under subparagraphs (1) and (2) of Rule 55(b) the same procedurally.</p> <p>4100: 9</p>	<p>Plaintiff or Claimant when party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by the federal rules</p>	<ul style="list-style-type: none"> • Motion for Default Judgment • Include affidavit regarding default • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received the motion and on the movant. • If no objection/s, assigned judge reviews. Judge or designee enters entry of default and default judgment on docket and serves documents electronically or judge requests motion be scheduled for hearing. • If the latter, the clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
42	<p>Setting Aside Default</p> <p>FRBP 7055/55(c); 9013,9014(c); 9024/60(b)</p> <p>4100: 28</p>	<p>Party in default</p>	<ul style="list-style-type: none"> • Motion to set Aside Entry of Default and Default Judgment • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge

				<p>reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
43	<p>Summary Judgment</p> <p>FRBP 7056/56(c), 9013, 9014(c)</p> <p>4100: 25</p>	<p>Plaintiff/Claimant or Defending Party</p> <p>Note: Rule 56(a) governs when a Plaintiff or Claimant may seek summary judgment; Rule 56(b) governs the timing for the Defending Party</p>	<ul style="list-style-type: none"> • Motion for Summary Judgment • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: in show text box, indicate if motion seeks partial summary judgment.</p> <p>Note: For Statement of Undisputed Facts, use document.</p> <p>4100: 28</p> <p>Note: For Brief in Support of Motion for Summary Judgment, use Brief/Memorandum.</p> <p>4100: 6</p>	<ul style="list-style-type: none"> • Clerk schedules telephonic or courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
44	<p>Stay of Proceedings to Enforce a Judgment</p>	<p>Party seeking stay</p>	<ul style="list-style-type: none"> • Motion to Stay • COS on all parties per FRBP 7005/5(a), on the trustee or debtor 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket

	FRBP 7062/62, 9013 4100: 24		in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034	and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. Note: If hearing goes forward, judge will call movant and objector/s.
45	Preliminary Injunction FRBP 7065/65, 9013 4100: 19	Party seeking preliminary injunction as part of FRBP 7001(7) action	<ul style="list-style-type: none"> • Motion for Preliminary Injunction • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Clerk schedules telephonic or courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
46	Offer of Judgment FRBP 7068/68 4100: 19	Party Defending against Claim or Party prosecuting Claim <u>only if and after</u> latter has served written notice that former's offer has	<ul style="list-style-type: none"> • Offer and Notice of Acceptance of Judgment • COS on all parties per FRBP 7005/5(a), on the trustee or debtor 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters judgment on docket and serves judgment electronically.

		been accepted	in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034	
47	Transfer of Adversary Proceeding 28 USC § 1412 FRBP 7087, 9013 4100: 6	Any party to the action	<ul style="list-style-type: none"> • Motion to Change Venue • COS on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: In show text box, indicate the district to which you request the adversary proceeding be transferred.</p>	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>

Part VIII. Appeals to District Court or Bankruptcy Appellate Panel (see generally Part2-3100 of the CM/ECF User's Guide)

	USC/FRBP Event	Filed by	Docket and Serve	Court Action
1	Appeal as of Right 28 USC § 158(a)(1) or (a)(2) FRBP 8001(a)	Party in interest	<ul style="list-style-type: none"> • Notice of Appeal <p>Note: See requirements set forth in FRBP 8001(a).</p>	<ul style="list-style-type: none"> • Clerk serves notice on counsel of record of each party other than appellant and UST per FRBP 8004

2	<p>Appeal by Leave/Leave to Appeal</p> <p>28 USC § 158(a)(3) FRBP 8001(b), 8003, 9013</p>	Party in interest	<ul style="list-style-type: none"> • Notice of Appeal • Motion for Leave to Appeal • COS in compliance with FRBP 8008 and 9013 <p>Note: See requirements set forth in FRBP 8001(a) and 8003.</p>	<ul style="list-style-type: none"> • Clerk transmits the notice and the motion and any answer received thereto to the clerk of the district court or the clerk of the bankruptcy appellate panel per FRBP 8003.
3	<p>Voluntary Dismissal of Appeal <u>Before</u> Entry on Appellate Court Docket (by stipulation)</p> <p>FRBP 8001(c)(1)</p>	All parties to the appeal	<ul style="list-style-type: none"> • Stipulation Dismissing Appeal <p>Note: Stipulation must be signed by all parties.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
4	<p>Voluntary Dismissal of Appeal <u>Before</u> Entry on Appellate Court Docket (by appellant)</p> <p>FRBP 8001(c)(1), 9013</p>	Appellant	<ul style="list-style-type: none"> • Motion to Dismiss Appeal • COS in compliance with FRBP 8008 and 9013 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
5	<p>Election to Have Appeal Heard by District Court Instead of Bankruptcy Appellate Panel</p> <p>28 USC § 158(c)(1) FRBP 8001(e)</p>	Appellant or Appellee	<ul style="list-style-type: none"> • Election to US District Court 	<ul style="list-style-type: none"> • Clerk promptly transfers appeal to Bankruptcy Appellate Panel ("BAP") for the Eighth Circuit Court of Appeals unless election has been docketed by appellant. <p>Note: If appellant docket election but does not pay filing fee for appeal, clerk refers matter to assigned bankruptcy judge for consideration of dismissal pursuant to Local Rule</p>

				<p>8001.1(c) of the District Court for the Southern District of Iowa.</p> <p>Note: Appellee's election must be filed with the BAP per BAP Local Rule 8001A(a).</p>
6	<p>Motion to Extend Time for Appeal</p> <p>FRBP 8002(c), 9006(b)(3), 9013</p> <p>Note: FRBP 8002(c) does not permit extension in certain matters; see subparagraphs (A) through (F)</p>	Party in interest	<ul style="list-style-type: none"> • Motion to Extend Time to File Appeal • COS in compliance with FRBP 8008 and 9013 <p>Note: If filed after time for filing notice of appeal has expired, motion must set forth excusable neglect.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee enters order on docket and serves order electronically.
7	<p>Answer</p> <p>FRBP 8003(a)</p>	Adverse party	<ul style="list-style-type: none"> • Answer in Opposition to Motion for Leave to Appeal • COS in compliance with FRBP 8008 	<ul style="list-style-type: none"> • Clerk transmits the notice and the motion and any answer received thereto to the clerk of the district court or the clerk of the bankruptcy appellate panel per FRBP 8003.
8	<p>Stay Pending Appeal</p> <p>FRBP 8005, 9013</p>	Party in interest	<ul style="list-style-type: none"> • Motion for Stay Pending Appeal • COS on in compliance with FRBP 8008 and 9013 	<ul style="list-style-type: none"> • Clerk schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary,

				<p>judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.</p> <p>Note: If hearing goes forward, assigned judge will call movant and objector/s.</p>
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Part IX. General Provisions (with cross-references to Part2-4100 of the CM/ECF User’s Guide)

	USC/FRBP	Filed by	Docket and Serve	Court Action
1	<p>Enlargement (requested before time period to act has expired)</p> <p>FRBP 9006(b)(1) subpart (1)</p> <p>Note: Though FRBP 9006(b)(1) subpart (1) indicates such a request may be made with or without motion or notice, the Court will apply FRBP 9013 to these requests.</p> <p>Note: This generic motion should not be used if a particular FRBP governs extension of a particular event.</p> <p>Note: See limitations set forth in FRBP 9006(b)(2) and (b)(3).</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion to Extend Time before Expiration of Specified Period • COS (cc) on trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: In show text box, indicate what is being extended and to what date certain.</p> <p>Note: Motion must set forth cause.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>

	<p>Note: FRBP 9006 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7006.</p> <p>4100: 12</p>			
2	<p>Enlargement (requested after time period to act has expired)</p> <p>FRBP 9006(b)(1) subpart (2), 9013</p> <p>Note: Though FRBP 9006(b)(1) subpart (2) is silent regarding notice and hearing, the Court will treat this as a FRBP 9014 event requiring service of a bar date notice upon any party that might be adversely effected by the untimely request for an extension.</p> <p>Note: This generic motion should not be used if a particular FRBP provides for extension of a particular event.</p> <p>Note: See limitations set forth in FRBP 9006(b)(2) and (b)(3).</p> <p>Note: FRBP 9006 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7006.</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion to Extend Time after Expiration of Specified Period • COS (cc) on trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: In show text box, indicate what is being extended and to what date certain.</p> <p>Note: Motion must set forth cause <u>and</u> excusable neglect.</p>	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on entities that received motion and on movant. • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>

	4100: 12			
3	<p>Reduction</p> <p>FRBP 9006(c)(1)</p> <p>Note: Though FRBP 9006(c) indicates such a request may be made with or without motion or notice, the Court will apply FRBP 9013 to these requests.</p> <p>Note: The Court may not reduce the time for taking action in certain instances. See FRBP 9006(c)(2).</p> <p>Note: FRBP 9006 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7006.</p> <p>4100: 20</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion to Reduce Time • COS (cc) on trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 <p>Note: In show text box, indicate what is being reduced and to what date certain.</p> <p>Note: Motion must set forth cause.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
4	<p>For Motions-- Affidavits</p> <p>FRBP 9006(d)</p> <p>Note: FRBP 9006 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7006.</p> <p>4100: 11</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Ex Parte Application to Shorten Bar Date Notice 	<ul style="list-style-type: none"> • Assigned judge grants or denies without notice and a hearing
5	<p>For Motions-- Affidavits</p> <p>FRBP 9006(d)</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Ex Parte Application for Expedited Hearing 	<ul style="list-style-type: none"> • Assigned judge grants or denies without notice and a hearing

	<p>Note: FRBP 9006 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7006.</p> <p>4100: 11</p>			
6	<p>Notice of Appearance</p> <p>FRBP 9010(b)</p> <p>4100: 17</p>	Attorney	<ul style="list-style-type: none"> • Notice of Appearance & Request for Notice <p>Note: For pro hac vice motions, see generally Local Rule 83.2(d)(2) of the District Court for the Southern District of Iowa. In cases assigned to <u>Judge Hill</u>, the content of the motion must set forth the information required in paragraphs A through C of that rule. In cases assigned to <u>Judge Jackwig</u>, the content of the motion must set forth the information required in paragraphs A and B. (If an attorney files pro hac vice motions on a routine basis, Judge Jackwig will require compliance with paragraph C of the rule.)</p>	
7	<p>Sanctions</p> <p>FRBP 9011(c)(1)(A), 9013</p> <p>Note: FRBP 9011 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion for Sanctions • COS (cc) on trustee or debtor in possession per FRBP 9013 and on the party against whom sanctions are sought per FRBP 	<ul style="list-style-type: none"> • Clerk schedules telephonic or courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the

	7011. 4100: 22		7004 and 9011 <ul style="list-style-type: none"> • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013, on the party against whom sanctions are sought per FRBP 7004 and 9011 and, where applicable, on the UST per FRBP 9034 <p>Note: Actual filing/docketing of the motion is delayed or prevented in certain circumstances set forth in FRBP 9011(c)(1)(A).</p>	<p>motion and on movant.</p> <ul style="list-style-type: none"> • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
8	<p>Protection of Persons Subject to Subpoenas (Compelling Production)</p> <p>FRBP 9016/45(c)(2)(B), 9013</p> <p>Note: FRBP 9016 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7045.</p> <p>4100: 7</p>	Party serving the subpoena	<ul style="list-style-type: none"> • Motion to Compel • COS (cc) on trustee or debtor in possession per FRBP 9013 and on person subject to subpoena per FRBP 9016/45(c)(2)(B) • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013, where applicable, on the UST per FRBP 9034, and on person subject to subpoena per FRBP 9016/45(c)(2)(B). 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
9	<p>Protection of Persons Subject to Subpoenas (Quashing or</p>	Person subject to subpoena	<ul style="list-style-type: none"> • Motion to Quash or modify subpoena 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters

	<p>Modifying Subpoena)</p> <p>FRBP 9016/45(c)(3)(A), 9013</p> <p>Note: FRBP 9016 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7045.</p> <p>4100: 20</p>		<ul style="list-style-type: none"> • COS (cc) on trustee or debtor in possession per FRBP 9013 and on person serving subpoena • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013, where applicable, on the UST per FRBP 9034, and on person serving subpoena 	<p>order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
10	<p>Compromise</p> <p>FRBP 9019(a), 9013</p> <p>4100: 8</p>	<p>Trustee or Debtor in Possession</p> <p>Note: Trustee should use trustee event SDIa-202</p>	<ul style="list-style-type: none"> • Motion to Compromise Controversy • COS on all creditors and trustee per General Order regarding this Court's Conversion to CM/ECF and on UST per FRBP 9034(b) 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves electronically or via the BNC on everyone in the chapter case per FRBP 2002(a)(3) and (k) • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
11	<p>Contempt Proceedings</p>	<p>Party in interest</p>	<ul style="list-style-type: none"> • Motion for Contempt 	<ul style="list-style-type: none"> • Clerk schedules telephonic or

	FRBP 9020, 9013, 9014 4100: 8		<ul style="list-style-type: none"> • COS trustee or debtor in possession and on party against whom relief is sought per FRBP 9013 and 9014 	<p>courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant.</p> <ul style="list-style-type: none"> • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling hearing) and serves order electronically.
12	<p>New Trials</p> <p>FRBP 9023/59(a), (b) and (c), 9006(b)(2), 9013</p> <p>Note: FRBP 9023 applies in chapter cases (cc), except as provided in FRBP 3008, and in adversary proceedings (ap). There is no FRBP 7059.</p> <p>4100: 28</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion • COS (cc) on trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
13	<p>Amendments of Judgments</p> <p>FRBP 9023/59(e),</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion • COS (cc) on trustee or debtor 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters

	<p>9006(b)(2), 9013</p> <p>Note: FRBP 9023 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7059.</p> <p>4100: 28</p>		<p>in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties</p> <ul style="list-style-type: none"> • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<p>order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
14	<p>Relief from Judgment or Order (Clerical Mistakes)</p> <p>FRBP 9024/60(a), 9013</p> <p>Note: FRBP 9024 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7060.</p> <p>4100: 18</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion for Nunc Pro Tunc Order • COS (cc) on trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<ul style="list-style-type: none"> • Assigned judge grants or denies without notice and a hearing
15	<p>Relief from Judgment or Order (Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud, etc.)</p> <p>FRBP 9024/60(b), 9006(b)(2), 9013</p>	<p>Party in interest (cc)</p> <p>Any party (ap)</p>	<ul style="list-style-type: none"> • Motion for Relief from Order • COS (cc) on trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 and on any interested parties 	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH &

	<p>Note: FRBP 9024 applies in chapter cases (cc) and in adversary proceedings (ap). There is no FRBP 7060.</p> <p>Note: FRBP 9024 does not apply in certain instances that are set forth in its introductory paragraph.</p> <p>4100: 21</p>		<ul style="list-style-type: none"> • COS (ap) on all parties per FRBP 7005/5(a), on the trustee or debtor in possession per FRBP 9013 and, where applicable, on the UST per FRBP 9034 	<p>BD electronically or via the BNC on entities that received the motion and on movant.</p> <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
16	<p>Removal</p> <p>28 USC § 1452(a) FRBP 9027(a)</p> <p>Note: FRBP 9027 is derived in part from FRCP 81. There is no FRBP 7081.</p> <p>4100:18</p>	<p>Party seeking removal of federal or state civil action pending in the Southern District of Iowa</p>	<ul style="list-style-type: none"> • Notice of Removal • COS on all parties to the removed claim or cause of action <p>Note: Notice should contain the information set forth in FRBP 9027(a)(1).</p>	<ul style="list-style-type: none"> • Per FRBP 7001(10), the removed action proceeds as an adversary proceeding.
17	<p>Remand</p> <p>28 USC § 1452(b) FRBP 9027(d), 9013, 9014</p> <p>4100: 21</p>	<p>Party seeking remand</p>	<ul style="list-style-type: none"> • Motion for Remand • COS on trustee or debtor in possession and on all parties to the removed matter per FRBP 9013 and 9014 	<ul style="list-style-type: none"> • Clerk schedules telephonic or courtroom hearing (per assigned judge's instructions) and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. • If no objections are filed, assigned judge reviews. If judge determines no hearing is necessary, judge or designee enters order on docket (granting motion and canceling

				hearing) and serves order electronically.
18	<p>Objections to Proposed Findings and Conclusions in Non-Core Proceedings</p> <p>FRBP 9033(b), 9006(c)(2)</p>	Party to the non-core proceeding	<ul style="list-style-type: none"> • Objection • COS on other parties to the non-core proceeding <p>Note: Objection should be filed within 10 days of service of the Court's findings of fact and conclusions of law.</p>	<ul style="list-style-type: none"> • Clerk sends objection to district court for disposition after time for responsive objection/s expires.
19	<p>Objections to Objections to Proposed Findings and Conclusions in Non-Core Proceedings</p> <p>FRBP 9033(b), 9006(c)(2)</p>	Party to the non-core proceeding who is responding to an objection (above event)	<ul style="list-style-type: none"> • Objection • COS on other parties to the non-core proceeding <p>Note: Responsive objection should be filed within 10 days of service of the objection (above event).</p>	<ul style="list-style-type: none"> • Clerk sends objection and responsive objection/s to district court for disposition after time for responsive objection/s expires.
20	<p>Extension of Time (made before time period expires)</p> <p>9033(c), 9006(b)(3), 9013</p>	Party to the non-core proceeding	<ul style="list-style-type: none"> • Motion to Extend Time before Expiration of Specified Period • COS on trustee or debtor in possession per FRBP 9013 <p>Note: Motion must set forth cause.</p>	<ul style="list-style-type: none"> • Assigned judge reviews. Judge or designee either enters order on docket and serves order electronically or schedules telephonic (no testimony) hearing and serves NOH & BD electronically or via the BNC on entities that received the motion and on movant. <p>Note: If hearing goes forward, judge will call movant and objector/s.</p>
21	<p>Extension of Time (made after time period expires)</p>	Party to the non-core proceeding	<ul style="list-style-type: none"> • Motion to Extend Time after Expiration of 	<ul style="list-style-type: none"> • Clerk prepares bar date notice and serves

	<p>9033(c), 9006(b)(3), 9013</p>		<p>Specified Period</p> <ul style="list-style-type: none"> • COS on trustee or debtor in possession per FRBP 9013 <p>Note: Motion must set forth cause <u>and</u> excusable neglect.</p>	<p>electronically or via the BNC on entities that received motion and on movant.</p> <ul style="list-style-type: none"> • If no objection/s, assigned judge reviews. Judge or designee enters order on docket and serves order electronically. • If objection/s, clerk schedules telephonic (no testimony) hearing and serves NOH electronically or via the BNC on movant and objector/s. <p>Note: The NOH will name the attorneys the judge will call.</p>
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