



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
OFFICE OF THE CLERK**

MARK A. NEAL
Clerk of Court

THOMAS C. KEARNS
Chief Deputy Clerk

www.mdb.uscourts.gov

November 1, 2016

**NOTICE OF PROPOSED AMENDMENTS
TO LOCAL BANKRUPTCY RULES**

The United States Bankruptcy Court for the District of Maryland has approved for publication and public comment amendments to the following local rules:

Rule 7012-1 – is amended to conform to the pending December 1, 2016 amendments to Federal Bankruptcy Rules 7008 and 7012(b);

Rule 7056-1 – is amended to eliminate three additional response days where a motion for summary judgment is served by electronic means to conform to the pending December 1, 2016 amendment to Federal Bankruptcy Rule 9006(f); and

Rule 9033-1 – is amended to conform to the pending December 1, 2016 amendment to Federal Bankruptcy Rule 9033.

Redline copies of the proposed local rule amendments are attached and are also available on the Court's website at: www.mdb.uscourts.gov. The pending December 1, 2016 amendments to the Federal Bankruptcy Rules are available at: <http://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>.

Comments on the proposed amended local rules must be submitted on or before November 21, 2016, to Mark A. Neal, Clerk of Court, 101 West Lombard Street, Suite 8525, Baltimore, MD 21201 or emailed to LocalRules@mdb.uscourts.gov. If adopted, the amended rules will take effect on December 1, 2016.

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RULE 7012-1

~~CORE OR NON-CORE MATTERS~~ FINAL ORDERS AND JUDGMENTS

(a) Prior to trial, ~~a~~ any party may move for a ruling as to whether the bankruptcy court may enter final orders or judgments in an adversary proceeding. ~~that an adversary proceeding is core or non-core.~~ The court will ordinarily allow adverse parties fourteen (14) days from service of the motion to file responses. Such a motion does not postpone any time periods unless ordered by the court.

(b) In addition to the provisions of Federal Bankruptcy Rules 7008(a) and 7012(b), all parties in an adversary proceeding shall include in their initial filing a statement as to whether the party consents to entry of final orders or judgments by the Bankruptcy Judge.

**RULE 7056-1 WHERE SUMMARY JUDGMENT IS REQUESTED AGAINST
PARTY WITHOUT COUNSEL**

The notice of any motion seeking summary judgment in which the non-moving party is without counsel shall conform substantially to Official Form 20A and, in addition, shall set forth the requirement for a response in substantially the following form:

NOTICE

A motion for summary judgment is a request that one or more issues in a case be decided without holding a trial. Motions for summary judgment are governed by Rule 56, Federal Rules of Civil Procedure. Summary judgment may be granted if (a) the material facts are not genuinely disputed and (b) based on those facts, the party asking for summary judgment is entitled to judgment as a matter of law. If you wish to oppose the motion, you must file with the court and serve on the other party, a written response within fourteen (14) days from the service date of the motion if it was served by hand, plus three (3) additional days if the motion was served by mail; ~~electronic means, or other means consented to in writing.~~ **If you fail to file a timely written response to the motion, the court may assume you do not oppose the motion and may grant the motion without holding a hearing.** This will result in the termination of the matter in favor of the moving party. If you disagree with any of the facts stated by the other party, you must include with your response sworn statements from yourself or other knowledgeable witnesses supporting your version of the facts. A sworn statement may take the form either of an affidavit or a declaration signed under penalty of perjury. Any documents you want the court to consider should be identified in, and attached to, the sworn statements. If you are unable to obtain sworn statements supporting your position, you must file a sworn statement stating why you are unable to obtain such statements at this time.

RULE 9033-1**PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

~~(a)~~ Designation of the Record. When a party has objected to proposed findings or conclusions pursuant to Federal Bankruptcy Rule 9033(b), for the purpose of preparing the record and identifying the issues for the District Court, the parties will follow the procedures set forth in Federal Bankruptcy Rule 8009 by treating any objection as an appeal. The bankruptcy judge may order the designated extract supplemented.

~~(b)~~ Application of Federal Bankruptcy Rule 9033 to Stern Claims. ~~Federal Bankruptcy Rule 9033 shall apply to objections to proposed findings and conclusions entered in core matters in accordance with *Stern v. Marshall*, 131 S.Ct. 2594 (2011).~~