IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

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| In re: | § | |
| COMPLEX CHAPTER 11 CASES | § | ADMINISTRATIVE ORDER NO. 02-03 |
| | § | |

**ORDER IMPLEMENTING PROCEDURES FOR COMPLEX CHAPTER 11 CASES**

The Court finds that there is a need to implement certain procedures to better serve the public and the bar in Complex Chapter 11 Cases. Accordingly, it is hereby

**ORDERED** that the following procedures shall be implemented in Complex Chapter 11 Cases, **EFFECTIVE AUGUST 1, 2002.**

1. A "Complex Chapter 11 Case" is defined as a case filed in the District of Maryland under Chapter 11 of the U. S. Bankruptcy Code that may require special scheduling and other procedures because of a combination of one or more of the following factors:

   A. The need for "first day" emergency hearings for consideration of the use of cash collateral, debtor in possession financing, and other matters vital to the survival of the business;

   B. The size of the case (usually total debt of $50 million or more);

   C. The large number of creditors and other parties in interest in the case;

   D. The fact that claims against the debtor and/or equity interests in the debtor are publicly traded (with some creditors possibly being represented by indenture trustees);

   E. The need for simplification of noticing and hearing procedures to reduce delays and expense; or

   F. Other similar factors.

2. If any party commencing a Chapter 11 case believes that the case should be classified as a Complex Chapter 11 Case, the party shall file **with the bankruptcy petition** a Request for Designation as Complex Chapter 11 Case **(Form CCP-1)**.

3. Upon the filing of the Request, the Court shall set hearings (collectively, the "Initial Hearing") on emergency motions seeking immediate relief ("First Day Motions") without a requirement of a motion for expedited hearing. The Court shall set hearings on First Day Motions as soon as practicable upon at least 24 hours notice. Counsel for the filing party shall telephonically notify the judge's law clerk for the assigned judge that First Day

Motions are being filed and courtesy copies of all such motions and proposed orders shall be provided to Chambers during regular business hours, no later than the time of the filing of the First Day Motions.

4. Counsel may seek a hearing upon less than 24 hours notice by filing a separate emergency motion for expedited hearing.

5. A. All First Day Motions must be served upon the United States Trustee, all secured creditors, the 20 largest unsecured creditors, any indenture trustee and any party in interest that has requested such service. Service shall also be made upon all counsel that represent these parties, to the extent known to the movant. Service must be completed before the motion is filed.

   B. Upon the court setting a hearing upon First Day Motions, counsel for the filing party is required to immediately notify all parties enumerated above of the hearing time and date and shall thereafter file a certificate with the Court.

   C. The filing party may telephonically request from the assigned Judge's Chambers, a hearing time and date before the First Day Motions are filed and send notice of that hearing assignment to the required service parties with service of the motion(s).

   D. Service and/or notice under this paragraph must be accompanied by hand delivery, fax or e-mail (with permission of the addressee).

6. At the Initial Hearing in the case, the assigned judge shall determine whether the case appears to be a Complex Chapter 11 Case. If the assigned judge determines that the case appears to be a Complex Chapter 11 Case, the assigned judge shall issue an Order for Complex Chapter 11 Bankruptcy Case **(Form CCP-2)**. The assigned judge shall make such changes to the form order as the judge may see fit and may rescind, revise, or issue subsequent scheduling orders at any time. If the assigned judge determines at the initial hearing that the case does not qualify as a Complex Chapter 11 Case, the assigned judge shall issue an Order Denying Complex Case Treatment at the conclusion of the hearing **(Form CCP-3)**.

Date Signed: July 31, 2002

James F. Schneider
Chief U.S. Bankruptcy Judge

Paul Mannes
U.S. Bankruptcy Judge

E. Stephen Derby
U.S. Bankruptcy Judge

Duncan W. Keir
U.S. Bankruptcy Judge



8/1/02