

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
OFFICE OF THE CLERK
P.O. BOX 26100
GREENSBORO, NORTH CAROLINA 27420-6100

September 2, 2025

To: Bankruptcy Attorneys

From: U.S. Bankruptcy Court Clerk's Office - Middle District of North Carolina

Re: Proposed Revisions to Local Rules 1002-1, 1007-2, 1009-1, 1019-1, 2002-1, 2014-1, 4001-1, 7001-1, 7056-1, 9011-2, and 9013-1; Proposed Elimination of Local Rules 2016-1 and 4003-1; and Proposed Creation of Local Rules 4001-2, 5009-1, 6004-1, 6007-1, and 9070-1.

The Local Rules Committee is seeking public comment on a number of proposed revisions to the Local Rules; the proposed elimination of two Local Rules; and the proposed creation of five Local Rules. A redlined version of the rules and a clean version of the rules, as they will read with the proposals, are attached.

The comment period for these changes will run for 30 days from the date of this notice, or through and including October 2, 2025. Further announcement on the proposals will be made after the conclusion of the 30 days, after all comments are taken into consideration. Comments should be addressed to:

**Local Rules Committee
U.S. Bankruptcy Court
P.O. Box 26100
Greensboro, NC 27420-6100**

or

ncmbml_localrules@ncmb.uscourts.gov

LOCAL RULE 1002-1
PETITION – GENERAL

(a) **Automatic Dismissal Without a Hearing.**

A petition will be dismissed without a hearing if the petition is filed by a person who, under an order of the court, may not be a debtor at the time of filing.

(b) **Dismissal after Notice and an Opportunity for Hearing.**

A petition may be dismissed after notice and an opportunity for hearing if:

- (1) the petition is not signed by the debtor(s);
- (2) the debtor does not: (i) pay the filing fee; (ii) file an application to pay the filing fee in installments (Official Form 103A); or (iii) in a case under chapter 7, file an application to have the chapter 7 filing fee waived (Official Form 103B);
- (3) the debtor does not file ~~a master mailing list or matrix with the petition~~the list required under Rule 1007(a) of the Federal Rules of Bankruptcy Procedure with the petition;
- (4) a debtor in a chapter 11 case does not file the list of 20 largest unsecured creditors (Official Form 104 for an individual debtor or Official Form 204 for a non-individual debtor) with the petition;
- (5) an individual debtor does not separately file a statement about the debtor's Social Security number (Official Form 121) contemporaneously with the petition; or
- (6) the debtor is ~~a partnership, corporation, or other business entity (other than an individual conducting business as a sole proprietorship)~~not an individual and is not represented by an attorney admitted to practice before the court in accordance with Local Rule 2090-1.

(c) **Petition Authorized by a Power of Attorney, Guardianship Order, or Similar Document.**

When a petition is signed ~~on behalf of the debtor~~ by a person acting under the authority of a power of attorney, guardianship order, or other document authorizing the person to file a petition on the debtor's behalf, a copy of the document power of attorney must be filed with the petition. ~~The power of attorney must be valid under applicable non-bankruptcy law and be:~~

- (1) ~~a general power of attorney, authorizing the attorney in fact to take any action the debtor could take with respect to claims, litigation, or similar legal proceedings;~~
~~or~~
- (2) ~~a special power of attorney, specifically authorizing the attorney in fact to file the~~
~~petition.~~

LOCAL RULE 1007-2
MAILING - LIST OR MATRIX

(a) **Mailing List ~~– Contents.~~ or Matrix Required upon Filing.**

~~The list required to be filed under Rule 1007(a) of the Federal Rules of Bankruptcy Procedure must be alphabetized and All voluntary chapter 7, 11, 12, and 13 petitions must be accompanied by an alphabetized list or matrix containing the names and addresses of all parties in interest, including all creditors;~~ appropriate governmental agencies; the taxing authority for each parcel of real estate in which the debtor holds an interest; if the debtor is a corporation or a limited liability company, the name and title of the managing agent; and if the debtor is a partnership, each member of the partnership.

(b) **Mailing List ~~or Matrix~~ Required upon Chapter 13 Conversion.**

A debtor in a chapter 13 case who files a motion to convert or a notice of voluntary conversion to any other chapter must simultaneously file an alphabetized list ~~or matrix~~ containing the names and addresses of any creditors not previously listed in the debtor's schedules.

LOCAL RULE 1009-1
AMENDMENTS TO LISTS & SCHEDULES

(a) **Service of Amendments to Petitions, Lists, Schedules, and Statements.**

Any amendment to a petition, list, schedule, ~~(including Local Form 91C)~~ or statement must be accompanied by a certificate of service. When an amendment is attached or submitted as a supplement to a motion, service of the motion is sufficient. The debtor must give notice of any amendment to a claim for property exemptions or any amendment to the petition to all creditors and other parties in interest.

(b) **Amendments to Schedules and Mailing List ~~or Matrix to Add Creditors.~~**

If an amendment adds one or more ~~entities~~~~creditors~~, the filer must serve a copy of the meeting of creditors notice on the affected ~~creditor(s)~~~~entities~~ and file a certificate of service.

LOCAL RULE 1019-1
CONVERSION – PROCEDURE FOLLOWING

(a) Disposition of Funds Held by Chapter 13 Trustee.

- (1) Retaining Funds. If a chapter 13 case is converted to a chapter 7 case, the trustee may retain possession of any funds collected but not yet disbursed at the time of the conversion pending:
 - (A) final determination as to whether the debtor converted the case in bad faith; and
 - (B) final determination as to whether all or any portion of the collected but undisbursed funds constitute prepetition wages or property acquired by the debtor before the filing of the petition.
- (2) Objection or Motion Relating to Distribution of Funds. Any objection or motion related to the distribution of funds held by the trustee must be filed within 10 days after the case is converted.

(b) Final Report and Account.

If a chapter 13 case is converted to a chapter 7 case, the trustee must file a final report and account by the later of (1) 45 days after the conversion, or (2) ~~30~~ 14 days after entry of a final order on any objection or motion described in subsection (a)(2). Filing constitutes transmission of the final report and account to the bankruptcy administrator.

LOCAL RULE 2002-1
NOTICE TO CREDITORS & OTHER INTERESTED PARTIES

(a) Limitation of Notice in Chapter 13 Cases.

After 70 days following the filing of a chapter 13 petition or the date of an order converting a case to chapter 13, all notices required by Rule 2002(a) of the Federal Rules of Bankruptcy Procedure may be mailed only to the debtor; the trustee; all indenture trustees; creditors that hold claims for which proofs of claim have been filed; creditors, if any, that are still permitted to file claims because an extension was granted under Rule 3002(c)(1) or (c)(2) of the Federal Rules of Bankruptcy Procedure; and parties in interest who expressly request notice.

(b) Recording Notice on the Public Records.

~~In a chapter 13 case, the A~~ trustee is authorized to record on the public records any documents the trustee deems advisable for the purpose of giving notice of ~~thea~~ case.

LOCAL RULE 2014-1
EMPLOYMENT OF PROFESSIONALS

(a) Proposed Arrangement for Compensation of Professional in a Chapter 11 Case.

An application to employ a professional in a chapter 11 case must disclose the proposed arrangement for compensation of the professional and be signed by the debtor, committee, or trustee (if any). If there is a retainer, the application must disclose all prepetition fees and expenses drawn down against the retainer. Any written retainer agreement must be attached to the application.

(b) Service of Application to Employ Professional in a Chapter 11 Case.

An application to employ a professional in a chapter 11 case must be served on the bankruptcy administrator, the debtor, the attorney for the debtor, all secured creditors, members of any creditors' committee, attorneys for any creditors' committee, and the trustee (if any). If there is no committee, the movant must serve the application on the 20 largest unsecured creditors in the case.

(c) Employment and Compensation of Professionals by Chapter 13 Debtors.

- (1) Notice of Employment. A debtor in a chapter 13 case is not required to file an application to employ a professional. However, the debtor must promptly provide written notice of the professional's employment to the chapter 13 trustee and the bankruptcy administrator.
- (2) Obligations Regarding Disclosure and Approval of Compensation. Nothing in subsection (c)(1) alters or limits a professional's obligations to disclose or seek approval of compensation, including, without limitation, the requirements set forth in 11 U.S.C. § 329, Rule 2016 of the Federal Rules of Bankruptcy Procedure, and any order, including any standing order of the court, as applicable.

LOCAL RULE 2016-1
COMPENSATION OF PROFESSIONALS

~~Quarterly Fee Applications in a Chapter 11 Case.~~

~~A quarterly application for the interim allowance of fees in a chapter 11 case must be filed on or before the 21st day of the month following the end of the calendar quarter for which the professional seeks such interim allowance; late filed applications will be processed in the succeeding quarter.~~

LOCAL RULE 4001-1
AUTOMATIC STAY - RELIEF FROM

(a) Motion Requirements.

In a motion for relief from stay, the following must be included if applicable:

- (1) the amount of the movant's debt as of the petition date and as of the time of the filing of the motion;
- (2) a brief description of the movant's security interest, with copies of documents evidencing the security interest and its perfection attached to the motion;
- (3) a general description of the property subject to stay;
- (4) a list of all liens encumbering the property that are identified in the debtor's schedules, if any, or otherwise known to the movant;
- (5) the basis for relief (e.g., property not necessary for reorganization, debtor has no equity, property is not property of the estate, or specific facts constituting "cause");
- (6) a valuation of the property, the basis of the valuation, and the date of the valuation; and
- (7) if the basis for relief includes the debtor's failure to make payments that became due after the filing of the bankruptcy case, a reasonably understandable post-petition account history.

(b) Presumptive Waiver of 11 U.S.C. § 362(e)(1).

If a movant seeks application of the provisions of 11 U.S.C. § 362(e)(1), the movant must so state in both the caption and body of its motion. Otherwise, the movant will be deemed to have waived the application of 11 U.S.C. § 362(e)(1), and the stay will remain in effect pending further order of the court, subject to 11 U.S.C. § 362(e)(2).

(b)(c) Proposed Orders.

A proposed order granting relief stemming from a motion for relief from stay must, if applicable:

- (1) include a description of the property subject to the stay;
- (2) if the modification of the stay is conditional, set forth separately and with specificity each condition upon which relief is to be granted;
- (3) state that the creditor has 120 days for personal property or 180 days for real property from entry of the order granting the relief to file a deficiency claim,

unless the court, for good cause shown by motion filed before the expiration of such period, extends the same; and

- (4) in chapter 7 and chapter 13 cases, state that upon disposition of the subject property, the movant must provide an explanation of any surplus to the trustee, the debtor's attorney, and the debtor within 14 days and send payment of such surplus to the trustee within 60 days, pending further order of the court regarding its distribution.

~~(e)~~(d) **Cessation of Payment in Chapter 13 Cases.**

When an order terminating the automatic stay is entered or a notice of termination of the automatic stay is filed with respect to any property, the trustee is authorized to cease payments upon all claims in the case secured by such property.

~~(d)~~(e) **Secured Creditor Duties in All Cases.**

- (1) Definition. For purposes of this subparagraph (e) and subparagraph (f), below, a "secured creditor" means:
 - (A) a creditor holding a claim secured by property for which the debtor has indicated, in the Statement of Intention (Official Form 108) or chapter 13 plan, the intent to retain the creditor's collateral by complying with the terms of the contract;
 - (B) a creditor holding a claim for which the debtor was personally liable when the debt was originally incurred and which debt is secured by the debtor's principal residence; or
 - (C) a creditor whose claim is secured by a lien on property, from whom the debtor requests (i) delivery of the same monthly account statements that the creditor sends to its non-bankruptcy customers, and/or (ii) online access to the debtor's account(s), in the same manner as existed prepetition.
- (2) Payment Coupons, Paper Statements, Online ~~or~~ Statements, and Online Access.

A secured creditor who is not receiving ~~direct payments from a debtor~~ disbursements on its claim from the trustee must send to the debtor the same monthly account statements that it sends to its non-bankruptcy customers and allow the debtor online access to the debtor's account(s) in the same manner as existed prepetition ~~all payment coupons or statements of account and other correspondence that the creditor provides to its non-debtor borrowers if (A) the debtor has indicated, in the Statement of Intention or chapter 13 plan, the intent to retain the secured creditor's collateral by complying with the terms of the contract, or (B) the debtor so requests.~~
- (3) Access to Account Information. If a secured creditor does not provide the payment coupons, paper statements, or online ~~or~~ statements of account referred to

in subsection ~~(e)~~(24), then, upon request by the debtor, that secured creditor must provide the debtor with a telephone number or other means to access account information that would normally be provided by the payment coupons, paper statements, or online ~~or~~ statements of account.

- (4) Requests for Account Information. A secured creditor must respond promptly within 28 days to ~~a trustee's or debtor's~~ any reasonable requests from the trustee or debtor for account information, -including, but not limited to, a request for evidence of a valid, perfected, and non-preferential lien and a copy of the underlying contract.

(e)(f) Modification Applicability of Automatic Stay and Discharge Injunction.

~~The automatic stay and discharge injunction are each modified as follows~~ None of the following violate the automatic stay or the discharge injunction:

- (1) a secured creditor may contact a debtor in writing about the payment of property taxes due and the status of insurance coverage on property used as collateral;
- (2) if there are direct payments to a creditor, the creditor may contact the debtor in writing about any payment in default; and
- (3) if there ~~are direct payments to a creditor~~ plan does not provide for disbursements to a secured creditor by the trustee on account of its claim, the creditor may send to the debtor the same monthly account statements that it sends to its non-bankruptcy customers and allow the debtor online access to the debtor's account(s) in the same manner as existed prepetition. ~~all payment coupons or statements of account and other correspondence to the debtor that the creditor sends to its non-debtor borrowers as described in subsection (d)(1).~~

(f)(g) Stay of Eviction, Unlawful Detainer, or Similar Action.

- (1) Deposit of Rent. Any deposit of rent made by or on behalf of a debtor under 11 U.S.C. § 362(l)(1) ~~(B)~~ must be in the form of a certified check or money order, made payable to the order of the lessor and delivered to the clerk upon the filing of the petition and the certification under 11 U.S.C. § 362(l)(1) ~~(A)~~ (Official Form 101A).
- ~~(2) Filing of Judgment. A debtor proceeding with the certification under 11 U.S.C. § 362(l)(1)(A) must file a copy of the prepetition judgment for possession of the debtor's residence with the petition.~~
- (23) Transmission to Lessor. Upon receipt of: (A) a certified check or money order made payable to the order of a lessor, and (B) a copy of the judgment for possession, and ~~(B)~~ the certification under 11 U.S.C. § 362(l)(1), the clerk will transmit the certified check or money order promptly to the lessor by certified mail to the address listed on the petition.

LOCAL RULE 4001-2
CASH COLLATERAL

(a) Request for Emergency Hearing —Required Information.

- (1) If the movant seeks a preliminary hearing under Rule 4001(b)(2)(A) of the Federal Rules of Bankruptcy Procedure, the movant must so state in both the caption and the body of the motion.
- (2) Requests must specify:
 - (A) the immediate and irreparable harm the estate will suffer if relief is not immediately granted;
 - (B) the extent of the relief required to prevent such immediate and irreparable harm to the estate; and
 - (C) all necessary information to establish the necessity of relief to avoid immediate and irreparable harm to the estate pending a final hearing.

(b) Manner of Notice.

At a minimum, notice of a preliminary hearing must be provided to all entities to be served under Rule 4001(b)(1)(C) as follows:

- (1) by electronic mail, facsimile, overnight courier (when a street address is available), or next day mail (when a street address is not available); and
 - (4) —in the manner prescribed by Rule 7004 of the Federal Rules of Bankruptcy Procedure.
- (2)

LOCAL RULE 4003-1

EXEMPTIONS

Claiming Exemptions.

~~Each debtor who is an individual and is claiming exempt property under the laws of the state of North Carolina and 11 U.S.C. § 522(b)(1) and (3) must claim such exemptions on Local Form 91C, available from the clerk's office and maintained on the court's website, www.ncmb.uscourts.gov. Local Form 91C must be referenced in Schedule C (Official Form 106C) of the debtor's schedules. Each debtor who is an individual and is claiming exempt property under 11 U.S.C. § 522(b)(2) or 11 U.S.C. § 522(b)(1) and (3) under a state's laws other than the laws of the state of North Carolina must claim such exemptions on Schedule C (Official Form 106C).~~

LOCAL RULE 5009-1
FINAL REPORT/DECREE

(a) Authorization to Pay Certain Costs of Administration in a Chapter 7 Case.

In a chapter 7 case, the trustee is authorized to pay, without motion or order the court:

- (1) all bank service fees, bond fees, and postpetition income taxes attributable to the trustee's administration of the estate; and
- (2) other non-professional chapter 7 costs of administration, in amounts not to exceed limits published on the bankruptcy administrator's website.

Published limits may be periodically reviewed and revised after consultation with and approval by the court.

(b) Review of Payments.

Payments made under subsection (a) will be subject to review in connection with the trustee's final report and accounting.

LOCAL RULE 6004-1
SALE OF ESTATE PROPERTY

Sale of Unencumbered Property.

A chapter 7 trustee or chapter 11 debtor in possession may sell unencumbered property of the estate outside the ordinary course of business under 11 U.S.C. § 363(b) without order of the court, provided that: (1) the trustee or debtor in possession does not seek any relief beyond the scope of 11 U.S.C. § 363(b), such as the distribution of sale proceeds or relief under 11 U.S.C. § 363(f); (2) notice of the proposed sale is given in accordance with Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure, as applicable; and (3) no timely objection is filed. The notice must be docketed, along with evidence of proper service.

LOCAL RULE 6007-1
ABANDONMENT

Abandonment or Disposition of Property.

A chapter 7 trustee or chapter 11 debtor in possession may abandon or dispose of property of the estate under 11 U.S.C. §§ 554 or 725 without order of the court, provided that: (1) the trustee or debtor in possession does not seek any relief beyond the scope of 11 U.S.C. §§ 554 or 725; (2) notice of the proposed sale is given in compliance with Rule 6007(a) of the Federal Rules of Bankruptcy Procedure; (3) the notice provides a description of the property at issue and the

proposed manner of abandoning or disposing of the property; and (4) no timely objection is filed. The notice must be docketed, and the chapter 7 trustee or chapter 11 debtor in possession must file a certificate of service.

LOCAL RULE 7007-1
MOTION PRACTICE (in APs)

(a) General Requirements.

A written motion in an adversary proceeding must:

- (1) state with particularity the facts supporting the motion;
- (2) clearly convey the relief requested in separately numbered paragraphs;
- (3) cite any statutes or rules of procedure relied upon as a basis for the relief requested; and
- (4) be served on the parties affected by the motion and in accordance with the requirements of the Federal Rules of Bankruptcy Procedure and these rules.

(b) Response to Motion.

A party in interest may file and serve a response to a written motion in an adversary proceeding within 2114 days after service of the motion, unless otherwise directed by the court or otherwise provided in the Federal Rules of Bankruptcy Procedure or these rules. The response may be a memorandum of law and may be accompanied by affidavits and other supporting documents. ~~If a response is not timely filed, the court may, in its discretion, rule on the motion without further notice or opportunity to be heard.~~

(c) Brief or Memorandum of Law.

(1) Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in support of a written motion in an adversary proceeding is optional but must be filed and served contemporaneously with the motion. Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in opposition to a written motion in an adversary proceeding is optional but must be filed and served within the earlier of 2114 days after service of the motion or 73 business days prior to any hearing that may be scheduled on the motion.

(2) Each brief or memorandum of law in support of a motion, or in opposition thereto, is limited in length ~~to 20 pages. Page limitations may be exceeded only by leave of the court.~~ as follows:

~~(A)~~ —Electronically Prepared Documents. Briefs and memoranda of law prepared on an electronic device may not exceed 6,250 words. The word count includes the body of the document, headings, and footnotes but

excludes the caption, signature lines, certificate of service, and any cover page or index.

(A)

(B) Hand-written Documents. Handwritten briefs and memoranda of law must be legible and may not exceed 20 pages.

(d) Ruling on Papers and Briefs.

All written motions in adversary proceedings will be considered and decided by the court on the pleadings, admissible evidence in the record, and motion papers and briefs, without hearing or oral argument, unless the court directs otherwise. Special considerations warranting a hearing or oral argument may be raised in a motion or response.

**LOCAL RULE 7056-1
SUMMARY JUDGMENT**

(a) Time for Filing of Motion.

A motion for summary judgment must be filed in accordance with the deadlines set forth in the pre-trial order in the case or proceeding.

(b) Brief or Memorandum of Law in Support and Statement of Undisputed Material Facts.

Each motion for summary judgment must be accompanied by (1) a brief or memorandum of law in support of the motion, and (2) a separate and concise “Statement of Undisputed Material Facts.” Each fact in a Statement of Undisputed Material Facts must be set forth in a separately numbered paragraph and must be supported by reference to the particular portions of the record relied upon to establish that fact. Pertinent excerpts of evidentiary documents cited must be filed contemporaneously with the motion.

(c) Brief or Memorandum of Law in Opposition and Statement of Disputed Material Facts.

Within 21 days after service of a motion for summary judgment, a party opposing such motion must file and serve (1) a brief or memorandum of law in opposition to the motion, and (2) a separate and concise “Statement of Disputed Material Facts.” Each fact in a Statement of Disputed Material Facts must be set forth in a separately numbered paragraph that corresponds to the numbered paragraph in the movant’s Statement of Undisputed Material Facts and must be supported by reference to the place in the record that supports the existence of a genuine dispute of such fact. Pertinent excerpts of evidentiary documents cited must be filed contemporaneously with the response. All facts set forth in a movant’s Statement of Undisputed Material Facts will be deemed admitted for the purpose of a motion for summary judgment unless specifically controverted by the opposing party in a Statement of Disputed Material Facts.

(d) Brief or Memorandum of Law in Reply.

A brief or memorandum of law in reply may be filed and served within 14 days after service of a brief or memorandum of law in opposition.

(e) Limitations on Length of Briefs and Memorandum of Law ~~and Statements of Facts.~~

Each brief or memorandum of law in support of a motion for summary judgment, or in opposition thereto, ~~is limited in length to 20 pages, and a brief or memorandum of law in reply is limited in length to 10 pages. Each statement of facts is limited in length to 10 pages. Page limitations may be exceeded only by leave of the court.~~ must comply with the limitations on the length of briefs from Local Rule 7007-1(c)(2). A brief or memorandum of law in reply that is electronically prepared may not exceed 3,125 words. A brief or memorandum of law in reply that is hand-written may not exceed 10 pages.

(f) Failure to File Brief or Memorandum of Law or Statement of Facts.

Failure to file a brief or memorandum of law or statement of facts within the times specified in this rule will constitute waiver of the right to file such papers, except upon a showing of excusable neglect. A motion for summary judgment unaccompanied by a required brief or memorandum of law and statement of facts may, in the discretion of the court, be summarily denied. A response unaccompanied by a required brief or memorandum of law and statement of facts may, in the discretion of the court, be disregarded, and the pending motion may be considered and decided as an uncontested motion. If a party opposing a motion for summary judgment fails to file a response within the time required by this rule, the motion may be considered and decided as an uncontested motion.

(g) Evidentiary Objections.

A party opposing a motion for summary judgment must file and serve any written objections to evidence cited in the motion no later than the date specified in subsection (c) of this rule. A movant must file and serve any written objections to evidence cited in a response to the movant's motion no later than the date specified in subsection (d) of this rule. Objections must be in separate documents and must (1) state with particularity the evidence to which objection is made, including citation to the record, and (2) describe the legal basis for the objection. Failure to timely object to evidence cited may be deemed a waiver of objection for purposes of summary judgment.

**LOCAL RULE 9011-2
PRO SE PARTIES**

Business Entities.

All ~~partnerships, corporations, and other business~~ non-individual entities ~~(other than individuals conducting businesses as sole proprietorships)~~ that appear in a case or proceeding before the

court must be represented by an attorney duly admitted to practice before the court in accordance with Local Rule 2090-1, except in the following instances:

- ~~• a business entity employed as a professional under 11 U.S.C. § 327 may file an interim or final fee application pro se;~~
- a business entity may file a proof of claim pro se;
- a business entity may appear at a meeting of creditors under 11 U.S.C. § 341 pro se; and
- a business entity may file a response to a notice transferring the entity's proof of claim pro se.

LOCAL RULE 9013-1 MOTION PRACTICE

(a) Motion Defined.

For the purposes of this rule, a “motion” includes any request for relief, proposed action, or application in a case. A motion does not include a petition, a proof of claim, an objection to a proof of claim, or a proposed order. A letter received by the court need not be considered a motion.

(b) Form of Motion.

- (1) Required Information. A written motion must:
 - (A) state with particularity the facts supporting the motion;
 - (B) clearly convey the relief requested in separately numbered paragraphs;
 - (C) cite any statutes or rules of procedure relied upon as a basis for the relief requested; and
 - (D) be served on the parties affected by the motion and in accordance with the requirements of the Federal Rules of Bankruptcy Procedure and these rules.
- (2) Optional Information. A written motion may:
 - (A) include authorities and arguments; and
 - (B) be accompanied by affidavits; declarations complying with 28 U.S.C. § 1746, to the extent they contain admissible evidence from competent witnesses with personal knowledge; and other supporting documents.
- (3) Supporting Documents. Any documents in support of a motion must be filed and served contemporaneously with the motion.

(c) Combining Multiple Requests for Relief.

- (1) When Combined Requests Are Allowed. Except as provided in subsection (c)(2), multiple requests for relief may be combined in a single written motion if those requests are based on identical facts or arise out of the same transaction or series of transactions; however, if the requests require different noticing procedures, the clerk may require the requests to be filed as separate motions before proceeding with applicable noticing procedures.
- (2) When Combined Requests Are Not Allowed. Multiple requests to (i) avoid judicial liens with respect to the same property, or (ii) determine the secured claim amounts of governmental units with respect to the same property may not be combined in a single motion. Multiple requests for relief not based on identical facts or not arising out of the same transaction or series of transactions also may not be combined in a single motion.

(d) Response to Motion.

Unless otherwise directed by the court or otherwise provided in the Federal Rules of Bankruptcy Procedure or these rules, a party in interest may file and serve a response to a motion (1) by the date indicated in the notice issued by the clerk's office, or, if no date is indicated in the notice, (2) within the earlier of 14 days after service of the motion or 3 business days prior to the date of the hearing on the motion. The response may be accompanied by affidavits; declarations complying with 28 U.S.C. § 1746, to the extent they contain admissible evidence from competent witnesses with personal knowledge; and other supporting documents. Any such documents in support of a response must be filed and served contemporaneously with the response. At a minimum, a response must contain sufficient information to reasonably disclose the basis for the party's

(e) Brief or Memorandum of Law.

Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in support of a motion is optional but must be filed and served contemporaneously with the motion. Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in opposition to a motion is optional but must be filed and served within the earlier of ~~14~~ 21 days after the service of the motion or ~~7~~ 3 business days prior to any hearing that may be scheduled on the motion. -Each brief or memorandum must comply with the limitations on the length of briefs from Local Rule 7007-1(c)(2).

(f) Hearing on Motion.

Unless the court orders otherwise, the clerk will set all hearing dates and provide notice or designate other parties to do so in accordance with Local Rule 9007-1.

(g) Disclosure Requirements Inapplicable.

Unless the court orders otherwise, the disclosure requirements imposed by Rule 26(a) of the Federal Rules of Civil Procedure are inapplicable to contested matters.

LOCAL RULE 9070-1

EXHIBITS

Retention and Disposal of Exhibits.

Exhibits admitted into evidence will be retained by the clerk's office until 30 days after the later of: (1) the closing of the main bankruptcy case; or (2) the entry of a final, non-appealable order in any pending adversary proceeding or contested matter to which the exhibits relate. The party that introduced the exhibits will be responsible for their removal. Exhibits not removed within the 30-day period may be destroyed or otherwise disposed of by the clerk.

LOCAL RULE 1002-1
PETITION – GENERAL

(a) Automatic Dismissal Without a Hearing.

A petition will be dismissed without a hearing if the petition is filed by a person who, under an order of the court, may not be a debtor at the time of filing.

(b) Dismissal after Notice and an Opportunity for Hearing.

A petition may be dismissed after notice and an opportunity for hearing if:

- (1) the petition is not signed by the debtor(s);
- (2) the debtor does not: (i) pay the filing fee; (ii) file an application to pay the filing fee in installments (Official Form 103A); or (iii) in a case under chapter 7, file an application to have the chapter 7 filing fee waived (Official Form 103B);
- (3) the debtor does not file the list required under Rule 1007(a) of the Federal Rules of Bankruptcy Procedure with the petition;
- (4) a debtor in a chapter 11 case does not file the list of 20 largest unsecured creditors (Official Form 104 for an individual debtor or Official Form 204 for a non-individual debtor) with the petition;
- (5) an individual debtor does not separately file a statement about the debtor's Social Security number (Official Form 121) contemporaneously with the petition; or
- (6) the debtor is not an individual and is not represented by an attorney admitted to practice before the court in accordance with Local Rule 2090-1.

(c) Petition Authorized by a Power of Attorney, Guardianship Order, or Similar Document.

When a petition is signed by a person acting under the authority of a power of attorney, guardianship order, or other document authorizing the person to file a petition on the debtor's behalf, a copy of the document must be filed with the petition.

LOCAL RULE 1007-2
MAILING - LIST OR MATRIX

(a) Mailing List – Contents.

The list required to be filed under Rule 1007(a) of the Federal Rules of Bankruptcy Procedure must be alphabetized and include appropriate governmental agencies; the taxing authority for each parcel of real estate in which the debtor holds an interest; if the debtor is a corporation or a limited liability company, the name and title of the managing agent; and if the debtor is a partnership, each member of the partnership.

(b) Mailing List Required upon Chapter 13 Conversion.

A debtor in a chapter 13 case who files a motion to convert or a notice of voluntary conversion to any other chapter must simultaneously file an alphabetized list containing the names and addresses of any creditors not previously listed in the debtor's schedules.

**LOCAL RULE 1009-1
AMENDMENTS TO LISTS & SCHEDULES**

(a) Service of Amendments to Petitions, Lists, Schedules, and Statements.

Any amendment to a petition, list, schedule, or statement must be accompanied by a certificate of service. When an amendment is attached or submitted as a supplement to a motion, service of the motion is sufficient. The debtor must give notice of any amendment to a claim for property exemptions or any amendment to the petition to all creditors and other parties in interest.

(b) Amendments to Schedules and Mailing List.

If an amendment adds one or more entities, the filer must serve a copy of the meeting of creditors notice on the affected entities and file a certificate of service.

**LOCAL RULE 1019-1
CONVERSION – PROCEDURE FOLLOWING**

(a) Disposition of Funds Held by Chapter 13 Trustee.

- (1) Retaining Funds. If a chapter 13 case is converted to a chapter 7 case, the trustee may retain possession of any funds collected but not yet disbursed at the time of the conversion pending:
 - (A) final determination as to whether the debtor converted the case in bad faith; and
 - (B) final determination as to whether all or any portion of the collected but undisbursed funds constitute prepetition wages or property acquired by the debtor before the filing of the petition.
- (2) Objection or Motion Relating to Distribution of Funds. Any objection or motion related to the distribution of funds held by the trustee must be filed within 10 days after the case is converted.

(b) Final Report and Account.

If a chapter 13 case is converted to a chapter 7 case, the trustee must file a final report and account by the later of (1) 45 days after the conversion, or (2) 30 days after entry of a

final order on any objection or motion described in subsection (a)(2). Filing constitutes transmission of the final report and account to the bankruptcy administrator.

LOCAL RULE 2002-1
NOTICE TO CREDITORS & OTHER INTERESTED PARTIES

(a) Limitation of Notice in Chapter 13 Cases.

After 70 days following the filing of a chapter 13 petition or the date of an order converting a case to chapter 13, all notices required by Rule 2002(a) of the Federal Rules of Bankruptcy Procedure may be mailed only to the debtor; the trustee; all indenture trustees; creditors that hold claims for which proofs of claim have been filed; creditors, if any, that are still permitted to file claims because an extension was granted under Rule 3002(c)(1) or (c)(2) of the Federal Rules of Bankruptcy Procedure; and parties in interest who expressly request notice.

(b) Recording Notice on the Public Records.

A trustee is authorized to record on the public records any documents the trustee deems advisable for the purpose of giving notice of a case.

LOCAL RULE 2014-1
EMPLOYMENT OF PROFESSIONALS

(a) Proposed Arrangement for Compensation of Professional in a Chapter 11 Case.

An application to employ a professional in a chapter 11 case must disclose the proposed arrangement for compensation of the professional and be signed by the debtor, committee, or trustee (if any). If there is a retainer, the application must disclose all prepetition fees and expenses drawn down against the retainer. Any written retainer agreement must be attached to the application.

(b) Service of Application to Employ Professional in a Chapter 11 Case.

An application to employ a professional in a chapter 11 case must be served on the bankruptcy administrator, the debtor, the attorney for the debtor, all secured creditors, members of any creditors' committee, attorneys for any creditors' committee, and the trustee (if any). If there is no committee, the movant must serve the application on the 20 largest unsecured creditors in the case.

(c) Employment and Compensation of Professionals by Chapter 13 Debtors.

(1) Notice of Employment. A debtor in a chapter 13 case is not required to file an application to employ a professional. However, the debtor must promptly provide

written notice of the professional's employment to the chapter 13 trustee and the bankruptcy administrator.

- (2) **Obligations Regarding Disclosure and Approval of Compensation.** Nothing in subsection (c)(1) alters or limits a professional's obligations to disclose or seek approval of compensation, including, without limitation, the requirements set forth in 11 U.S.C. § 329, Rule 2016 of the Federal Rules of Bankruptcy Procedure, and any order, including any standing order of the court, as applicable.

LOCAL RULE 4001-1

AUTOMATIC STAY - RELIEF FROM

(a) Motion Requirements.

In a motion for relief from stay, the following must be included if applicable:

- (1) the amount of the movant's debt as of the petition date and as of the time of the filing of the motion;
- (2) a brief description of the movant's security interest, with copies of documents evidencing the security interest and its perfection attached to the motion;
- (3) a general description of the property subject to stay;
- (4) a list of all liens encumbering the property that are identified in the debtor's schedules, if any, or otherwise known to the movant;
- (5) the basis for relief (e.g., property not necessary for reorganization, debtor has no equity, property is not property of the estate, or specific facts constituting "cause");
- (6) a valuation of the property, the basis of the valuation, and the date of the valuation; and
- (7) if the basis for relief includes the debtor's failure to make payments that became due after the filing of the bankruptcy case, a reasonably understandable post-petition account history.

(b) Presumptive Waiver of 11 U.S.C. § 362(e)(1).

If a movant seeks application of the provisions of 11 U.S.C. § 362(e)(1), the movant must so state in both the caption and body of its motion. Otherwise, the movant will be deemed to have waived the application of 11 U.S.C. § 362(e)(1), and the stay will remain in effect pending further order of the court, subject to 11 U.S.C. § 362(e)(2).

(c) Proposed Orders.

A proposed order granting relief stemming from a motion for relief from stay must, if applicable:

- (1) include a description of the property subject to the stay;
- (2) if the modification of the stay is conditional, set forth separately and with specificity each condition upon which relief is to be granted;
- (3) state that the creditor has 120 days for personal property or 180 days for real property from entry of the order granting the relief to file a deficiency claim, unless the court, for good cause shown by motion filed before the expiration of such period, extends the same; and
- (4) in chapter 7 and chapter 13 cases, state that upon disposition of the subject property, the movant must provide an explanation of any surplus to the trustee, the debtor's attorney, and the debtor within 14 days and send payment of such surplus to the trustee within 60 days, pending further order of the court regarding its distribution.

(d) Cessation of Payment in Chapter 13 Cases.

When an order terminating the automatic stay is entered or a notice of termination of the automatic stay is filed with respect to any property, the trustee is authorized to cease payments upon all claims in the case secured by such property.

(e) Secured Creditor Duties in All Cases.

- (1) **Definition.** For purposes of this subparagraph (e) and subparagraph (f), below, a "secured creditor" means:
 - (A) a creditor holding a claim secured by property for which the debtor has indicated, in the Statement of Intention (Official Form 108) or chapter 13 plan, the intent to retain the creditor's collateral by complying with the terms of the contract;
 - (B) a creditor holding a claim for which the debtor was personally liable when the debt was originally incurred and which debt is secured by the debtor's principal residence; or
 - (C) a creditor whose claim is secured by a lien on property, from whom the debtor requests (i) delivery of the same monthly account statements that the creditor sends to its non-bankruptcy customers, and/or (ii) online access to the debtor's account(s), in the same manner as existed prepetition.
- (2) **Payment Coupons, Paper Statements, Online Statements, and Online Access.** A secured creditor who is not receiving disbursements on its claim from the trustee must send to the debtor the same monthly account statements that it sends to its

non-bankruptcy customers and allow the debtor online access to the debtor's account(s) in the same manner as existed prepetition.

- (3) Access to Account Information. If a secured creditor does not provide the payment coupons, paper statements, or online statements of account referred to in subsection (e)(2), then, upon request by the debtor, that secured creditor must provide the debtor with a telephone number or other means to access account information that would normally be provided by the payment coupons, paper statements, or online statements of account.
- (4) Requests for Account Information. A secured creditor must respond within 28 days to any reasonable requests from the trustee or debtor for account information, including, but not limited to, a request for evidence of a valid, perfected, and non-preferential lien and a copy of the underlying contract.

(f) Applicability of Automatic Stay and Discharge Injunction.

None of the following violate the automatic stay or the discharge injunction:

- (1) a secured creditor may contact a debtor in writing about the payment of property taxes due and the status of insurance coverage on property used as collateral;
- (2) if there are direct payments to a creditor, the creditor may contact the debtor in writing about any payment in default; and
- (3) if the plan does not provide for disbursements to a secured creditor by the trustee on account of its claim, the creditor may send to the debtor the same monthly account statements that it sends to its non-bankruptcy customers and allow the debtor online access to the debtor's account(s) in the same manner as existed prepetition.

(g) Stay of Eviction, Unlawful Detainer, or Similar Action.

- (1) Deposit of Rent. Any deposit of rent made by or on behalf of a debtor under 11 U.S.C. § 362(l)(1) must be in the form of a certified check or money order, made payable to the order of the lessor and delivered to the clerk upon the filing of the petition and the certification under 11 U.S.C. § 362(l)(1) (Official Form 101A).
- (2) Transmission to Lessor. Upon receipt of: (A) a certified check or money order made payable to the order of a lessor, and (B) the certification under 11 U.S.C. § 362(l)(1), the clerk will transmit the certified check or money order promptly to the lessor by certified mail to the address listed on the petition.

(a) Request for Emergency Hearing Required Information.

- (1) If the movant seeks a preliminary hearing under Rule 4001(b)(2)(A) of the Federal Rules of Bankruptcy Procedure, the movant must so state in both the caption and the body of the motion.
- (2) Requests must specify:
 - (A) the immediate and irreparable harm the estate will suffer if relief is not immediately granted;
 - (B) the extent of the relief required to prevent such immediate and irreparable harm to the estate; and
 - (C) all necessary information to establish the necessity of relief to avoid immediate and irreparable harm to the estate pending a final hearing.

(b) Manner of Notice.

At a minimum, notice of a preliminary hearing must be provided to all entities to be served under Rule 4001(b)(1)(C) as follows:

- (1) by electronic mail, facsimile, overnight courier (when a street address is available), or next day mail (when a street address is not available); and
- (2) in the manner prescribed by Rule 7004 of the Federal Rules of Bankruptcy Procedure.

**LOCAL RULE 5009-1
FINAL REPORT/DECREE**

(a) Authorization to Pay Certain Costs of Administration in a Chapter 7 Case.

In a chapter 7 case, the trustee is authorized to pay, without motion or order the court:

- (1) all bank service fees, bond fees, and postpetition income taxes attributable to the trustee's administration of the estate; and
- (2) other non-professional chapter 7 costs of administration, in amounts not to exceed limits published on the bankruptcy administrator's website.

Published limits may be periodically reviewed and revised after consultation with and approval by the court.

(b) Review of Payments.

Payments made under subsection (a) will be subject to review in connection with the trustee's final report and accounting.

LOCAL RULE 6004-1
SALE OF ESTATE PROPERTY

Sale of Unencumbered Property.

A chapter 7 trustee or chapter 11 debtor in possession may sell unencumbered property of the estate outside the ordinary course of business under 11 U.S.C. § 363(b) without order of the court, provided that: (1) the trustee or debtor in possession does not seek any relief beyond the scope of 11 U.S.C. § 363(b), such as the distribution of sale proceeds or relief under 11 U.S.C. § 363(f); (2) notice of the proposed sale is given in accordance with Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure, as applicable; and (3) no timely objection is filed. The notice must be docketed, along with evidence of proper service.

LOCAL RULE 6007-1
ABANDONMENT

Abandonment or Disposition of Property.

A chapter 7 trustee or chapter 11 debtor in possession may abandon or dispose of property of the estate under 11 U.S.C. §§ 554 or 725 without order of the court, provided that: (1) the trustee or debtor in possession does not seek any relief beyond the scope of 11 U.S.C. §§ 554 or 725; (2) notice of the proposed sale is given in compliance with Rule 6007(a) of the Federal Rules of Bankruptcy Procedure; (3) the notice provides a description of the property at issue and the proposed manner of abandoning or disposing of the property; and (4) no timely objection is filed. The notice must be docketed, and the chapter 7 trustee or chapter 11 debtor in possession must file a certificate of service.

LOCAL RULE 7007-1
MOTION PRACTICE (in APs)

(a) General Requirements.

A written motion in an adversary proceeding must:

- (1) state with particularity the facts supporting the motion;
- (2) clearly convey the relief requested in separately numbered paragraphs;
- (3) cite any statutes or rules of procedure relied upon as a basis for the relief requested; and
- (4) be served on the parties affected by the motion and in accordance with the requirements of the Federal Rules of Bankruptcy Procedure and these rules.

(b) Response to Motion.

A party in interest may file and serve a response to a written motion in an adversary proceeding within 21 days after service of the motion, unless otherwise directed by the court or otherwise provided in the Federal Rules of Bankruptcy Procedure or these rules. The response may be a memorandum of law and may be accompanied by affidavits and other supporting documents.

(c) Brief or Memorandum of Law.

(1) Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in support of a written motion in an adversary proceeding is optional but must be filed and served contemporaneously with the motion. Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in opposition to a written motion in an adversary proceeding is optional but must be filed and served within the earlier of 21 days after service of the motion or 7 business days prior to any hearing that may be scheduled on the motion.

(2) Each brief or memorandum of law in support of a motion, or in opposition thereto, is limited in length as follows:

(A) Electronically Prepared Documents. Briefs and memoranda of law prepared on an electronic device may not exceed 6,250 words. The word count includes the body of the document, headings, and footnotes but excludes the caption, signature lines, certificate of service, and any cover page or index.

(B) Hand-written Documents. Handwritten briefs and memoranda of law must be legible and may not exceed 20 pages.

(d) Ruling on Papers and Briefs.

All written motions in adversary proceedings will be considered and decided by the court on the pleadings, admissible evidence in the record, and motion papers and briefs, without hearing or oral argument, unless the court directs otherwise. Special considerations warranting a hearing or oral argument may be raised in a motion or response.

**LOCAL RULE 7056-1
SUMMARY JUDGMENT**

(a) Time for Filing of Motion.

A motion for summary judgment must be filed in accordance with the deadlines set forth in the pre-trial order in the case or proceeding.

(b) Brief or Memorandum of Law in Support and Statement of Undisputed Material

Facts.

Each motion for summary judgment must be accompanied by (1) a brief or memorandum of law in support of the motion, and (2) a separate and concise “Statement of Undisputed Material Facts.” Each fact in a Statement of Undisputed Material Facts must be set forth in a separately numbered paragraph and must be supported by reference to the particular portions of the record relied upon to establish that fact. Pertinent excerpts of evidentiary documents cited must be filed contemporaneously with the motion.

(c) Brief or Memorandum of Law in Opposition and Statement of Disputed Material Facts.

Within 21 days after service of a motion for summary judgment, a party opposing such motion must file and serve (1) a brief or memorandum of law in opposition to the motion, and (2) a separate and concise “Statement of Disputed Material Facts.” Each fact in a Statement of Disputed Material Facts must be set forth in a separately numbered paragraph that corresponds to the numbered paragraph in the movant’s Statement of Undisputed Material Facts and must be supported by reference to the place in the record that supports the existence of a genuine dispute of such fact. Pertinent excerpts of evidentiary documents cited must be filed contemporaneously with the response. All facts set forth in a movant’s Statement of Undisputed Material Facts will be deemed admitted for the purpose of a motion for summary judgment unless specifically controverted by the opposing party in a Statement of Disputed Material Facts.

(d) Brief or Memorandum of Law in Reply.

A brief or memorandum of law in reply may be filed and served within 14 days after service of a brief or memorandum of law in opposition.

(e) Limitations on Length of Briefs and Memorandum of Law.

Each brief or memorandum of law in support of a motion for summary judgment, or in opposition thereto, must comply with the limitations on the length of briefs from Local Rule 7007-1(c)(2). A brief or memorandum of law in reply that is electronically prepared may not exceed 3,125 words. A brief or memorandum of law in reply that is hand-written may not exceed 10 pages.

(f) Failure to File Brief or Memorandum of Law or Statement of Facts.

Failure to file a brief or memorandum of law or statement of facts within the times specified in this rule will constitute waiver of the right to file such papers, except upon a showing of excusable neglect. A motion for summary judgment unaccompanied by a required brief or memorandum of law and statement of facts may, in the discretion of the court, be summarily denied. A response unaccompanied by a required brief or memorandum of law and statement of facts may, in the discretion of the court, be disregarded, and the pending motion may be considered and decided as an uncontested motion. If a party opposing a motion for summary judgment fails to file a response within

the time required by this rule, the motion may be considered and decided as an uncontested motion.

(g) Evidentiary Objections.

A party opposing a motion for summary judgment must file and serve any written objections to evidence cited in the motion no later than the date specified in subsection (c) of this rule. A movant must file and serve any written objections to evidence cited in a response to the movant's motion no later than the date specified in subsection (d) of this rule. Objections must be in separate documents and must (1) state with particularity the evidence to which objection is made, including citation to the record, and (2) describe the legal basis for the objection. Failure to timely object to evidence cited may be deemed a waiver of objection for purposes of summary judgment.

**LOCAL RULE 9011-2
PRO SE PARTIES**

Business Entities.

All non-individual entities that appear in a case or proceeding before the court must be represented by an attorney duly admitted to practice before the court in accordance with Local Rule 2090-1, except in the following instances:

- a business entity may file a proof of claim pro se;
- a business entity may appear at a meeting of creditors under 11 U.S.C. § 341 pro se; and
- a business entity may file a response to a notice transferring the entity's proof of claim pro se.

**LOCAL RULE 9013-1
MOTION PRACTICE**

(a) Motion Defined.

For the purposes of this rule, a "motion" includes any request for relief, proposed action, or application in a case. A motion does not include a petition, a proof of claim, an objection to a proof of claim, or a proposed order. A letter received by the court need not be considered a motion.

(b) Form of Motion.

- (1) Required Information. A written motion must:
- (A) state with particularity the facts supporting the motion;
 - (B) clearly convey the relief requested in separately numbered paragraphs;

- (C) cite any statutes or rules of procedure relied upon as a basis for the relief requested; and
 - (D) be served on the parties affected by the motion and in accordance with the requirements of the Federal Rules of Bankruptcy Procedure and these rules.
- (2) Optional Information. A written motion may:
 - (A) include authorities and arguments; and
 - (B) be accompanied by affidavits; declarations complying with 28 U.S.C. § 1746, to the extent they contain admissible evidence from competent witnesses with personal knowledge; and other supporting documents.
- (3) Supporting Documents. Any documents in support of a motion must be filed and served contemporaneously with the motion.

(c) Combining Multiple Requests for Relief.

- (1) When Combined Requests Are Allowed. Except as provided in subsection (c)(2), multiple requests for relief may be combined in a single written motion if those requests are based on identical facts or arise out of the same transaction or series of transactions; however, if the requests require different noticing procedures, the clerk may require the requests to be filed as separate motions before proceeding with applicable noticing procedures.
- (2) When Combined Requests Are Not Allowed. Multiple requests to (i) avoid judicial liens with respect to the same property, or (ii) determine the secured claim amounts of governmental units with respect to the same property may not be combined in a single motion. Multiple requests for relief not based on identical facts or not arising out of the same transaction or series of transactions also may not be combined in a single motion.

(d) Response to Motion.

Unless otherwise directed by the court or otherwise provided in the Federal Rules of Bankruptcy Procedure or these rules, a party in interest may file and serve a response to a motion (1) by the date indicated in the notice issued by the clerk's office, or, if no date is indicated in the notice, (2) within the earlier of 14 days after service of the motion or 3 business days prior to the date of the hearing on the motion. The response may be accompanied by affidavits; declarations complying with 28 U.S.C. § 1746, to the extent they contain admissible evidence from competent witnesses with personal knowledge; and other supporting documents. Any such documents in support of a response must be filed and served contemporaneously with the response. At a minimum, a response must contain sufficient information to reasonably disclose the basis for the party's

(e) Brief or Memorandum of Law.

Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in support of a motion is optional but must be filed and served contemporaneously with the motion. Unless otherwise directed by the court or provided in these rules, a brief or memorandum of law in opposition to a motion is optional but must be filed and served within the earlier of 21 days after the service of the motion or 7 business days prior to any hearing that may be scheduled on the motion. Each brief or memorandum must comply with the limitations on the length of briefs from Local Rule 7007-1(c)(2).

(f) Hearing on Motion.

Unless the court orders otherwise, the clerk will set all hearing dates and provide notice or designate other parties to do so in accordance with Local Rule 9007-1.

(g) Disclosure Requirements Inapplicable.

Unless the court orders otherwise, the disclosure requirements imposed by Rule 26(a) of the Federal Rules of Civil Procedure are inapplicable to contested matters.

**LOCAL RULE 9070-1
EXHIBITS**

Retention and Disposal of Exhibits.

Exhibits admitted into evidence will be retained by the clerk's office until 30 days after the later of: (1) the closing of the main bankruptcy case; or (2) the entry of a final, non-appealable order in any pending adversary proceeding or contested matter to which the exhibits relate. The party that introduced the exhibits will be responsible for their removal. Exhibits not removed within the 30-day period may be destroyed or otherwise disposed of by the clerk.