LOCAL BANKRUPTCY RULES
OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF MARYLAND

As Revised September 1, 2011

Available online at:
www.mdb.uscourts.gov

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

In Re:	*
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REVISING LOCAL	* **ADMINISTRATIVE**
BANKRUPTCY RULES	* **ORDER NO. 11-01**
	*
	*

* * * * * * * * * * * * *

ORDER REVISING LOCAL BANKRUPTCY RULES TO CONFORM WITH THE "BANKRUPTCY TECHNICAL CORRECTIONS ACT OF 2010, " TO REMOVE "PRO SE" REFERENCES, AND TO MAKE OTHER TECHNICAL CHANGES

WHEREAS, the Court has determined that the Local Rules of this Court adopted effective December 1, 2009, require further revisions to conform to changes to the Bankruptcy Code created by the "Bankruptcy Technical Corrections Act of 2010" and to make technical changes; and

WHEREAS, the United States District Court for the District of Maryland has adopted local rules to remove "pro se" references; and

WHEREAS, the Court has determined that the Local Rules of this Court adopted effective December 1, 2009, require further revisions to remove "pro se" references to conform to such changes to the local rules for the United States District Court for the District of Maryland; and

WHEREAS, the Local Rules Committee of this Court has recommended that the Local Bankruptcy Rules of this Court be revised and adopted as follows:

a. As to Rule 1002-1(a)(8), by striking the word "preceding" and inserting the phrase "ending on".

b. As to all references to "pro se," by replacing the term "pro se" with either the term "without counsel" or the term "self-represented" in each such instance.

c. As to all references to Local Bankruptcy Form LBF-J-4, by replacing the term "Certificate of Compliance" with the term "Certificate re: BDRP Conference".

d. As to Rules 3012-1, 3012-2, and 4003-2, by expanding the required materials in support of the motion.

e. As to Rule 3022-1, by replacing the term "proponent" with "plan administrator" and

clarifying the service requirements.

f. By modifying Local Bankruptcy Form LBF N–2, to include an individual Chapter 11 debtors certification for discharge.

g. By adopting new Rule 7015-1 to clarify changes in amended pleadings.

NOW, THEREFORE, IT IS ORDERED that:

Pursuant to 28 U.S.C. section 2071, Rule 83 of the Federal Rules of Civil Procedure and Rule 9029 of the Federal Rules of Bankruptcy Procedure the recommended revisions are adopted by the judges of this Court to be effective September 1, 2011. The amendments shall be effective as to all proceedings pending in this Court on that date insofar as is just and practicable, and shall govern all proceedings in bankruptcy cases thereafter commenced in this Court.

Duncan W. Keir, Chief Judge

Dated: August 24, 2011

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF MARYLAND

F O R E W O R D

The United States District Court for the District of Maryland has adopted local rules to remove the term "pro se". The Court has determined that the Local Rules of this Court adopted effective December 1, 2009, and amended November 10, 2010, require further revisions to remove "pro se" references to conform to such changes to the local rules for the United States District Court for the District of Maryland.

Changes include the replacement of the term "pro se" with the term "without counsel" in Rules 7016-1, 7056-1, 9010-2, and 9019-2; the replacement of the term "pro se" with the term "self-represented" in rules 9010-1 and 9037-1; the replacement of the term "pro se" with the term "without counsel" in Appendix A to the Local Bankruptcy Rules; and the corresponding replacements of the terms in the Table of Contents and Key Word Index.

These Rules bear the version number "09.11" at the bottom of each page. This version supercedes all prior versions. There are no comments on minor grammatical or stylistic changes. These Rules are effective as of September 1, 2011, and govern all proceedings in bankruptcy cases thereafter commenced and, insofar as just and practicable, all proceedings in bankruptcy cases then pending.

Duncan W. Keir

Chief Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
GENERAL INFORMATION
Effective as of September, 2011
Web address: *www.mdb.uscourts.gov*

COURT ADDRESSES:

Baltimore Division
U.S. Bankruptcy Court
101 West Lombard Street, Suite 8530
Baltimore, Maryland 21201

Greenbelt Division
U.S. Bankruptcy Court
6500 Cherrywood Lane, Suite 300
Greenbelt, Maryland 20770

JUDGES OF THE COURT:

Baltimore Division
Hon. Duncan W. Keir,
Chief Judge (Recalled**)**
Hon. James F. Schneider
Hon. Nancy V. Alquist
Hon. Robert A. Gordon
Hon. David E. Rice
Hon. E. Stephen Derby (Recalled)

Greenbelt Division
Hon. Paul Mannes
Hon. Wendelin I. Lipp
Hon. Thomas J. Catliota

Clerk of the Court:
Mark D. Sammons

Dave Smith, Chief Deputy
Betty Giddings, Division Manager, Greenbelt Division
Kenneth Ridgeway, Division Manager, Baltimore Division

SCHEDULE OF FEES

Schedule of Fees may be found on the Court's website: *www.mdb.uscourts.gov*
Fees - *See also 28 U.S.C. §§ 1914 and 1930*

Cashiers Checks must be payable to: Clerk, U.S. Bankruptcy Court
(Personal Checks Not Accepted)

OFFICE HOURS

The Office of the Clerk is open daily, 8:00 a.m. to 4:00 p.m., except Saturday, Sunday and legal holidays.

NIGHT DROP BOX

A Night Drop Box is available during the following hours:

Greenbelt: Monday through Friday 4:00 p.m. until 7:00 p.m (Excluding holidays).

Baltimore: Monday through Friday 4:00 p.m. until midnight (Excluding holidays)

TELEPHONE NUMBERS

General Information Numbers

Baltimore Division.....410-962-2688
Greenbelt Division.....301-344-8018
VCIS (Baltimore and Greenbelt).....1-800-829-0145
PACER (On-Line Access Read Only).....1-800-676-6856

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THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

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PART I

RULE 1002-1 PETITION - GENERAL

(a) The petition will be dismissed without a hearing if:

(1) the petition is not signed by the debtor(s);

(2) the party filing the petition neither pays the prescribed filing fee with the petition nor files with the petition an application to pay the required fee in installments, nor files an application requesting waiver of the filing fee if eligible to do so;

(3) the debtor does not file the master mailing matrix with the petition;

(4) a Chapter 11 debtor does not file the list of twenty (20) largest unsecured creditors with the petition;

(5) the petition is submitted by a debtor who is not an individual and is not represented by an attorney who is a member of the bar of the District Court;

(6) the petition is submitted by a person who, under either 11 U.S.C. § 109(g) or an order of court, may not be a debtor at the time of the submission of the petition;

(7) a voluntary petition is filed without the debtor's social security number being provided; or

(8) in cases for individuals, the Credit Counseling Statement or request for waiver pursuant to 11 U.S.C. § 109(h)(4) is not filed and debtor has not checked the block on Exhibit D to the petition stating that debtor received approved budget and credit counseling during the 180-day period ending on the filing of the petition.

(b) Other Deficient Petitions and Papers - Notice of Deficient Filing. The Clerk can issue a notice:

(1) specifying deficiencies - except those described in subsection (a) - in the petition, schedules, and associated papers; and

(2) stating that the petition, schedule or associated papers may be stricken or the case dismissed if the deficiencies are not corrected within fourteen (14) days after the date of issuance of the deficiency notice.

RULE 1004-1 VOLUNTARY PETITION - PARTNERSHIP

A person filing a bankruptcy case for a partnership must file a certificate that the filing is authorized under the entity's partnership or operating agreement and applicable law.

RULE 1006-1 FILING FEES - INSTALLMENT PAYMENTS

(a) Tender of Payment. The filing fee may be paid in cash or by cashier's check, certified check or negotiable money order made payable to "Clerk, United States Bankruptcy Court." Only counsel may pay filing fees by credit card. Payment by counsel's check will be accepted only if the check is drawn on the account of the attorney for the debtor or on the account of a law firm of which the attorney for the debtor is a member, partner, associate or of counsel. The Clerk shall maintain a list of attorneys and law firms whose checks have been dishonored and may refuse to accept the checks of such attorneys or firms.

(b) Payment of Fees in Installments. The Clerk may approve for the court an application by an individual to pay the filing and administrative fees in installments that proposes a payment plan with minimum payments in accordance with the following schedule:

	At Filing	Within 30 Days After Filing	Within 60 Days After Filing	Within 90 Days After Filing
Chapter 7	25%	25%	25%	25%
Chapter 11	50%	50%	--	--
Chapter 12	25%	25%	25%	25%
Chapter 13	25%	25%	25%	25%

RULE 1007-1 MAILING LIST OR MATRIX

(a) Matrix Contents. A debtor must file with the voluntary petition a master mailing matrix containing the names and addresses of the debtor and all creditors. In a case under Chapter 11, the debtor must include in the matrix the taxing authority for each county in which the debtor holds an interest in real estate.

(b) Matrix Form. The master mailing matrix must be submitted in the form required by the Clerk.

(c) Supplemental Matrix. The debtor must file a supplemental mailing matrix with any schedule or amended schedule that contains a change in address or an entity entitled to notice or adds the names of an entity not listed on the original matrix. If a scheduled creditor was omitted from, or incorrectly listed on, the mailing matrix, the debtor must file a supplemental mailing matrix that corrects the error promptly after it is discovered. The supplemental matrix must conform to the form required by the Clerk.

(d) Verification. The master mailing matrix and any supplemental matrix must be dated and verified. The verification must state that to the best of the affiant's knowledge, information and belief, the matrices are accurate and complete.

RULE 1007-2 VERIFICATION OF AUTHORITY TO FILE - CORPORATIONS

A certified copy of the resolution authorizing the filing of the bankruptcy petition must be filed with a corporate debtor's voluntary petition. The resolution must show approval by the corporate body empowered by applicable law to authorize filing a bankruptcy petition.

RULE 1007-3 NOTICE TO CREDITORS OMITTED FROM OR INCORRECTLY LISTED ON MASTER MAILING MATRIX

If a debtor files schedules or a supplemental mailing matrix after filing the petition, and if the debtor's schedules or a supplemental mailing matrix include one or more creditors that were not included, or were listed incorrectly, on the debtor's master mailing matrix filed with the petition, a debtor must comply with the following procedures:

(a) Notice to Creditors. The debtor must send to each creditor that is added or whose address is corrected:

(1) a copy of the original Notice for Meeting of Creditors; and

(2) a copy of each order that establishes or extends a bar date for claims or for complaints to determine the dischargeability of certain debts or to object to the discharge of the debtor.

(b) Certificate of Compliance. With the schedules and supplemental mailing matrix, the debtor must file a certificate of compliance with this Rule, together with a dated and clearly titled supplemental mailing matrix that lists only the names and correct mailing addresses of each newly scheduled creditor.

RULE 1007-4 PAYMENT ADVICES

Copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition by the debtor from any employer of the debtor, (1) shall not be filed with the court unless otherwise ordered, and (2) shall be provided to the trustee, and any creditor who timely requests copies of the payment advices or other evidence of payment, at least seven (7) days before the date of the meeting of creditors conducted pursuant to 11 U.S.C. § 341. To be considered timely, a creditor's request must be received by the debtor at least fourteen (14) days before the first date set for the meeting of creditors.

If the debtor cannot provide copies of the required payment advices, debtor is required to file a Statement Under Perjury in the form set forth in Local Bankruptcy Form Q. Upon the filing of a notice that the debtor has not provided a copy of all pay advices or other evidence of payment, or a Statement Under Perjury, as required herein above, an order of dismissal may be entered after fourteen (14) days notice to the debtor, counsel to the debtor, and the United States Trustee and an opportunity for a hearing.

RULE 1007-5 COMPLIANCE WITH FILING REQUIREMENTS

The Clerk will docket a Certificate of Compliance for each case meeting all filing requirements under 11 U.S.C. § 521(a)(1), except payment advices under Section 521(a)(1)(B)(iv), or a Certificate of Non-compliance, as appropriate.

RULES 1009-1 AMENDMENTS TO LISTS AND SCHEDULES

When filing amended schedules that add previously unscheduled creditors, a debtor must comply with the following procedures:

(a) Notice to United States Trustee. The debtor must send a copy of the amended

schedules to the Office of the United States Trustee and to any trustee appointed in the case.

(b) Notice to Creditors. The debtor must send to each creditor added or whose status is changed by an amended schedule:

(1) a copy of the amended schedule;

(2) a copy of the original Notice for Meeting of Creditors; and

(3) a copy of each order that establishes or extends a bar date for filing proofs of claims or complaints to determine the dischargeability of certain debts or to object to the discharge of the debtor.

(c) Certificate of Compliance. With the amended schedule, the debtor must file a certificate of compliance with this Rule, together with a dated and clearly titled supplemental mailing matrix that lists only the names and correct mailing addresses of all newly scheduled creditors.

RULE 1015-1 JOINT ADMINISTRATION/CONSOLIDATION

The estates of spouses filing a joint petition will be deemed consolidated under § 302(b) of the Bankruptcy Code unless otherwise ordered on the motion of a party in interest made within thirty (30) days after conclusion of the meeting of creditors held under § 341 of the Bankruptcy Code.

RULE 1017-1 DISMISSAL OF CASE

Upon the filing of a notice that the debtor has not provided a copy of the Federal income tax return to the trustee pursuant to Section 521(e)(2)(A) of Title 11 U.S.C., an order of dismissal may be entered after fourteen (14) days notice to the debtor, counsel to the debtor, and the United States Trustee and an opportunity for hearing.

PART II

RULE 2002-1 NOTICE TO CREDITORS AND OTHER INTERESTED PARTIES

(a) Noticing Period. A debtor, creditor, official committee, and any other party in interest sending a notice of proposed action to other parties in interest must give recipients no less than twenty-one (21) days from the date of completion of service to file an objection to the action described in the notice, unless the Federal Bankruptcy Rules specifically require a different time or unless otherwise ordered by the court or these Rules.

(b) Content. In addition to the information required by specific notices, notices must contain sufficient information to enable a party in interest to make a reasonably well-informed decision whether to object to the action proposed in the notice. The notice must state: (1) the date by when objections must be filed; (2) the person upon whom objections must be served; (3) that the proposed action may be authorized without further order or notice if no timely objection is filed; (4) that the court, in its discretion, may conduct a hearing or determine the matter without a hearing regardless of whether an objection is filed; (5) that an objection must state the facts and legal grounds on which the objection is based; and (6) the name of the party giving notice or its attorney, together with the address, telephone number and email address of the party to be contacted if parties in interest have questions regarding the subject of the notice. A notice may not state that an objecting party must attend a court hearing in support of any objection made.

(c) Certificate of Service. A party must file a certificate of service of a notice given under these Rules or the Federal Bankruptcy Rules within seven (7) days after completion of service.

(d) Content of Objections. An objecting party must state the authority for the objection either in its filed objection or in an accompanying memorandum of fact and law. An objecting party must certify that copies of the objection and of any supporting memorandum have been sent

to the opposing party or parties and their counsel.

(e) Sales Notices. See Local Bankruptcy Rule 6004-1.

(f) Technical Requirements for Notices. A party sending a notice must show the date of completion of service conspicuously on the face of the notice.

(g) Limitation of Notice - Chapter 7. A party required to give notice pursuant to Federal Bankruptcy Rule 2002(a) may limit notice as provided under Federal Bankruptcy Rule 2002(h) to (1) creditors that hold claims for which proofs of claim have been filed; and (2) such other creditors who may file timely claims.

(h) Limitation of Notice - Chapter 11. In Chapter 11 cases, where official committees are appointed and the number of creditors exceeds thirty (30), notices of the actions described below can be limited to the debtor, the United States Trustee, the members of all official committees or committee counsel, if appointed, and to those creditors and equity security holders who file and serve on counsel for the debtor a written request for notices of:

(1) the proposed use, sale or lease of property of the estate other than in the ordinary course of business;

(2) the hearing on the approval of a compromise or settlement of a controversy - other than the approval of an agreement pursuant to Federal Bankruptcy Rule 4001(d);

(3) a hearing on an application for compensation or reimbursement of expenses; and

(4) such other notices as the court orders.

(i) Voluntary Dismissal - Chapter 7 and 11. Notices of a motion by debtor to dismiss a voluntary case under Chapter 7 or 11 must be sent to all parties in interest.

(j) Continued Meetings and Hearings. If a hearing or meeting of creditors is continued or rescheduled at the request of a party, or for reason of the failure of a party to appear or comply

with applicable law or rules, that party must send notice of the continued or rescheduled hearing or meeting by the fastest means to avoid inconvenience to other parties entitled to notice. The party must file a certificate of service of that notice.

RULE 2002-2 NOTICE TO EQUITY SECURITY HOLDERS

Unless otherwise ordered by the court, the debtor-in-possession (or trustee if applicable) is responsible for giving notices required by Federal Bankruptcy Rule 2002(d).

RULE 2004-1 EXAMINATIONS UNDER FEDERAL BANKRUPTCY RULE 2004

(a) Production Request Limits. A party in interest may not request or compel an entity being examined under Federal Bankruptcy Rule 2004 to respond to more than thirty (30) requests for production.

(b) Smoking During Examinations Prohibited. No one can smoke in a room where an examination is being conducted, unless all persons agree.

(c) Examination and Production to Proceed Despite Existence of Disputes. An examination or production dispute as to one matter does not justify delay in taking an examination or responding to other examination or production requests, unless otherwise ordered by the court.

(d) Examination Guidelines. The court's Discovery Guidelines set forth in Appendix C govern scheduling and the conduct of examinations and requests for production, unless they are not applicable in context.

(e) Conference of Counsel Required. Counsel must confer concerning an examination or production dispute and make good faith attempts to resolve an examination or production dispute. The court will not consider a motion to compel or for sanctions unless the moving party has filed a certificate stating:

(1) the date, time, and place of a dispute resolution conference; the names of all persons participating; and any unresolved issues remaining; or

(2) the moving party's attempts to hold such a conference without success.

(f) Copying Expenses. A party in interest requesting copies of documents that were produced for inspection under Federal Bankruptcy Rule 2004 must pay the actual, reasonable costs of copying.

RULE 2015-1 COMPENSATION BY DEBTOR IN CHAPTER 11

(a) The rate of compensation paid by the debtor in possession to its officers, directors, members or partners shall not exceed the rate of compensation paid to those persons ninety (90) days prior to the filing of the petition, unless otherwise ordered by the court.

(b) The debtor shall file a statement containing the following information within twenty-one (21) days after filing a petition in a Chapter 11 case:

(1) a statement specifying the duties and positions of the following (to the extent compensated):

(A) the debtor, if an individual;

(B) the partners of the partnership;

(C) the officers and directors of the corporation, and any other insiders (as defined by 11 U.S.C. § 101); and

(D) the members of the limited liability company.

(2) the rate of compensation paid to each person identified in Local Bankruptcy Rule 2015-1(b)(1) ninety (90) days prior to and at the time of the filing of the petition; and

(3) the rate of compensation of each as of the time the statement is filed.

RULE 2016-1 COMPENSATION OF PROFESSIONALS

(a) Applications for Compensation by Professionals. Unless the court orders otherwise, all professionals seeking compensation pursuant to§§ 327, 328, 330, and 331of the Bankruptcy Code, including attorneys, accountants, examiners, investment bankers, financial advisors and real estate advisors, must prepare and submit their applications for compensation in accordance with the Guidelines attached as Appendix D to these Rules.

(b) Disclosure of Compensation. An attorney representing a debtor in a case or in connection with a case must file a Federal Bankruptcy Rule 2016(b) disclosure statement with the petition. If an attorney commences representation of the debtor in a case or in connection with a case after the filing of the petition, such attorney must file the Federal Bankruptcy Rule 2016(b) disclosure statement at the time representation is commenced.

RULE 2070-1 ADMINISTRATIVE EXPENSES

Motions for the allowance or payment of administrative expenses must be served upon the debtor, trustee, members of any committee elected under § 705 or appointed under § 1102 of the Bankruptcy Code or its counsel, or in a Chapter 11 case, if no committee of unsecured creditors has been appointed, to those creditors on the list filed pursuant to Federal Bankruptcy Rule 1007(d), the United States Trustee, and to those parties in interest who have filed written requests for notice.

RULE 2072-1 NOTICE TO OTHER COURTS WITH PENDING ACTIONS

The debtor or other party filing a bankruptcy case must promptly send notice conforming to Local Bankruptcy Form A of the bankruptcy filing to the following persons:

(a) the clerk of any court where the debtor is a party to a pending civil action and all parties of record; and

(b) any judge specially assigned to a pending civil action in which the debtor is a party.

RULE 2081-1 CHAPTER 11 - SCHEDULED CLAIMS

The debtor in a Chapter 11 case must serve on each creditor whose claim is listed on a schedule as disputed, contingent, or unliquidated, notice of that listing within fourteen (14) days after filing the schedule or within fourteen (14) days after adding a disputed creditor to a previously filed schedule. The notice must state that such creditor has the right to file a proof of claim and the failure to do so timely may prevent the creditor from voting on a plan or participating in any distribution. The debtor must file a certificate of service of the notice within seven (7) days of service.

PART III

RULE 3001-1 SUPPORTING INFORMATION FOR CLAIMS AGAINST INDIVIDUAL DEBTORS

(a) Open-end or Revolving Consumer Credit Agreements

When a claim is based on an open-end or revolving consumer credit agreement, the last account statement sent to the debtor prior to the filing of the petition shall also be filed with the proof of claim. If the account statement has been lost or destroyed, a statement of the circumstances of the loss or destruction shall be filed with the proof of claim.

(b) Additional Requirements; Sanctions for Failure to Comply. In a case in which the debtor is an individual:

(1) If, in addition to its principal amount, a claim includes interest, fees, expenses, or other charges incurred before the petition was filed, an itemized statement of the interest, fees, expenses, or charges shall be filed with the proof of claim.

(2) If a security interest is claimed in property of the debtor, the proof of claim shall include a statement of the amount necessary to cure any default as of the date of the petition.

(3) If a security interest is claimed in property that is the debtor's principal residence and an escrow account has been established in connection with the claim, the proof of claim shall be accompanied by an escrow account statement prepared as of the date the petition was filed and in a form consistent with applicable nonbankruptcy law.

(4) If the holder of a claim fails to provide any information required by this Local Rule, the holder shall be precluded from presenting the omitted information, in any form, as evidence in any hearing or submission in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified

or is harmless. In addition to or in lieu of this sanction, the court may, after notice and hearing, award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure.

RULE 3002-1 NOTICE RELATING TO CLAIMS SECURED BY SECURITY INTEREST IN THE DEBTOR'S PRINCIPAL RESIDENCE

(a) Notice of Payment Changes. In a chapter 13 case, if a claim secured by a security interest in the debtor's principal residence is provided for under the debtor's plan pursuant to § 1322(b)(5) of the Code, the holder of the claim shall file and serve on the debtor, debtor's counsel, and the trustee notice of any change in the payment amount, including any change that results from an interest rate or escrow account adjustment at least 30 days before the first payment in the new amount is due.

(b) Form and Content. A notice filed and served pursuant to subdivision (a) of this rule shall conform substantially to the form of notice under applicable nonbankruptcy law and the underlying agreement that would be given if the debtor were not a debtor in bankruptcy and be filed in the case as an attachment to a line. The creditor shall delete or redact any personal or confidential identifying information regarding any individual identified in the notice.

(c) Notice of Fees, Expenses, and Charges. In a chapter 13 case, if a claim secured by a security interest in the debtor's principal residence is provided for under the debtor's plan pursuant to § 1322(b)(5) of the Code, the holder of the claim shall file and serve on the debtor, debtor's counsel, and the trustee a notice that itemizes all fees, expenses, or charges incurred in connection with the claim after the bankruptcy case was filed, and that the holder asserts are recoverable against the debtor or against the debtor's principal residence. The notice shall be filed as an attachment to a line in the bankruptcy case and served no later than 180 days after the date when the fees, expenses, or charges are incurred. On motion of the debtor or trustee filed no later than one

year after service of the notice, the court shall, after notice and hearing, determine whether payment of the fees, expenses, or charges is required by the underlying agreement and applicable nonbankruptcy law to cure a default or maintain payments in accordance with § 1322(b)(5) of the Code.

(d) Notice of Final Cure Payment. No later than 30 days after making final payment of any cure amount on a claim secured by a security interest in the debtor's principal residence, the trustee in a chapter 13 case shall file and serve upon the holder of the claim, the debtor, and debtor's counsel a notice stating that the amount required to cure the default has been paid in full. If the debtor contends that final cure payment has been made and the trustee does not timely file and serve the notice required by this subdivision, the debtor may file and serve upon the holder of the claim and the trustee a notice stating that the amount required to cure the default has been paid in full. The notice shall be served upon the holder of the claim in accordance with the Federal Bankruptcy Rules 9014 and 7004 and also must be served: (1) upon any attorney who has appeared for that claimant in the bankruptcy case and (2) upon the claimant at the address (and in care of the individual) shown on the proof of claim. If the claim has been assigned by an assignment filed with the court, the service under (2) above shall be made upon the assignee at the address designated upon the filed assignment. The notice must clearly state that if no response is filed as provided for under subparagraph (e) of this rule, the court may enter the order provided for in subparagraph (e) without further notice or hearing.

(e) Response to Notice of Final Cure Payment. No later than 30 days after service of the notice under subdivision (d) of this rule, the holder of a claim secured by a security interest in the debtor s principal residence may file and serve on the debtor, debtor s counsel, and the trustee a

statement indicating (1) whether it agrees that the debtor has paid in full the amount required to

cure the default, and (2) whether, consistent with § 1322(b)(5) of the Code, the debtor is otherwise current on all payments. If applicable, the statement shall itemize any required cure or postpetition amounts that the holder contends remain unpaid as of the date of the statement. The statement shall be filed as an attachment to a line in the main case. If the holder of a claim secured by a security interest in the debtor's principal residence fails to file and serve a timely response to the notice of final cure payment, the court shall promptly enter an order declaring that the debtor has cured the default and that no amounts are unpaid as of the date of the Notice of Final Cure Payment.

(f) Motion and Hearing. On motion of the debtor or trustee filed no later than 30 days after service of the statement under subdivision (e) of this rule, the court shall, after notice and hearing, determine whether the debtor has cured the default and paid all required postpetition amounts in full.

(g) Failure to Notify. If the holder of a claim secured by a security interest in the debtor s principal residence fails to provide any information required by subdivision (a), (c), or (e) of this rule, the holder shall be precluded from presenting the omitted information, in any form, as evidence in any hearing or submission in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless. In addition to or in lieu of this sanction, the court may, after notice and hearing, award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure.

RULE 3003-1 TIME FOR FILING PROOFS OF CLAIM IN CHAPTER 11 CASES

In a Chapter 11 case a proof of claim is timely filed if it is filed not later than ninety (90) days after the first date set for the meeting of creditors under 11 U.S.C. § 341(a), unless a different date is fixed by the court.

RULE 3003-2 WAGE CLAIMANTS

A wage claimant must provide claimant's full social security number directly to the trustee, in addition to filing a proof of claim for past wages with the court.

RULE 3007-1 CLAIMS - OBJECTIONS

In addition to the service required by Federal Bankruptcy Rules 9014 and 7004(b), a party objecting to a proof of claim must serve a copy of the objection and any supporting memorandum and affidavit on the claimant at the address (and in care of the individual) shown on the proof of claim and must certify that service to the court. The objection must conspicuously state that:

(a) within thirty (30) days after the date on the certificate of service of the objection, the claimant may file and serve a memorandum in opposition, together with any documents and other evidence the claimant wishes to attach in support of its claim, unless the claimant wishes to rely solely upon the proof of claim; and

(b) an interested party may request a hearing that will be held at the court's discretion.

RULE 3007-2 CREDITORS HOLDING SECURED CLAIMS

In cases under Chapter 13, the holder or servicer of any secured claim must notify forthwith the debtor, the debtor's attorney, if any, and the Chapter 13 Trustee of changes in the amounts of

future payments caused by changes in the interest rate, taxes, insurance or other sums required to be placed in escrow, and the effective date of the change.

RULE 3012-1 AVOIDANCE OF LIEN ON PRINCIPAL RESIDENCE UNDER 11 U.S.C. § 506 - CHAPTER 13 ONLY

(a) Form. A motion to avoid a lien on a Chapter 13 debtor's principal residence under 11 U.S.C. § 506 may name only one creditor as a respondent. A separate motion is required for each creditor whose lien is sought to be avoided. The name, address and nature of ownership (e.g. tenancy in common, tenancy by the entirety) of any non-debtor owner of property must also be included.

(b) Required material. Debtor(s) must submit with the motion:

(1) Evidence of the value of the residence, and

(2) If no proof of claim has been filed by the holders of claims secured by senior interests in the principal residence, evidence of the amount of the claims so secured.

(c) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions to avoid lien for each judge of the court. The list will be posted on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than forty-nine (49) days after the date of service.

(3) Movant must serve a copy of the motion to avoid lien on the respondent and any non-debtor owner in the manner required by Federal Bankruptcy Rules 9014 and 7004(b) and Local Bankruptcy Rule 3007-1(a) (that requires service upon the individual who signed a proof of claim filed by respondent), together with a hearing notice conforming to Local Bankruptcy Form G.

(d) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to avoid lien and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 9013-4.

(e) Response to Motion to Avoid Lien. If no response to the motion to avoid lien is filed within thirty (30) days after the date of the service (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed. The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(f) Proposed Order. Movant shall file with the motion a proposed order conforming to Local Bankruptcy Form H. If granted, avoidance of the lien shall occur at such time as debtor completes performance of debtor's confirmed Chapter 13 plan and receives a discharge under 11 U.S.C. § 1328(a).

RULE 3012-2 VALUATION OF COLLATERAL AND AVOIDANCE OF NONRESIDENTIAL LIENS - CHAPTER 13 ONLY

(a) Form. A motion under 11 U.S.C. § 506 in a Chapter 13 case to value collateral or to avoid a security interest in personal property or in real property that is not a debtor's principal residence may name only one creditor as a respondent. A separate motion is required for each creditor whose lien is sought to be avoided. The name, address and nature of ownership (e.g. tenancy in common, tenancy by the entirety) of any non-debtor owner of property must also be included.

(b) Required material. Debtor(s) must submit with the motion;

(1) Evidence of the value of the residence, and

(2) If no proof of claim has been filed by the holders of claims secured by senior interests in the principal residence, evidence of the amount of the claims so secured.

(c) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions under subsection (a) for each judge of the court. The list will be posted on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than forty-nine (49) days after the date of service.

(3) Movant must serve a copy of the motion to avoid lien on the respondent and any non-debtor owner in the manner required by Federal Bankruptcy Rules 9014 and 7004(b) and Local Bankruptcy Rule 3007-1(a) (that requires service upon the individual who signed a proof of claim filed by respondent), together with a hearing notice conforming to Local Bankruptcy Form K.

(d) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to avoid lien and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 9013-4.

(e) Responses to Motion to Avoid Lien. If no response to the motion to avoid lien is filed within thirty (30) days after the date of the service (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed. The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(f) Proposed Order. Movant shall file with the motion a proposed order conforming to Local Bankruptcy Form L. If granted, avoidance of the security interest shall occur when debtor

completes performance of debtor's confirmed Chapter 13 plan and receives a discharge under 11 U.S.C. § 1328(a).

RULE 3015-1 CHAPTER 13 PLANS - FORM AND SERVICE

(a) A Chapter 13 plan must conform to Local Bankruptcy Form M, unless compelling circumstances require a deviation.

(1) All deviations in a plan from Local Bankruptcy Form M must be highlighted.

(2) The debtor must file all motions and objections that may impact the debtor's plan on or before the first date scheduled for the meeting of creditors under 11 U.S.C. § 341.

(b) If, after filing the petition, the debtor files an original plan, or an amended plan that does anything other than increase the amount payable under the plan, debtor must serve a copy of the plan upon each creditor and the Chapter 13 Trustee, and file a certificate of service.

(c) All Chapter 13 Plans must be signed by the debtor and are subject to Local Bankruptcy Rule 9011-2(b).

RULE 3015-2 CHAPTER 13 - CONFIRMATION

(a) Debtors and their counsel must attend all scheduled confirmation hearings, unless excused by the Chapter 13 Trustee or the court.

(b) Objections to the plan must be filed and copies served on the Chapter 13 Trustee, the debtor, and the debtor's attorney no later than seven (7) days before the date set for hearing on confirmation of the plan.

(c) Within seven (7) days prior to the date of the initial confirmation hearing, the debtor must file a Pre-Confirmation Certificate. If a confirmation hearing is continued, an updated Pre-Confirmation Certificate must be filed within seven (7) days prior to such hearing.

RULE 3015-3 PRE-CONFIRMATION ADEQUATE PROTECTION AND PERSONAL PROPERTY LEASE PAYMENTS

(a) A Chapter 13 Plan must:

(1) provide for direct payments to the creditor of post-petition personal property lease payments and post-petition installment payments of secured claims; and

(2) identify the creditor(s) to whom payments are to be made showing:

(A) to whom the payment is to be made;

(B) the amount of the periodic payment; and

(C) the last four digits of the account number.

(b) No later than fourteen (14) days prior to the date of a confirmation hearing, debtor shall serve on the trustee and file with the court an affidavit stating all §1326(a)(1) pre-confirmation payments made by the debtor. The affidavit must state the details set forth in paragraph (a) above. A copy of the affidavit must be served on the creditors so paid in the manner provided for service of a summons and complaint by Federal Bankruptcy Rule 7004 and if a proof of claim has been filed, in care of the person signing the proof of claim at the address indicated on the proof of claim.

(c) Objections to the accuracy of the affidavit must be filed no later than fourteen (14) days after the filing and service of the affidavit.

(d) Unless otherwise ordered by the court or agreed to by the parties, pre-confirmation adequate protection payments for creditors holding claims secured by a motor vehicle shall be in a sum equal to the monthly contract payment.

RULE 3018-1 TALLY OF BALLOTS - CHAPTER 11

The tally of ballots must be filed with the Clerk no later than seven (7) days prior to the confirmation hearing. The tally must substantially conform to the form prescribed by the court and available from the Clerk.

RULE 3019-1 MODIFICATIONS OF CONFIRMED CHAPTER 11 PLANS OF INDIVIDUAL DEBTORS

If the debtor is an individual, a request to modify the plan under § 1127(e) of the Bankruptcy Code shall identify the proponent and shall be filed together with the proposed modification. The proponent of the modifications, or such other person as the court may direct, shall give the debtor, the trustee, and all creditors not less than twenty-one (21) days notice by mail of the time fixed to file objections and, if an objection is filed, the hearing to consider the proposed modification, unless the court orders otherwise with respect to creditors who are not affected by the proposed modification. A copy of the notice shall be transmitted to the United States Trustee, together with a copy of the proposed modification. Any objection to the proposed modification shall be filed and served on the debtor, the proponent of the modification, the trustee, and any other entity designated by the court, and shall be transmitted to the United States Trustee. An objection to a proposed modification is governed by Federal Bankruptcy Rule 9014.

RULE 3022-1 COMPLETION OF THE ADMINISTRATION OF CONFIRMED CHAPTER 11 PLANS

(a) Fully Administered Plan. A Chapter 11 plan will be deemed fully administered under Federal Bankruptcy Rule 3022:

(1) after the completion of the following:

(A) six (6) months have elapsed after the entry of a final order of confirmation that has become nonappealable;

(B) the deposits required by the plan have been distributed;

(C) the property proposed by the plan to be transferred has been transferred;

(D) the debtor or the successor of the debtor under the plan has assumed the business or the management of the property dealt with by the plan;

(E) payments under the plan have commenced; and

(F) all motions, contested matters, and adversary proceedings have been finally resolved; or

(2) for individual Chapter 11 debtors, upon completion of all plan payments; or

(3) at another time specifically defined by the plan.

(b) Certification. A plan administrator of a confirmed plan that is fully administered must file forthwith a certification of full administration. The certification must include a final summary report of the disbursements, distributions, and transfers that have been made pursuant to the plan, together with a description of other acts taken to consummate the plan. The certification must also describe any matters involving consummation of the confirmed plan that have not been fully resolved.

(c) Final Decree. The plan administrator must file with the court and serve on the United States Trustee, the Creditor's committee or its counsel or if there is no such Committee, upon the 20 largest Unsecured Creditors the court's form motion for a final decree (Local Bankruptcy Form N–1 for non-individuals and Local Bankruptcy Form N–2 which includes the motion for discharge for individuals) closing the case with the certification of full administration.

(d) Progress Reports. The plan administrator shall file and serve on the United States Trustee reports of progress towards full administration of the plan until the plan administrator files a final certification and report. The first report must be filed six (6) months after the entry of the order of confirmation. Subsequent reports must be filed every six (6) months thereafter.

RULE 3070-1 CHAPTER 13 - SPECIAL PROCEDURES

(a) A debtor in a case under Chapter 13 will be presumed to have provided adequate protection of collateral by continuing to make payments as and when due and maintaining required insurance for the collateral.

(b) Upon dismissal or conversion of a Chapter 13 case, any funds that the trustee holds in a case will be charged for the trustee's allowed expenses and any outstanding Clerk's fees.

PART IV

RULE 4001-1 AUTOMATIC STAY - RELIEF FROM

(a) Form of Motion.

(1) Generally a motion for relief from the automatic stay of 11 U.S.C. § 362(a) must be titled "Motion for Relief from Stay" or a similar phrase. The motion's caption must be in the format used in Official Bankruptcy Form 16D for an adversary proceeding. The motion may not be combined with a request for any other relief, except for adequate protection or for relief from the co-debtor stay of 11 U.S.C. § 1201(a) or § 1301(a).

(2) Prospective Relief

(A) Any motion for relief from stay that includes a request for the imposition of an equitable servitude, or any other prospective relief that would limit a stay arising under 11 U.S.C. § 362(a), must be titled in a manner that clearly and conspicuously so states.

(B) Any proposed order submitted by counsel, including any order consented to by adverse parties, must be titled in a manner that clearly and conspicuously so states.

(b) Contents of Motion for Relief from Stay. The following material, when applicable, must be included in a motion for relief from stay:

(1) A detailed statement of the debt owed to Movant;

(2) If periodic payments are in arrears, the amount of arrears accrued prepetition and postpetition;

(3) A description of the property encumbered;

(4) A description of the security interest involved, with attached documents that evidence the security interest and its perfection;

(5) A statement of the basis for the relief claimed, such as, a lack of adequate protection or the absence of equity and that the property is not necessary for an effective reorganization. The specific facts constituting cause shall be set forth if a motion is brought for cause;

(6) If Movant asserts a valuation of the subject property, the motion should state the amount of the valuation, the date, and the basis therefor (appraisal, blue book, etc.);

(7) The specific nature of the relief from stay that is requested.

(c) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions for relief from stay for each judge of the court. The list will be posted on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than twenty-one (21) days after the date of service.

(3) Movant must serve the motion for relief from stay with a hearing notice conforming to Local Bankruptcy Form B.

(d) Response to Motion for Relief from Stay.

(1) Time. An opposition to a motion for relief from stay must be filed within fourteen (14) days after service of the motion (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(2) Form. The caption of the response must be the same as the form for the caption of the motion as set out in paragraph (a) above.

(3) Pleading. A response must include detailed answers to each numbered paragraph of the motion, in conformity with the requirements of Federal Rule of Civil Procedure 8(b) and (d). All defenses to the motion must be stated in the response.

(4) Response by Standing Chapter 12 and 13 Trustees. Standing Chapter 12 and Chapter 13 Trustees are served for informational purposes and are not required to respond to motions for relief from stay.

(e) Unopposed Motion. If timely opposition is not filed, the court may grant or otherwise dispose of the motion prior to the scheduled hearing date.

(f) Requirements Under 11 U.S.C. § 362(e).

(1) Waiver. If Movant notices a hearing date more than thirty (30) days after the date of the filing of the motion, Movant is deemed to have consented to the inapplicability of 11 U.S.C. § 362(e) through the day of the hearing on the motion for relief from stay.

(2) Commencement of Measuring Period. A request for relief under 11 U.S.C. § 362(d) is complete to commence the thirty (30) day measuring period under § 362(e) only when filed and noticed in compliance with this Rule.

(g) Deadline for Pre-Filing Exhibits. In cases under Chapter 11, exhibits must be pre-filed as required by Local Bankruptcy Rule 7016-1(c) no later than seven (7) days prior to the noticed hearing date.

RULE 4001-2 AUTOMATIC STAY - POST-FILING ARREARS

Where an issue presented by a motion for relief from stay is the debtor's failure to make payments that became due after the filing of the bankruptcy case, the moving party shall file and serve a history of payments received post-petition upon the debtor at least seven (7) days before the date set for hearing.

RULE 4001-3 ACTION FOLLOWING FORECLOSURE

A party obtaining relief from the automatic stay and thereafter consummating a foreclosure sale that produces a surplus must:

(a) provide a copy of the Report of Sale and all Auditor's Reports to the bankruptcy trustee; and

(b) when filing the Report of Sale in a case under Chapter 7 or Chapter 13, notify the Auditor of the name and address of the bankruptcy trustee.

RULE 4001-4 OBTAINING CREDIT/REFINANCING

(a) Movant must provide the notice required by Federal Bankruptcy Rule 4001(c) for a motion to obtain credit.

(b) The notice must include a statement of the deadline for the filing of any opposition. The deadline date shall be no less than fourteen (14) days after service of the motion (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(c) The notice must include a hearing date that the movant selects from a list of hearing dates that is maintained by the Clerk for the assigned judge on the court's website.

(d) The notice must also include a description of the essential terms of the proposed credit, including the amount, the interest rate, the lender's identity, the collateral pledged therefor, the repayment terms, the costs therefor, and the proposed use of the proceeds.

(e) The notice may include a statement that the court may grant relief without a hearing if no timely objection is filed.

(f) In any Chapter 13 case in which the deadline to file claims has expired, the title of the notice must include the following words:

AND SETTING DEADLINE TO AMEND FILED PROOFS OF CLAIMS

(g) In a Chapter 13 case in which the deadline to file proofs of claims has expired, the notice must include the following words:

In accordance with Local Bankruptcy Rule 4001-4(g), any amendment to a previously filed claim must be filed no later than twenty-one (21) days after the date of filing of this notice. Such amendments include amending a claim previously filed as a secured claim, to reflect an unsecured claim resulting from the effect of 11 U.S.C. § 506(a) and/or liquidation of the collateral.

(h) Request to Shorten Time and/or Expedited Hearing.

(1) If Movant requests that the time to object should be shortened, or that a more expedited hearing is needed, Movant shall file contemporaneously a separate motion requesting that the court shorten the time within which responses may be filed and/or requesting that the court set an expedited hearing.

(2) If a motion is filed to shorten the time to object or to expedite the hearing thereon, Movant must include the following language in the notice:

MOVANT HAS ALSO FILED A MOTION TO SHORTEN THE TIME FOR RESPONSE AND/OR FOR AN EXPEDITED HEARING. IF THAT MOTION TO

SHORTEN OR EXPEDITE IS GRANTED, THE TIME TO OBJECT AND/OR DATE FOR HEARING WILL BE CHANGED AS PROVIDED IN SUCH ORDER.

RULE 4001-5 POST PETITION PAYMENT NOTICES AND ACCOUNT ACCESS

Creditors and lessors may continue to provide customary notices, including, but not limited to, monthly statements, payment coupons, and escrow adjustment analyses to debtors regarding post-petition account activity. Further, to the extent available, creditors and lessors may allow debtors to access, obtain information, and make post-petition payments through electronic, telephonic and/or on-line means.

The creditor's or lessor's actions outlined in the immediately preceding paragraph shall not be considered a violation of the automatic stay.

RULE 4002-1 CURRENT ADDRESS AND TELEPHONE NUMBER OF DEBTOR

(a) Address of Debtor. Every debtor must maintain a statement of the debtor's current address with the Clerk. This obligation continues until the case is closed.

(b) Debtor's Telephone Number. A debtor proceeding in proper person must maintain a statement of the debtor's current telephone number with the Clerk. This obligation continues until the case is closed.

RULE 4003-1 OBJECTION TO CLAIM OF EXEMPTIONS

Required Notice. An objection to the list of property claimed as exempt under § 522 of the Bankruptcy Code must contain conspicuous notice that: (1) any opposition to the objection must be filed and served within twenty-eight (28) days after the objection was served; and (2) the court may rule upon the objection and any response thereto without a hearing.

RULE 4003-2 LIEN AVOIDANCE UNDER 11 U.S.C. § 522(f)

(a) Form. A motion to avoid a lien under 11 U.S.C. § 522(f) may name only one creditor as a respondent. A separate motion is required for each creditor whose lien is sought to be avoided. The name, address and nature of ownership (e.g. tenancy in common, tenancy by the entirety) of any non-debtor owner of property must also be included.

(b) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions to avoid lien for each judge of the court. The list will be posted in the public area of each division and on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than forty-nine (49) days after the date of service.

(3) Movant must serve a copy of the motion to avoid lien on the respondent and any non-debtor owner in the manner required by Federal Bankruptcy Rules 9014 and 7004(b) and Local Bankruptcy Rule 3007-1(a) (that requires service upon the individual who signed the proof of claim filed by respondent) together with a hearing notice conforming to Local Bankruptcy Form C.

(c) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to avoid lien and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 9013-4.

(d) Responses to Motions to Avoid Lien. The notice must include a statement of deadline for the filing of any opposition. The deadline date shall be no less than twenty-eight (28) days after service of the motion (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. If no response to the motion to avoid lien is filed within twenty-eight (28) days after the date of the service (plus any additional time provided by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed.

RULE 4008-1 DISCHARGE IN CHAPTER 13 CASES

The Debtor's Affidavit Requesting Discharge, Local Bankruptcy Form P, must be filed and served on the Chapter 13 Trustee and all creditors no later than ninety (90) days after the Chapter 13 Trustee files the notice of completion of plan payments. The failure to timely file this affidavit may result in the case being closed without a discharge.

PART V

RULE 5001-1 COURT ADMINISTRATION - LAPSE IN APPROPRIATIONS

This Rule will become effective only when Congress fails to enact legislation to fund operations of the United States Courts. The Anti-Deficiency Act, 31 U.S.C. § 1515, limits permissible government activities in the event of such a failure to those otherwise "authorized by law" or those needed to meet "cases of emergency involving the safety of human life or the protections of property."

This court is directly involved in the judicial process and under the Constitution and laws of the United States, it is always open to exercise the judicial power of the United States as a unit of the District Court. Thus, the court must continue, even in the absence of funding by Congress, to receive new cases, and to hear and dispose of pending cases. Activities will, however, be limited as nearly as practical to those functions necessary and essential to continue the resolution of pending cases. The court will advise the United States Marshal and the General Services Administration of the level of building and security services necessary to maintain such court operations.

The court finds that judges' staffs and the Clerk and the Clerk's staff are persons essential to the continuation of court operations. Work of all personnel shall be limited to those essential functions set forth above.

RULE 5001-2 CLERK - OFFICE LOCATION/HOURS

(a) Office Hours. The office hours of the Clerk in the Greenbelt and Baltimore Divisions shall be from 8:00 a.m. to 4:00 p.m. on all days, except Saturdays, Sundays, and holidays observed by the United States District Court for the District of Maryland.

(b) Night Box. A night box is located in the lobby of each of the United States Courthouses in Baltimore and in Greenbelt. Bankruptcy petitions, pleadings and other papers may

be placed in the night box for filing after regular office hours, Monday through Friday (except holidays) and until the courthouse is closed to the public or midnight, whichever is earlier. The Garmatz Federal Courthouse in Baltimore is closed to the public at midnight while the Greenbelt Federal Courthouse is closed at 7:00 p.m. **The night box is intended as an after-hours convenience, and it is not intended as an alternative for filing papers during regular office hours**. All documents must be "date and time stamped" prior to being deposited in the secure night box.

(c) After Hours Filing. During periods outside the regular office hours of the Clerk's Office and when the night box is not available, arrangements may be made in advance for time sensitive filings by contacting a designated court representative. The contact information of the designated court representatives are posted on the court's web page, on each night box and on notice boards in the divisional offices.

(d) **Deadlines Are Not Extended. The availability of the night box and after hours filing do NOT extend the "Last Day" as defined by Federal Bankruptcy Rule 9006(a)(4), which Last Day ends for filing, other than electronic filing, at 4:00 p.m. when the Clerk's Offices close.**

(e) Division of Business. The division of business for the United States Bankruptcy Court for the District of Maryland is as follows:

(1) Cases originating in Allegany, Calvert, Charles, Frederick, Garrett, Montgomery, Prince George's, St. Mary's, and Washington Counties are assigned to the Greenbelt Divisional Office, 300 U.S. Courthouse, 6500 Cherrywood Lane, Greenbelt, Maryland, 20770, (301) 344-8018.

(2) Cases originating in Baltimore City, Anne Arundel, Baltimore, Caroline, Carroll, Cecil, Dorchester, Harford, Howard, Kent, Queen Anne's, Somerset, Talbot,

Wicomico, and Worcester Counties are assigned to the Baltimore Divisional Office, 8530 U.S. Courthouse, 101 West Lombard Street, Baltimore, Maryland, 21201, (410) 962-2688.

(f) Places for Holding Court

(1) All court hearings in cases originating in Baltimore City, Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard Counties will be scheduled in the Garmatz Federal Courthouse, 101 West Lombard Street, Baltimore, Maryland, 21201.

(2) All court hearings in cases originating in Allegany, Calvert, Charles, Frederick, Garrett, Montgomery, Prince George's, St. Mary's, and Washington Counties will be scheduled in the Federal Courthouse, 6500 Cherrywood Lane, Greenbelt, Maryland, 20770.

(3) All court hearings in cases under Chapters 7, 12 and 13 originating in Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties, including related adversary proceedings, and all Section 341 meetings of creditors therein, will be scheduled in the United States Courtroom, U.S. Post Office Building, Room 104, 129 East Main Street, Salisbury, Maryland 21801. A debtor in a case originating from Queen Anne's County may request by motion that all future court hearings, excluding Section 341 meetings of creditors, be conducted at the United States Courthouse in Baltimore. In Chapter 11 cases, the Section 341 meeting of creditors will be conducted by the United States Trustee in Baltimore; and court hearings will be scheduled in Salisbury, if possible, or in Baltimore at the request of a party, if necessary.

(4) In cases under Chapter 11 originating in Anne Arundel County, Baltimore City, Baltimore County, Caroline, Carroll, Cecil, Dorchester, Harford, Howard, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester County, the meeting of creditors held under Section 341 will be conducted by the United States Trustee in Baltimore. Court

hearings may be scheduled in Salisbury or Baltimore at the direction of the court. The court will consider the convenience of the parties in selecting the venue.

RULE 5005-1 FILING BY ELECTRONIC MEANS

The court will accept for filing documents submitted, signed or verified by electronic means that comply with the Electronic Case Filing Procedures established by the court as published on the court's website.

RULE 5011-1 ABSTENTION

(a) Adversary Proceeding. In an adversary proceeding, a motion for abstention pursuant to 28 U.S.C. § 1334(c), must be filed within the time prescribed for filing a response under Federal Bankruptcy Rule 7012(a).

(b) Contested Matter. In a contested matter, a motion for abstention pursuant to 28 U.S.C. § 1334(c) must be filed within thirty (30) days from the date indicated on the certificate of service on the pleading initiating the contested matter.

RULE 5011-2 WITHDRAWAL OF REFERENCE

A motion for withdrawal of reference is governed by Local Rule 405.2 of the United States District Court for the District of Maryland. See Appendix B.

RULE 5071-1 MOTIONS FOR POSTPONEMENT/CONTINUANCES

(a) Court Order Required. A court order is required for any postponement of a hearing, pretrial conference, or trial.

(b) Notice to Client and Other Parties. A motion to postpone any matter before the court must certify that the client has prior notice of the filing of that motion. Notice of such motion, together with the reasons therefor, must be given by the fastest means to avoid inconvenience to other parties entitled to notice or their counsel before filing unless such notice is waived.

(c) Conflicting Engagement. A motion for a postponement of a hearing or trial on the grounds of a prior conflicting engagement must be filed within fourteen (14) days after the date such conflict became apparent. Written evidence of the conflicting engagement must be attached to the motion.

(d) Meeting of Creditors. A request for postponement of a meeting of creditors held under Bankruptcy Code § 341 shall be handled as follows:

(1) in Chapter 12 and 13 cases requests shall be made to the standing trustee assigned to the case;

(2) in Chapter 7 cases requests shall be made to the interim trustee; and

(3) in Chapter 11 cases requests shall be made to the Assistant United States Trustee assigned to the division of court where the case is pending.

RULE 5073-1 PHOTOGRAPHY, RECORDING DEVICES AND BROADCASTING

Unless otherwise ordered by the court, no court proceeding can be photographed, videotaped, televised, recorded, reproduced, or broadcast in any way except by an official court reporter.

PART VI

RULE 6004-1 SALE OF ESTATE PROPERTY

(a) Sale Notices. Notices of private sale of estate property must include the following:

(1) if an appraisal has been performed,

(A) the appraised value of the asset being sold;

(B) the date of the appraisal; and

(c) the name and address of the appraiser;

(2) if no appraisal has been performed, the scheduled value of the asset being sold;

(3) the purchaser's identity;

(4) a full description of any relationship between the purchaser and any party in interest;

(5) a statement of all consideration paid and to be paid by the purchaser and the payment terms;

(6) a statement of the deadline for the filing of any opposition. The deadline date shall be no less than twenty-one (21) days after service of the motion, plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due;

(7) a date selected from the court's website for a hearing if a timely objection is filed; and

(8) a statement that the property may be sold without further notice if a timely objection is not filed.

(b) Request to Shorten Time and/for Expedited Hearing.

(1) If Movant requests that the time to object should be shortened, or that a more expedited hearing is needed, Movant shall file contemporaneously a separate motion requesting that the court shorten the time within which responses may be filed and/or requesting that the court set an expedited hearing.

(2) If a motion is filed to shorten the time to object to the sale or to expedite the hearing thereon, Movant must include the following language in the Sale Notice described in subsection (a) of this rule:

MOVANT HAS ALSO FILED A MOTION TO SHORTEN THE TIME FOR RESPONSE AND/OR FOR AN EXPEDITED HEARING. IF THAT MOTION TO SHORTEN OR EXPEDITE IS GRANTED, THE TIME TO OBJECT AND/OR DATE FOR HEARING WILL BE CHANGED AS PROVIDED IN SUCH ORDER.

(c) Disclosure of Sale Charges. All charges and costs to be paid by the estate and all concessions to be made by the estate must be disclosed in the notice of sale.

(d) Sale Without Objection. If no timely written objection is filed, the sale shall be deemed authorized upon expiration of the notice period. This paragraph does not apply to sales free and clear of liens or of interests of persons other than the debtor.

(e) Clerk's Certificate. Upon payment of the appropriate fee, the Clerk will furnish a certificate that no objection has been filed to a notice of sale.

(f) In any Chapter 13 case in which the deadline to file claims has expired, the title of the notice must include the following words:

AND SETTING DEADLINE TO AMEND FILED PROOFS OF CLAIMS

(g) In a Chapter 13 case in which the deadline to file proofs of claims has expired, the notice must include the following words:

In accordance with Local Bankruptcy Rule 6004-1(f), any amendment to a previously filed claim must be filed no later than twenty-one (21) days after the date of filing of this notice. Such amendments include amending a claim previously filed as a secured claim, to reflect an unsecured claim resulting from the effect of 11 U.S.C. § 506(a) and/or liquidation of the collateral.

RULE 6006-1 EXECUTORY CONTRACTS - UNEXPIRED LEASES

(a) Notice Required. Parties seeking the assumption, rejection, or assignment of an executory contract or unexpired lease must give notice of the proposed action to: (1) the other party to the executory contract or unexpired lease; (2) any official committee, or in the absence of a committee, to the holders of the ten (10) largest unsecured claims taken from debtor's list filed pursuant to Federal Bankruptcy Rule 1007(d) or Schedule F; (3) the trustee; (4) the United States Trustee; and (5) all parties requesting notice. The notice must state that the court may rule upon the request without a hearing if there is no timely request for a hearing.

(b) Motion to Reject a Collective Bargaining Agreement. A party moving to reject a collective bargaining agreement must file the following with the motion:

(1) an affidavit demonstrating compliance with Bankruptcy Code § 1113(b); and

(2) a certificate of service that the moving party has served the motion and affidavit on the authorized representative of the employees covered by the collective bargaining agreement.

RULE 6070-1 TAX REFUNDS

Notice to Trustee and Court. It is the duty of the debtor, within seven (7) days of receipt of a tax refund or notice of tax assessment or deficiency, to file with the court, and in Chapter 7 cases to send to the trustee, a copy of the refund check and transmittal letter and a copy of any tax assessment, deficiency notice, or other relevant documents.

PART VII

RULE 7001-1 TRUSTEES' FILING FEES

Payment of the filing fee for an adversary proceeding filed by a trustee may be deferred pending acquisition of sufficient funds by the trustee to pay such fees in full or pro rata with other expenses of administration.

RULE 7003-1 ADVERSARY COVER SHEET

A party who is not represented by an authorized Filing User of the Electronic Case Filing system must file a completed adversary proceeding cover sheet when filing an adversary proceeding.

RULE 7003-2 DISCLOSURE OF CORPORATE AFFILIATES

Each non-governmental corporate party to an adversary proceeding or contested matter shall file a statement identifying all its parent corporations and listing every publicly held company that owns 10% or more of the party's stock. A party shall file the statement with its initial pleading filed in the court and shall supplement the statement within a reasonable time of any change in the information.

RULE 7005-1 FILING OF DISCOVERY MATERIALS

Unless otherwise ordered by the court, a party may not file with the court either written discovery requests, responses to discovery or depositions (other than as exhibits to motions). A party propounding written discovery or taking a deposition or providing a discovery response must file a notice stating: (a) the type of discovery or response served; (b) the date and type of service; and

(c) the person(s) served. Parties must retain the original copies of the discovery materials and make them available for inspection by any other party.

RULE 7012-1 CORE OR NON-CORE MATTERS

(a) Prior to trial a party may move for a ruling 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) At any time before the conclusion of a matter on the merits, a party to a proceeding may file a consent to the entry of a final order by the Bankruptcy Court under 28 U.S.C. § 157(c)(2).

RULE 7015-1 AMENDED AND SUPPLEMENTAL PLEADINGS

Unless otherwise ordered by the court, the party filing an amended pleading shall file and serve (1) a clean copy of the amended pleading; and (2) a copy of the amended pleading in which stricken material has been lined through or enclosed in brackets and new material has been underlined or set forth in bold faced type.

RULE 7016-1 PRETRIAL PROCEDURES

(a) General. The court may, in any adversary proceeding or contested matter, direct the attorney for a party or a party appearing without counsel to appear before it for a preliminary scheduling or pretrial conference pursuant to Federal Bankruptcy Rule 7016.

(b) Pretrial Statement. Where required by court order, each party will file a pretrial memorandum, with copies sent to all other attorneys of record or parties proceeding without counsel. Each party must state the following in its pretrial memorandum:

(1) a brief statement of facts that the party proposes to prove in support of a claim or defense, together with a statement of legal theories and citations of authorities;

(2) any required pleading amendments;

(3) any pleaded, but abandoned, issue;

(4) stipulations of fact;

(5) the details of the damage claimed or any other relief sought;

(6) a list of the documents and records to be offered in evidence by the party at the trial other than those expected to be used solely for impeachment, indicating which documents the party expects to introduce in evidence without the usual authentication;

(7) a list of the names and specialties of experts that the party proposes to call as witnesses; and

(8) a statement of any matter that must be resolved before trial.

(c) Required Pre-Filing of Exhibits.

(1) Adversary Proceedings and Chapter 11 Lift Stays. In all adversary proceedings and in motions seeking relief from stay in Chapter 11 cases, each party must pre-file all exhibits which that party intends to introduce into evidence, except for exhibits to be offered solely for rebuttal. Each party must include in the pre-filed exhibits any report by an expert whom the party may call as a witness or, if no report has been prepared, an affidavit by such expert as to the expert's direct testimony. The exhibits must be filed and received by the opposing parties within the time limits set in the scheduling order. In adversary proceedings, if opposing parties do not file written objections to pre-filed exhibits by the time specified in the scheduling order, the exhibits will be admitted into evidence.

(2) Method of Pre-Filing of Exhibits. All pre-filed exhibits must be filed within the time limits set in the scheduling order by submission of an original and two (2) copies.

Each set of exhibits must be bound or affixed together and must have at the beginning an exhibit list identifying each exhibit by number. Each exhibit must be tabbed by exhibit number. An additional copy must be furnished to each other party in the matter.

(3) Size. To the extent possible, all exhibits must be reduced to 8½ by 11 inches.

(4) Failure to Pre-file Exhibits. Exhibits that are not pre-filed as required by this Rule may be excluded from evidence.

(d) Proof of Amount of Claim or Debt.

(1) Required Verified Statement. In all adversary proceedings and all contested matters, a party seeking to prove the amount of a liquidated debt must offer as an exhibit an affidavit setting forth the amount of the alleged claim or debt, itemized by component, unless the information is contained in a previously filed pleading in the matter and verified pursuant to 28 U.S.C. § 1746. The declarant must be present in the courtroom for cross-examination, or an objection made pursuant to Federal Rule of Evidence 802 may be sustained.

(2) Pre-filing Requirement. In adversary proceedings and Chapter 11 motions for relief from stay, the required affidavit or verified pleading must be pre-filed as an exhibit, in accordance with subsection (d)(1) of this Rule.

RULE 7026-1 DISCOVERY - GENERAL

(a) Discovery Request Limits. A party may not serve on any other party in a contested matter or an adversary proceeding more than thirty (30) interrogatories and thirty (30) requests for production, including all parts and sub-parts.

(b) Timely Written Discovery Requests Required. All discovery requests must be made at a sufficiently early date to assure that the time for response expires before any discovery deadlines set by the court.

(c) Discovery to Proceed Despite Existence of Disputes. Unless otherwise ordered by the court, a discovery dispute as to one matter does not justify delay in taking or responding to any other discovery.

(d) Discovery Stayed Pending Resolution of Federal Bankruptcy Rule 7012(b) Motion. The filing of a motion pursuant to Federal Bankruptcy Rule 7012(b) stays discovery unless the movant presents matters outside the pleading.

(e) Format of Responses. Responses to discovery must restate each request followed by the response or a brief statement of the grounds for objection.

(f) Conference of Counsel Required. Counsel must confer concerning a discovery dispute and make good faith attempts to resolve their differences. The court will not resolve a discovery dispute unless the moving party has filed a certificate stating:

(1) the date, time, and place of the discovery conference, the names of all persons participating and any unresolved issues remaining; or

(2) the moving party's attempts to hold such a conference without success.

(g) Smoking During Depositions Prohibited. Unless all persons present agree, no one may smoke in a room where a deposition is being taken.

(h) Deposition of an Expert. The party taking the deposition of an expert shall pay a reasonable fee for the time spent by the expert in deposition and traveling to and from the deposition. The party designating the expert will pay any fee charged by the expert for time spent in preparing for the deposition.

(i) Copying Expenses. A party in interest requesting copies of documents that were produced for inspection must pay the actual, reasonable costs of copying.

(j) Discovery Guidelines. Discovery Guidelines adopted by the court and set forth in Appendix C govern the conduct of discovery.

RULE 7054-1 ALLOWANCE OF COSTS

No costs will be allowed in adversary proceedings in excess of filing fees unless the entitled party files a Bill of Costs within twenty-one (21) days after the entry of the judgment or order.

RULE 7054-2 ATTORNEYS' FEES

Unless a longer period is fixed by statute or by the court, motions by a prevailing party for an award of attorney's fees must be filed within twenty-one (21) days after the entry of judgment or order.

RULE 7055-1 DEFAULT - FAILURE TO PROSECUTE

(a) Clerk's Notice. If, upon the expiration of six (6) months after the filing of the last pleading, it appears to the Clerk that no significant activity has since occurred in an adversary proceeding or contested matter in which there is no scheduled hearing, the Clerk will send written notice to all parties to the adversary proceeding or contested matter that the proceeding or matter will be denied or dismissed without prejudice unless, within thirty (30) days after the date of the notice, the plaintiff or movant presents good and sufficient cause in writing why the dismissal or denial should not be ordered.

(b) Court Action. If there is no response to the Clerk's notice, an order of dismissal or denial may be entered.

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 Bankruptcy 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 at least seven (7) days prior to the hearing. **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.

PART VIII

RULE 8001-1 APPEALS

See Appendix B.

PART IX

RULE 9001-1 DEFINITIONS AND RULES

(a) Definitions in Federal Bankruptcy Rules. The definitions of words and phrases in Federal Bankruptcy Rule 9001 and the definitions adopted by reference therein apply in these Local Bankruptcy Rules.

(b) Bankruptcy Code. In these Local Bankruptcy Rules, reference to the Bankruptcy Code means Title 11 of the United States Code.

(c) Federal Bankruptcy Rules. Reference to Federal Bankruptcy Rule(s) means the Federal Rules of Bankruptcy Procedure.

(d) District Court. In these Local Bankruptcy Rules, reference to the District Court means the United States District Court for the District of Maryland.

(e) File. Where the word "file" appears in these Local Bankruptcy Rules, such filing is to be made electronically via ECF or with the appropriate divisional office of the Clerk of the United States Bankruptcy Court for the District of Maryland.

RULE 9004-1 PAPERS - REQUIREMENTS OF FORM; ORDERS

(a) General. All petitions, pleadings, schedules and other documents filed in paper form shall be 8½ by 11 inches in size, legibly typewritten, printed or reproduced. The papers shall be of standard weight and, except for proposed orders, shall have an upper margin of not less than one half inch. No such document may be two-hole punched, stapled or similarly fastened so as to cause punctures in the paper. Original pleadings must be retained pursuant to Local Bankruptcy Rule 9011-3. Only copies should be submitted for filing with the Court.

(b) Proposed Orders. The first page of all orders shall have an upper margin of not less than three (3) inches. The last line in the order must be, "**End of Order",** centered in the middle of the line. The signature line for the judge shall be omitted.

RULE 9009-1 LOCAL BANKRUPTCY FORMS

The Local Bankruptcy Forms prescribed in these Rules are set out in Appendix A. They shall be observed and used with alterations as may be appropriate.

RULE 9010-1 SELF-REPRESENTED PARTIES

(a) Who May Appear Self-represented. Except for filing motions seeking to obtain funds deposited in the Registry of the Court, only individuals may represent themselves.

(b) Responsibilities of Parties Appearing Self-represented. Individuals representing themselves are responsible for performing all duties imposed on counsel by the Bankruptcy Code, the Federal Bankruptcy Rules, these Rules, and applicable federal or state law.

RULE 9010-2 CURRENT INFORMATION

(a) Duty to Keep Current Information on File. Counsel and parties appearing without counsel must file and maintain a statement of current address and telephone number in every case in which such person appears. This obligation continues until the case is closed.

(b) Excusable Neglect. Should any person fail to maintain a current address with the Clerk and as a result, either for lack of response or lack of an appearance, the court enters an order dismissing any affirmative claim for relief or enters a judgment by default or otherwise against such person or such person's client, the failure to maintain a current address shall not be considered excusable neglect.

RULE 9010-3 ATTORNEYS - WHO MAY APPEAR AS COUNSEL

(a) Generally. Except as otherwise provided in this Rule and 28 U.S.C. § 515, only members of the Bar of the District Court may appear as counsel.

(b) Admission *Pro Hac Vice*.

(1) The court can permit any attorney (except a member of the Maryland Bar) who is a member in good standing of the Bar of any other United States Court or of the highest court of any state to appear and participate as counsel in a particular bankruptcy case. Such permission will not constitute formal admission to the Bar of the District Court. An attorney admitted *pro hac vice* is subject to the disciplinary jurisdiction of the District Court and of this court.

(2) A party represented by an attorney who has been admitted *pro hac vice* must also be represented by an attorney who is a member of the Bar of the District Court.

(3) The application for admission *pro hac vice* shall comply with Local District Court Rule 101.1.b. The application shall conform to Local Bankruptcy Form F.

(c) Certain Actions Not Requiring Admission to the Bar of the District Court. An attorney not admitted to the Bar of the District Court may file (1) a proof of claim for a client; (2) a fee application as principal of a professional group; (3) a motion to retrieve funds from the Registry of the Court; or (4) a request for all notices.

(d) Appearance for Obtaining Deposition Subpoenas. It is not necessary for counsel to be admitted to the Bar of the District Court in order to obtain a subpoena for depositions to be taken in this district for cases pending in other districts. However, an attorney seeking such a subpoena is subject to the disciplinary jurisdiction of the District Court and of this court.

RULE 9010-4 WITHDRAWAL OF APPEARANCE OF AN ATTORNEY

(a) When Clients are Individuals.

(1) An attorney may withdraw an appearance entered on behalf of an individual if another attorney has entered an appearance for and appears as attorney of record for that individual;

(2) Except as provided in subparagraph (1), the appearance of an attorney may be withdrawn only with leave of the court. A motion for leave to withdraw must be accompanied by a certificate stating:

(A) the name and last known address of the client; and

(B) that a written notice has been mailed to or otherwise served upon the client at least seven (7) days previously advising the client of counsel's proposed withdrawal and notifying the client either to have new counsel enter an appearance or to advise the Clerk that the client will be proceeding without counsel.

(b) When Clients Are Other Than Individuals. If the client is other than an individual, including corporations, partnerships, unincorporated associations and government entities, appearances of counsel may be withdrawn only with leave of court and if:

(1) appearance of other counsel has been entered; or

(2) withdrawing counsel files a certificate stating:

(A) the name and last known address of the client; and

(B) that a written notice has been mailed to or otherwise served upon the client at least seven (7) days previously advising the client of counsel's proposed withdrawal and notifying the client that it must have new counsel enter an appearance or be subject to dismissal of its case, dismissal of its claims and/or judgment by default on claims against it. If new counsel has not entered an appearance within

twenty-one (21) days after the filing of the motion to withdraw, the court may dismiss an affirmative claim for relief by, or enter a default against, the unrepresented party.

RULE 9010-5 ATTORNEY FOR DEBTORS - DUTIES

(a) An attorney who files a petition in bankruptcy on behalf of a debtor, or who subsequently enters an appearance on behalf of a debtor other than as special counsel approved under Bankruptcy Code § 327(e), will be counsel of record in all matters arising during the administration of the case, such as adversary proceedings and motions for relief from stay, except as set forth below;

(b) In an individual case, representation will continue through discharge and continue as to any matter pending at the time of the discharge. However, an attorney representing an individual debtor may exclude adversary proceedings and United States Trustee audits provided that debtor's written acknowledgment of this limitation is filed with counsel's Federal Bankruptcy Rule 2016(b) statement.

RULE 9010-6 CHAPTER 13 DEBTOR'S COUNSEL

Counsel for the debtor(s) in a Chapter 13 case shall abide by all requirements set forth in the Chapter 13 Debtor's Counsel Responsibilities and Fees in Appendix F.

RULE 9011-1 SIGNATURES, FEDERAL BAR NUMBER

This Rule augments Federal Bankruptcy Rule 9011. An individual signing pleadings must include the signer's printed name, post office and business address, telephone number and, if available, facsimile and e-mail addresses. If the signer is an attorney admitted to practice before the

United States District Court for the District of Maryland, the attorney shall include his or her federal bar number as listed on the Attorney Admission List.

RULE 9011-2 SIGNING OF ELECTRONICALLY TRANSMITTED PLEADINGS; REPRESENTATIONS TO THE COURT

(a) Responsibility for Use of Login and Password. An attorney or other person who is assigned a court-issued login and password to file documents electronically is responsible for all documents filed using that login and password.

(b) Signature and Certification. The transmission of a petition, pleading, motion or other paper by electronic means shall constitute both a signature by the attorney or other person responsible for transmitting it that is required by Federal Bankruptcy Rule 9011(a) and a certification within the meaning of Federal Bankruptcy Rule 9011(b). Such transmission shall also constitute a representation by the attorney or other person responsible for an electronic transmission to the court that he or she is in possession of the original petition, pleading, motion or other paper, with all original signatures thereon other than those papers signed solely by the filing user and co-counsel.

RULE 9011-3 MAINTENANCE AND PRODUCTION OF ORIGINAL DOCUMENTS

(a) Maintenance. The attorney or other person responsible for an electronic transmission to the court shall maintain the original petition, pleading, motion or other paper bearing original signatures other than that of the electronic filer, for three (3) years after the bankruptcy case is closed.

(b) Production. Upon reasonable request by the court or an interested party, the attorney or other person responsible for an electronic filing shall produce for inspection and copying the

original petition, pleading, motion, or other paper filed by electronic means, with all original signatures thereon.

RULE 9013-1 MOTIONS PRACTICE

(a) Requirement of Written Motion. All motions must be in writing and filed with the court, unless made during a hearing or trial.

(b) Procedure for Motions Other Than Motions for Relief from Stay and Motions to Avoid Lien.

(1) All motions must state with particularity the grounds therefor and the relief or order sought. Supplementing Local Bankruptcy Rule 9013-3 as to moving parties, responding parties must file with the court, at the time of filing a response, a proposed order stating the requested disposition.

(2) Parties may file with or append to their motion and memorandum, or to their responsive pleading and opposing memorandum, supporting affidavits or documents establishing the elements of entitlement to the relief sought or any defense.

(3) Any responsive pleading and memorandum in opposition to a motion must be filed within fourteen (14) days from the date of service of said motion.

(4) Except as otherwise provided in the Bankruptcy Code, the Federal Bankruptcy Rules, these Rules or by the court, a motion can be decided on the pleadings and memoranda filed.

RULE 9013-2 BRIEFS AND MEMORANDA OF LAW

A party must file with each motion a brief memorandum of fact and law entitling the movant to the relief claimed or a statement that no memorandum will be filed and that the movant will rely solely upon the motion.

RULE 9013-3 ORDERS - PROPOSED

(a) All requests for relief, except motions for relief from the automatic stay, motions to dismiss or convert, and pleadings initiating adversary proceedings under Federal Bankruptcy Rule 7001, must be accompanied by a proposed order. The proposed order must contain a specific title describing the nature and effect of the order. The names and addresses of all counsel or other parties in interest who should receive copies of the order shall be set forth in the lower left-hand corner of the final page of the proposed order or carried over to another page. The chapter of the case shall be stated in the caption.

(b) Proposed orders for motions for relief from the automatic stay and responses thereto should be submitted to the court upon the earlier of:

(1) A consent being reached by all parties; or

(2) After the conclusion of the hearing on the motion.

(c) When a proposed order is submitted to the court, copies shall be simultaneously transmitted to all other parties to the matter.

RULE 9013-4 CERTIFICATE OF SERVICE

(a) Any required certificate of service for a pleading, notice, objection or other paper must be in compliance with Federal Rule of Civil Procedure 5 and applicable provisions of the

Federal Bankruptcy Rules. Pursuant to Federal Bankruptcy Rules 5005(a)(2) and 7005, service pursuant to the ECF Guidelines also constitutes valid service.

(b) The certificate shall be placed at the end of the item served and endorsed by an attorney of record, the attorney's authorized agent, or by a party if not represented by an attorney.

(c) The certificate must state:

(1) the date and method of service;

(2) the names and addresses of the persons served; and

(3) if persons are served in a representative capacity, the parties whom they represent.

RULE 9013-5 RESPONSIBILITY FOR PROPER SERVICE

(a) It is the obligation of an attorney or party that files a pleading to determine every party with a cognizable interest in the pleading that should receive a copy and the current address of each. A certificate of service signed by an attorney, by an attorney's authorized agent or by a party constitutes a representation to the court that all parties entitled to service have been included and have been served properly. Violation of this paragraph shall be subject to an appropriate sanction.

(b) It is the obligation of an attorney or party filing a motion to review any notice of a hearing on that motion prepared by the Clerk and to communicate forthwith to the Clerk any deficiency in the notice and any omission in the list of parties receiving notice.

RULE 9014-1 DISCOVERY

The initial disclosures required by Federal Bankruptcy Rule 7026(a) are not applicable to contested matters, unless the court directs otherwise.

RULE 9014-2 DEFAULT AND DISMISSAL FOR NON-PROSECUTION

Local Bankruptcy Rule 7055-1 applies in contested matters.

RULE 9015-1 TIME FOR FILING CONSENT TO HAVE JURY TRIAL CONDUCTED BY BANKRUPTCY JUDGE

A statement of consent to have a jury trial conducted by a bankruptcy judge under 28 U.S.C. § 157(e) must be filed before the conclusion of the initial pretrial conference.

RULE 9019-1 SETTLEMENTS AND AGREED ORDERS

(a) Order. Subject to the requirements of Federal Bankruptcy Rules 2002(a)(3), 4001(d), and 9019, when the court is advised by the moving party that an adversary proceeding or contested matter has been settled, the court can enter an order dismissing the adversary proceeding or contested matter and providing for the payment of costs. Such an order of dismissal will be without prejudice to the right of a party to move for good cause to reopen the proceeding or matter within a reasonable time after settlement should have occurred if the settlement is not consummated. Alternatively, the court, upon notification by counsel that a proceeding or matter has been settled, can require counsel to submit, within fourteen (14) days, a proposed order providing for the settlement, in default of which the court can enter judgment or other appropriate order.

(b) Complete Disposition. An order entered pursuant to this Rule has the effect of noting the settlement of the entire adversary proceeding or contested matter, including all claims, counterclaims, third-party claims, and cross-claims, unless otherwise stated.

(c) In adversary proceedings, motions for approval of settlements must be filed in both the main case and the adversary case.

RULE 9019-2 ALTERNATIVE DISPUTE RESOLUTION

A Bankruptcy Dispute Resolution Program ("BDRP") will be maintained and available to facilitate the resolution of disputes. The BDRP is to operate in such a way as to allow the participants to use a variety of alternative dispute resolution methods. These methods may include

but are not limited to: mediation, negotiation, early neutral evaluation and settlement facilitation. The specific method or methods employed will be those that are appropriate, as determined by the Resolution Advocate and the parties.

(a) Cases Eligible for Inclusion in the BDRP. All controversies arising in an adversary proceeding, contested matter, or other dispute in a bankruptcy case, will be eligible for referral to the BDRP except:

(1) Employment and compensation of professionals;

(2) Compensation of trustees and examiners;

(3) Objections to discharge under 11 U.S.C. § 727, except where such objections are joined with disputes over dischargeability of debts under 11 U.S.C. § 523; and

(4) Matters involving contempt or other types of sanctions.

(b) Panel of Resolution Advocates. The court shall maintain a panel of professionals (the "Panel") who have volunteered to serve as Resolution Advocates to assist in resolution of matters referred to the BDRP.

(1) An application to serve as a member of the Panel (see Local Bankruptcy Form J-1) must be submitted to the BDRP Administrator by the deadlines established by the court each year.

(2) In order to qualify for service as a Resolution Advocate, each applicant must certify that the applicant is willing; (A) to serve as a Resolution Advocate for a minimum of one year; and (B) to evaluate or mediate pro bono matters not more often than once in six (6) months, subject only to unavailability due to conflicts, personal or professional commitments, or other matters that would make service inappropriate.

(3) The Applicant may indicate the Applicant's availability to act as a Compensated Resolution Advocate in addition to the unpaid services described in paragraph

(2) above. The Applicant should state the rates the Applicant would charge for such services.

(4) The court may limit panel membership to keep the Panel at an appropriate size and to ensure that the Panel is comprised of individuals with broad-based experience, superior skills and qualifications.

(c) Administration of the BDRP. A judge of this court will be appointed by the Chief Judge to serve as the BDRP Administrator. The BDRP Administrator will be aided by a staff member of the court, who will collect applications, maintain the roster of the Panel, track and compile results of the BDRP, and handle such other administrative duties as are necessary.

(d) Assignment to Dispute Resolution.

(1) If requested in writing by the parties, a contested matter, adversary proceeding, or other dispute (hereinafter collectively referred to as "Matter" or "Matters") may be assigned to the BDRP by order of the court.

(2) While as a general rule participation in the BDRP is voluntary, any judge, acting sua sponte or on the request of a party, may designate specific Matters for inclusion in the program.

(3) If a Matter is assigned to the BDRP, the parties will be presented with the order assigning the Matter to the BDRP and a current roster of the Panel. The parties will be given the opportunity to confer and designate a mutually acceptable Resolution Advocate as well as an alternate Resolution Advocate.

(4) With the consent of the judge, the parties may select a Resolution Advocate who is not a member of the Panel, who shall be subject to the applicable provisions of this Rule.

(5) If the parties cannot agree, or if the judge deems selection by the court to be appropriate, the judge will select a Resolution Advocate.

(6) The order assigning a Matter to the BDRP will be Local Bankruptcy Form J-2(a). The Order Appointing Resolution Advocate will be Local Bankruptcy Form J-2(b). The original orders will be docketed and retained in the case or adversary proceeding file and copies mailed by the party so designated by the judge to the assigned Resolution Advocate, the alternate Resolution Advocate, the BDRP Administrator's staff assistant and to all parties with a cognizable interest in the dispute. Assignment to the BDRP does not alter or affect any time limits, deadlines, scheduling matters or orders in any adversary proceeding, contested matter or other proceeding, unless specifically ordered by the court.

(7) A Resolution Advocate must promptly determine all conflicts or potential conflicts in the same manner as under the applicable rules pertaining to the Resolution Advocate's profession. If the Resolution Advocate's firm has represented one or more of the parties, the Resolution Advocate must promptly disclose that circumstance to all parties in writing. A party who believes that the assigned Resolution Advocate has a conflict of interest may promptly bring that matter to the attention of the Resolution Advocate. If the Resolution Advocate does not withdraw from the assignment, the matter must be brought to the attention of the court by the Resolution Advocate or any party.

(e) Dispute Resolution Procedures.

(1) Within seven (7) days of notification of appointment, the Resolution Advocate shall:

(A) give notice to the parties of the time and place for the BDRP conference. The conference will commence not later than sixty (60) days following the date of appointment of the Resolution Advocate unless the Order of Appointment

provides a different time period in which to commence the BDRP Conference, and which will be held in a suitable neutral setting, such as the office of the Resolution Advocate. The Resolution Advocate will circulate for signature the Confidentiality Agreement, Local Bankruptcy Form J-3 at this conference; or

(B) if the Resolution Advocate is not available to serve in the Matter, notify the parties, the alternate Resolution Advocate, and the BDRP Administrator's staff assistant of that unavailability. The alternate Resolution Advocate will thereafter serve as the Resolution Advocate. Upon written stipulation between the Resolution Advocate and the parties, the BDRP conference may be continued for a period not to exceed thirty (30) days.

(2) Unless modified by the Resolution Advocate, no later than fourteen (14) days prior to the date of the BDRP Conference, each party must submit a written BDRP Statement directly to the Resolution Advocate. The plaintiff or movant will provide the Resolution Advocate with copies of the complaint or motion and the answer or opposition with respect to the contested matter along with the BDRP Statement. For good cause, the judge may order a different schedule. The Resolution Advocate must keep a BDRP Statement confidential and not disclose its contents to anyone without express written consent of the party submitting it.

(3) Such statements will not exceed ten (10) pages (not counting exhibits and attachments). While such statements may include any information that would be useful, they must:

(A) identify the person(s), in addition to counsel, who will attend the session as representative of the party with decision making authority;

(B) describe briefly the substance of the dispute;

(C) address whether there are legal or factual issues whose early resolution might appreciably reduce the scope of the dispute or contribute significantly to settlement;

(D) identify the discovery that could contribute most to equipping the parties for meaningful discussions;

(E) set forth the history of past settlement discussions, including disclosure of prior and any presently outstanding offers and demands;

(F) make an estimate of the cost and time to be expended for further discovery, pretrial motions, expert witnesses and trial; and

(G) indicate presently scheduled dates for further status conferences, pretrial conferences, trial or otherwise.

(4) Parties may identify in the BDRP Statements persons connected to a party opponent (including a representative of a party opponent's insurance carrier) whose presence at the BDRP Conference would improve substantially the prospects for making the session productive; the fact that a person has been so identified, will not, by itself, result in an order compelling that person to attend the BDRP Conference. A separate motion and court order are required.

(5) Parties must attach to their written BDRP Statements copies of documents out of which the dispute has arisen, e.g., contracts and those documents whose availability would materially advance the purposes of the BDRP Conference.

(6) The BDRP Statements shall not be filed. The court shall not have access to them.

(7) Counsel for each party who is primarily responsible for the Matter (or the party who is proceeding without counsel) will personally attend the BDRP Conference and

any adjourned sessions of that conference. Counsel for each party must come prepared to discuss resolution of the Matter in detail and in good faith.

(8) All individual parties, and representatives with authority to negotiate and to settle the Matter on behalf of parties other than individuals, shall attend the BDRP Conference in person, unless excused by the Resolution Advocate for cause. A party or lawyer who is excused from appearing in person at the BDRP Conference may be required to participate by telephone.

(9) The Resolution Advocate may direct parties to attend a second BDRP Conference, if in the judgment of the Resolution Advocate, a subsequent mediation session would promote resolution of the dispute.

(10) Willful failure to attend the BDRP Conference, or other violations of this Rule, shall be reported to the court by the Resolution Advocate and may result in the imposition of sanctions by the court.

(11) (A) All written and oral communications made in connection with or during any BDRP Conference, including the BDRP Statements, will be subject to all protections afforded by Federal Rule of Evidence 408. No such communication may be used in any present or future proceeding for any purpose. Nevertheless, if all of the parties to the BDRP and the Resolution Advocate agree in writing, such communications may be disclosed. Notwithstanding the foregoing, this paragraph 11(A) does not require the exclusion of any evidence:

(i) otherwise discoverable, merely because it is presented in the course of a BDRP conference; or

(ii) offered for another purpose, such as providing bias or prejudice of a witness, negativing a contention of undue delay, or proving an effort to obstruct a criminal investigation or prosecution.

(B) Nothing in this section (e) will be construed to prevent parties, counsel or Resolution Advocates from responding in absolute confidentiality, to inquiries or surveys by persons authorized by this court to evaluate the BDRP. Nor will anything in this section be construed to prohibit parties from entering into written agreements resolving some or all of the Matter or entering or filing procedural or factual stipulations based on suggestions or agreements made in connection with a BDRP conference.

(12) If the Resolution Advocate makes any oral or written suggestions as to the advisability of a change in any party's position with respect to settlement, the attorney for that party must promptly transmit that suggestion to the client.

(13) The Resolution Advocate has no obligation to make any written comments or recommendations, but may, as a matter of discretion, provide the attorneys for the parties with a written settlement recommendation memorandum. No copy of any such memorandum will be filed with the clerk or made available in whole or in part, directly or indirectly, to the court.

(14) The BDRP Conference will proceed informally. Rules of evidence do not apply. There will be no formal examination or cross-examination of witnesses. Where necessary, the Resolution Advocate may conduct continued BDRP Conferences after the initial session. As appropriate, the Resolution Advocate may:

(A) permit each party (through counsel or otherwise) to make an oral presentation of its position;

(B) help the parties identify areas of agreement and, where feasible, enter stipulations;

(C) assess the relative strengths and weaknesses of the parties' contentions and evidence, and explain as carefully as possible the reasoning of the Resolution Advocate that supports these assessments;

(D) assist the parties, through separate consultation or otherwise, in settling the dispute;

(E) estimate, where feasible, the likelihood of liability and the dollar range of damages;

(F) help the parties devise a plan for sharing the important information and/or conducting the key discovery that will equip them as expeditiously as possible to participate in meaningful settlement discussions or to posture the cases for disposition by other means; and

(G) determine whether some form of follow-up to the conference would contribute to the case development process or to settlement.

(f) Procedure Upon Completion of Dispute Resolution Session. Upon the conclusion of the BDRP conference, the following procedure will be followed:

(1) If the parties have reached an agreement regarding the disposition of the Matter, the parties, with the advice of Resolution Advocate, will determine who will prepare the writing to dispose of the Matter, and they may continue the BDRP Conference to a date convenient to all parties and the Resolution Advocate as necessary. Where required by provisions of the Bankruptcy Code or other applicable law, they must promptly submit the fully executed stipulation to the court for approval. Where court approval is not required, the written agreement disposing of the matter will be enforceable pursuant to applicable law;

(2) The Resolution Advocate must file with the court and serve on the parties and the BDRP Administrator's staff assistant, within fourteen (14) days, Local Bankruptcy Form J-4 showing whether there has been compliance with the BDRP Conference requirements of this Rule, and whether or not a settlement has been reached. Regardless of the outcome of the BDRP Conference, the Resolution Advocate will not provide the court with any details of the substance of the conference; and

(3) In order to assist the BDRP Administrator in compiling useful data to evaluate the BDRP, and to aid the court in assessing the efforts of the members of the Panel, the Resolution Advocate will provide the BDRP Administrator's staff assistant with an estimate of the number of hours spent in the BDRP Conference and otherwise on the matter, which report must be on Local Bankruptcy Form J-5.

(g) Compensated Resolution Advocacy. In addition to serving as a Resolution Advocate on a pro bono basis, a panel member may act as a Compensated Resolution Advocate ("CRA") in other matters.

(1) The CRA will be appointed as set forth above in this Rule, but the appointing Order will set forth the terms of the CRA's engagement.

(2) If the CRA is to receive compensation from the bankruptcy estate,

(A) a notice shall be filed setting forth the identity of the Resolution Advocate (whether or not on the panel) and the terms and conditions of compensation (including hourly rate) with a right to object/comment on such terms and conditions, subject to such time limitations as the judge deems reasonable under the circumstances;

(B) if the proposed compensation to the Resolution Advocate is $3,000.00 or less, there is no need for further court order to authorize payment to the Resolution Advocate;

(C) if the proposed compensation to the Resolution Advocate is proposed to be more than $3,000.00, a notice for an award of final compensation shall be filed by or on behalf of the Resolution Advocate and served as an application under Federal Bankruptcy Rule 2002(a)(6) with an opportunity for parties to object/comment within twenty-one (21) days after the filing of the notice; however, the inability of the BDRP to result in a settlement/stipulation shall not be a factor to be used in awarding less compensation than would be allowed based on an application of the terms and conditions of compensation upon retention of the Resolution Advocate; and

(D) the estate's share of such compensation shall be an administrative claim against the estate.

(3) Unless the appointing order provides for compensation solely by the bankruptcy estate, no CRA will be appointed without the consent of all parties to the controversy submitted to the BDRP.

RULE 9029-1 LOCAL BANKRUPTCY RULES - GENERAL

Any judge of this court may suspend or modify a requirement or provision of any of these Rules in a particular case, adversary proceeding or contested matter on the court's own motion or on motion of a party.

RULE 9033-1 PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW IN NON-CORE PROCEEDING

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 8006 by treating the objection(s) as an appeal. The bankruptcy judge may order the designated extract supplemented.

RULE 9036-1 NOTICE BY ELECTRONIC TRANSMISSION

In addition to service of notice by electronic transmission or by first-class mail, notice may be given by hand-delivery or facsimile transmission, except that the Clerk shall not accept for filing any facsimile transmission. All notices given by facsimile transmission shall be followed by hard copy notice with original signature mailed by the next business day.

RULE 9037-1 PRIVACY POLICY AND TRANSCRIPT REDACTION PROCEDURES

(a) Privacy Policy. The Judicial Conference of the United States has adopted a privacy policy to restrict the publication of certain personal data in documents filed with the court. The policy requires limiting social security and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year. If such information is elicited during testimony in court proceedings, it will become available to the public when the official transcript is filed with the court unless, and until, it is redacted. The better practice is to avoid introducing this information into the record in the first place either through testimony or in exhibits. Counsel and self-represented litigants are advised to take this into account when

questioning witnesses or making other statements in court or introducing exhibits into evidence. If a restricted item is mentioned or introduced in court, parties may ask to have it stricken from the record or partially redacted to conform to the privacy policy or the court may do so on its own motion.

(b) Transcript Redaction Procedures. Upon the receipt of a transcript, the Clerk will serve a Notice of Requirement to Review Transcript on all parties to the hearing. A filed transcript will be available at the Clerk's office for inspection only for a period of ninety (90) days after it is filed. During the ninety (90) day period, a copy of the transcript may be obtained from the transcriber at the rate established by the Judicial Conference, the transcript will be available within the court for internal use, and an attorney who obtains the transcript from the transcriber may obtain remote electronic access to the transcript via the court's CM/ECF system for purposes of creating hyperlinks to the transcript in court filings and for other purposes. Counsel, or self-represented litigants, will have seven (7) days from the date of filing of the transcript to file a Notice of Intent to Request Redaction with the court, stating an intention to review the transcript to determine whether to request redaction of sensitive private information before the transcript is made electronically available to the public. A copy of the notice must be served upon the transcriber. A party will have twenty-one (21) days from the date of the filing of the transcript to file a Request for Redaction of Transcript with the court (which will be a private, restricted event) and send a copy to the transcriber, listing the entries by page and line where personal data appears that should be redacted. The deadline for filing the redacted version of the transcript is thirty-one (31) days from the filing date of the transcript. At the end of the ninety (90) day restriction period, the redacted version will be made available via remote electronic access and at the public terminals in the Clerk's office for viewing and printing. The unredacted version of the transcript will not be available via remote electronic access or at the Clerk's office upon the filing of the redacted transcript; it shall be

maintained as a private, restricted event. An attorney who purchases the transcript during the ninety (90) day restricted period will be given remote electronic access to the transcript and any redacted version filed.

RULE 9070-1 EXHIBITS

(a) Pending Appeal. From the conclusion of a hearing or trial to the expiration of the time within which to file a notice of appeal or, in the event that an appeal is taken, until the transmission of the record to the District Court, the Clerk will retain all documentary exhibits except ones of unusual bulk or weight. Documents of unusual bulk or weight and all non-documentary exhibits will remain in the custody of the attorney presenting them, who (1) will permit inspection of them by counsel for another party for the purpose of preparing the record on appeal; (2) will be responsible for their safekeeping; and (3) if requested, will send them to the appellate court.

(b) Upon Termination of Action. Upon the closing of a contested matter or adversary proceeding, the Clerk will send notice to all counsel advising counsel to remove, within thirty (30) days, all trial and hearing exhibits and all sealed materials that counsel presented at any time during the pendency of the contested matter or adversary proceeding. If a party fails to retrieve exhibits within thirty (30) days, the exhibits will be discarded by the Clerk.

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APPENDIX A

NOTICE OF FILING OF CASE IN BANKRUPTCY COURT

IN THE CIRCUIT COURT FOR
_____ COUNTY, MARYLAND

IN RE: *

*

Civil No. _____

vs. *

*

NOTICE OF FILING OF CASE IN BANKRUPTCY COURT

You are hereby notified of the filing of a case in the _____ Division of the United States Bankruptcy Court for the District of Maryland for the following debtor(s): _____. The bankruptcy case no. is _____. It is a case under Chapter _____ filed on _____. The case is now pending.

_____		_____
Attorney for Debtor(s)	**OR**	Debtor(s), if without counsel
Name:_____		Name:_____
Address:_____		Address:_____
_____		_____
_____		_____
Tel. No._____		Tel. No._____

OR

Attorney for Petitioning Creditor(s) _____
Address: _____
Tel. No. _____
Petitioning Creditor(s) _____
_____
_____

***** ***** ***** ***** ***** *****

I hereby certify that copies of the foregoing Notice of Filing of Bankruptcy Case were mailed this _____ day of _____, 20____, to the Judge of the court assigned this case and to the following counsel of record:

_____
Signature of Affiant

Local Bankruptcy Form A

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
Debtor(s)	*	Chapter _____
----------		
	*	
Movant(s)		
vs.	*	
Respondent(s)	*	

NOTICE OF MOTION FOR RELIEF FROM STAY
AND HEARING THEREON

_____ has filed papers with the court seeking relief from the automatic stay of 11 U.S.C. § 362(a) to enable it to proceed to _____ _____. Your rights may be affected. You should read these papers carefully and discuss them with your lawyer. (If you do not have a lawyer, you may wish to consult one.)

If you do not want the court to grant the motion for relief from stay, or if you want the court to consider your views on the motion, then by _____ ***** you or your lawyer must file a written response with the Clerk of the Bankruptcy Court explaining your position and mail a copy to:

[Movant's attorney's name and address, or Movant's name and address if without counsel]
[names and addresses of others to be served]

If you mail rather than deliver, your response to the Clerk of the Bankruptcy Court for filing, you must mail it early enough so that the court will receive it by the date stated above.

The hearing is scheduled for _____, at _____, ****** in Courtroom _____, United States Bankruptcy Court, _____.

If you or your lawyer do not take these steps by the deadline, the court may find that you do not oppose the relief sought in the motion and may grant or otherwise dispose of the motion before the scheduled hearing date.

DATE:_____ ******* _____
Signature (Attorney or Movant if without counsel)

Telephone No._____

[*] Insert a date that is **14 days** after the date of this notice (service), plus any additional time provided by Federal Bankruptcy Rules 9006(a) and (f). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. Use the date computed.

[**] Insert a date and time from the list of dates available for the judge assigned to the case that is more than **21 days** after the date of this notice.

[***] Insert the date notice was served.

Local Bankruptcy Form B

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 20__, copies of the notice and motion for relief from stay were served upon the party (parties) whose name(s) and address(es) are listed below.

(1)

(2)

(3)

(4)

(5)

(6)

_____
Signature

_____
Print Name

NOTE: Service must be made pursuant to Federal Bankruptcy Rule 7004.

Local Bankruptcy Form B
Page Two

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:

	*	Case No. _____
Debtor(s)	*	Chapter _____
---	---	---
	*	
Movant(s)		
vs.	*	
	*	
Respondent		
	*	

NOTICE OF DEBTOR(S)' MOTION
TO AVOID LIEN PURSUANT TO 11 U.S.C. § 522(f)
AND HEARING THEREON

A motion was filed on behalf of the debtor(s) to avoid a lien held by _____ _____. Your rights may be affected. You should read these papers carefully and discuss them with your lawyer. If you do not have a lawyer, you may wish to consult one. A copy of the motion is attached.

If you do not want the court to grant the motion avoiding the lien, or if you want the court to consider your views on the motion, then by _____ ***** you or your lawyer must file with the Clerk of the Bankruptcy Court a response to the motion explaining your position and mail a copy of the response to:

[Movant's attorney's name and address, or Movant's name and address if without counsel]

If you mail, rather than deliver, your response to the Clerk of the Court for filing, you must mail it early enough so that the court will receive it by the date stated above.

If you file a timely response to the motion, the hearing on the motion will take place on _____, at _____,****** in Courtroom _____, United States Bankruptcy Court,
_____.

If you or your lawyer do not file and serve a timely response to the motion, the court may find that you do not oppose the relief sought in the motion and may grant or otherwise dispose of the motion before the scheduled hearing date.

DATE:_____*******

_____
Signature (Attorney or Movant if without counsel)

Telephone No._____

Local Bankruptcy Form C

[*] Insert a date that is at least **28 days** after the date this notice is mailed, plus any additional time provided by Federal Bankruptcy Rules 9006(a) and (f). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. Use the date computed.

[**] Insert a date and time from the list of dates available for the judge assigned to the case that is at least **49 days** after the date of this notice.

[***] Insert the date notice was served.

Local Bankruptcy Form C
Page Two

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 20__, copies of the notice and motion to avoid lien were served upon the Respondent(s) whose name(s) and address(es) are set forth below.

(1) (2)

(3) (4)

(5) (6)

_____
Signature

_____
Print Name

NOTE: Service must be made pursuant to Federal Bankruptcy Rule 7004 and Local Bankruptcy Rule 4003-2.

Local Bankruptcy Form C
Page Three

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:	*	
		Case No. _____
	*	Chapter 13
	*	
Debtor	*	

APPLICATION FOR SUPPLEMENTAL ALLOWANCE OF ATTORNEY'S FEES

NOW COMES _____, Counsel to the Debtor(s), (hereinafter "Applicant") who makes this request for the allowance of attorney's fees for services rendered for the benefit of the Debtor and the bankruptcy estate, and in support thereof states as follows:

1. Applicant has served as counsel to the Debtor throughout the pendency of the Chapter 13 proceedings.
2. The fees sought in this application result from services rendered for or on behalf of the Debtor.
3. The fees sought to be paid to Applicant result from services rendered or required to be rendered for a matter which was not contemplated or included in the initial retainer agreement as evidenced by the Rule 2016(b) Disclosure Statement filed at the beginning of this case.
4. The services for which the additional fees are now sought by Applicant are described in the attached Supplemental 2016(b), which has been filed with the Court and is included herein by reference.

5. The services for which the additional fees are now sought by Applicant are reasonable and necessary services that benefit the Estate for the following reasons:

_____.

6. In support of this Application, Applicant has attached relevant time records that identify the professionals who worked on this case, their hourly rates, the tasks performed, and the amount of time spent on each such task.

7. Prior to the filing of this Application, Applicant has been paid a total of $_____ in fees and $_____ in expenses in this case. Of those amounts, Applicant has received $_____ in fees and $_____ in expenses in distributions from the Trustee and $_____ in fees and $_____ in expenses in payments from the Debtor or on Debtor's behalf.

8. Applicant respectfully submits and hereby affirms to the Court that the fees and costs requested by this application were both reasonable and necessary.

9. Further, that the fees charged for the services described are reasonable based upon the customary fees charged and generally approved by this Court for services of this nature provided by comparably skilled professionals.

10. No agreement or understanding exists between Applicant and any other person for the division or sharing of compensation for services rendered or costs advanced in connection with Applicant's representation of the Debtor.

11. The Debtor(s) have requested that the services be provided by Counsel and that this Court allow the payment of the requested attorney's fees and, if necessary, approve the payment of the fees as an administrative expense through the Chapter 13 Plan.

Local Bankruptcy Form E
Page Two

12. Applicant avers the approval of the requested fees:

☐ will not affect distribution to creditors under the plan

☐ will affect distribution to creditors under the plan in the following manner:

_____

_____.

WHEREFORE, Applicant prays that this Court approve the Attorney's fees and costs prayed for herein in the amount of $ _____, to be paid by the Debtor or to be paid by the Chapter 13 Trustee as an administrative expense through the Chapter 13 Plan.

Respectfully submitted,

\s\ Attorney_____
Attorney, Esquire
Firm, LLC
Address
Address
Address
Telephone

Certificate of Service

I hereby certify that the foregoing Application for Supplemental Allowance of Attorney's Fees has been mailed and/or electronically transmitted this ____ day of _____, 20___ to the (Debtor w/address), (Trustee w/address) and the following:

\s\ Attorney_____
Attorney, Esquire

Local Bankruptcy Form E
Page Three

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:	*	
		Case No. _____
	*	Chapter 13
	*	
Debtor	*	

NOTICE OF APPLICATION FOR SUPPLEMENTAL ALLOWANCE
<u>OF ATTORNEY'S FEES</u>

Pursuant to Local Bankruptcy Rule 2002-1 of the Maryland Bankruptcy Rules, Notice is hereby given that:

1. An Application for Allowance of Attorney's Fees has been filed by the Debtor(s)' Counsel, (hereafter "Applicant").

2. The Application seeks fees of $_____ for representation in legal matters made necessary by events which have occurred during the Chapter 13 proceedings.

3. Pursuant to the Local Bankruptcy Rules the Applicant has filed a Supplemental 2016(b) Disclosure Statement along with the Application describing the services rendered on behalf of the Debtor.

4. If the Court approves the Application, the Fees approved may be paid by the Chapter 13 Trustee as an administrative expense. Applicant avers the approval of the requested fees:

   ☐ will not affect distribution to creditors under the plan

   ☐ will affect distribution to creditors under the plan in the following manner:

   _____

   _____.

Local Bankruptcy Form E-1

5. Any objection to the Application must be filed within 21 days of the date of the Application with the Clerk, U.S. Bankruptcy Court for the District of Maryland, _____, with a copy sent to the undersigned Counsel, the Chapter 13 Trustee, and shall state the factual and legal grounds on which it is based.

6. The Application may be approved without further Order or Notice if no timely objection is filed, and the Court, in its discretion, may conduct a hearing or determine the matter without a hearing regardless of whether an objection is filed.

7. Parties in interest with questions may contact the undersigned.

Date of Notice _____, 20__

Respectfully submitted,

\s\ Attorney_____
Attorney, Esquire
Firm, LLC
Address
Address
Address
Telephone

Certificate of Service

I hereby certify that the foregoing Notice of Application for Supplemental Allowance of Attorney's Fees has been mailed and/or electronically transmitted this ____ day of _____, 20___ to the (Debtor w/address), (Trustee w/address), all creditors on the mailing matrix and to the following:

\s\ Attorney_____
Attorney, Esquire

Local Bankruptcy Form E-1
Page Two

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:	*	
		Case No. _____
	*	Chapter _____
	*	
Debtor	*	

SUPPLEMENTAL DISCLOSURE OF COMPENSATION
<u>OF ATTORNEY FOR DEBTOR</u>

1. Pursuant to 11 U.S.C. § 329(a) and Federal Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid, or agreed to be paid, to me after one year before the filing of the petition in bankruptcy for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case in addition to any amounts already disclosed is as follows:

   For legal services, I have agreed to accept . . . . . $_____

   Prior to the filing of this statement I have received . . . . . $_____

   Balance Due . . . . . $_____

2. The source of the compensation paid to me was:

   ☐ Debtor ☐ Other (specify):

3. The source of compensation to be paid to me is:

   ☐ Debtor ☐ Other (specify):

4. ☐ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

   ☐ I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

Local Bankruptcy Form E-2

5. Since the filing of any prior 2016(b) statement in this case, counsel has agreed to perform the following additional services for the supplemental fees identified above:

_____

_____

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

_____ Date

_____ Signature of Attorney

_____ Name of law firm

Local Bankruptcy Form E-2
Page Two

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

_____	*	
Plaintiff(s),	*	Case No._____
v.	*	
_____	*	Adversary No. _____
Defendant(s).	*	

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Local Bankruptcy Rule 9010-3(b) of this Court, and Local Rule 101.1(b) of the U.S. District Court for the District of Maryland, _____, Esquire, a member in good standing of the bar of this Court, moves the admission of _____, Esquire, to appear *pro hac vice* in the captioned proceeding as counsel for _____.

Movant and the proposed admittee respectfully certify as follows:

1) The proposed admittee is not a member of the Bar of Maryland.

2) The proposed admittee is a member in good standing of the bar(s) of the following State and/or United States Courts:

State Court & Date of Admission	**U.S. Court & Date of Admission**
_____	_____
_____	_____
_____	_____

3) During the twelve (12) months immediately preceding the filing of this motion, the proposed admittee has been admitted *pro hac vice* in this Court ____ times.

4) The proposed admittee has never been disbarred, suspended, or denied admission to practice law in any jurisdiction. (NOTE: If the proposed admittee has been disbarred, suspended, or denied admission to practice law in any jurisdiction, then he/she must submit a statement fully explaining all relevant facts.)

5) The proposed admittee is familiar with the Federal Bankruptcy Rules, the Local Bankruptcy

Rules, the Federal Rules of Evidence, and the Maryland Lawyers' Rules of Professional Conduct, and understands that he/she shall be subject to the disciplinary jurisdiction of this court.

6) Co-counsel for the proposed admittee in this proceeding will be the undersigned or _____, Esquire, who has been formally admitted to the bar of the U.S. District Court for the District of Maryland.

7) It is understood that admission *pro hac vice* does not constitute formal admission to the bar of the U.S. District Court for the District of Maryland.

8) The $50.00 fee for admission *pro hac vice* is enclosed. (Payment may be made by check or money order payable to: Clerk of Court, United States District Court or by major credit card.)

9) We hereby certify under penalties of perjury that the foregoing statements are true and correct.

Respectfully submitted,

Movant --
Signature:_____
Printed Name: _____
Firm: _____
Address: _____
_____
_____
Phone Number:_____
Email: _____
Maryland U.S. District Court Number:
_____

Proposed Admittee --
Signature:_____
Printed Name:_____
Firm: _____
Address:_____
_____
_____
Phone Number:_____
Email: _____

Local Bankruptcy Form F
Page Two

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
Debtor(s).	*	Chapter 13
----------	*	
Movant(s),	*	
vs.		Account No._____
	*	(Loan account number that
Respondent(s).		bears lien sought to be avoided)
	*	

NOTICE OF DEBTOR(S)' MOTION TO AVOID LIEN ON PRINCIPAL RESIDENCE
PURSUANT TO 11 U.S.C. § 506 AND HEARING THEREON

A motion was filed on behalf of the debtor(s) to avoid a lien held by _____. Your rights may be affected. You should read these papers carefully and discuss them with your lawyer. If you do not have a lawyer, you may wish to consult one. A copy of the motion is attached.

If you do not want the court to grant the motion avoiding the lien, or if you want the court to consider your views on the motion, then by _____***** you or your lawyer must file with the Clerk of the Bankruptcy Court a response to the motion explaining your position and mail a copy of the response to:

[Movant's attorney's name and address, or Movant's name and address if without counsel]

If you mail rather than deliver your response to the Clerk of the Court for filing, you must mail it early enough so that the court will receive it by the date stated above.

If you file a timely response to the motion, the hearing on the motion will take place on _____, at _____,****** in Courtroom _____, United States Bankruptcy Court, _____.

Local Bankruptcy Form G

If you or your lawyer do not file and serve a timely response to the motion, the court may find that you do not oppose the relief sought in the motion and may grant or otherwise dispose of the motion before the scheduled hearing date.

DATE: _____*** _____

Signature (Attorney or Movant if without counsel)

Telephone No._____

[*] Insert date that is at least **30 days** after the date this notice is mailed, plus any additional time provided by Federal Bankruptcy Rules 9006(a) and (f). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. Use the date computed.

[**] Insert a date and time from the list of dates available for the judge assigned to the case that is at least **49 days** after the date of this notice.

[***] Insert the date notice was served.

Local Bankruptcy Form G
Page Two

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 20___ , copies of the notice and motion to avoid lien were served upon the Respondent(s) whose name(s) and address(es) are set forth below.

(1)

(2)

(3)

(4)

(5)

(6)

_____
Signature

_____
Print Name

NOTE: Service must be made pursuant to Federal Bankruptcy Rule 7004 and Local Bankruptcy Rule 3012-1.

Local Bankruptcy Form G
Page Three

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:

	*	
		Case No. _____
Debtor(s)	*	Chapter 13
----------		
	*	
Movant(s)	*	
vs.		
	*	
Respondent(s)	*	

ORDER GRANTING MOTION TO AVOID LIEN
ON DEBTOR(S)' PRINCIPAL RESIDENCE

Having considered debtor's Motion to Avoid Lien, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. § 506 and for the reasons set forth in the cases of Johnson vs. Asset Management Group, LLC, 226 B.R. 364 (D. Md. 1998), and in First Mariner Bank v. Johnson, 411B.R. 221 (D. Md. 2009) it is by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the claim of Respondent be and is hereby deemed wholly unsecured.

ORDERED, that at such time as a discharge Order is entered pursuant to 11 U.S.C. § 1328(a) in this case, the lien held in favor of Respondent on debtor's real property described as: _____, shall be void, and it is further

ORDERED, that the claim of Respondent herein shall be allowed as a general unsecured claim under the debtor's plan.

cc: Trustee
Debtor(s)
Debtor(s)' Attorney
Respondent
U.S. Trustee

End of Order

APPENDIX A

APPLICATION
UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
BANKRUPTCY DISPUTE RESOLUTION PROGRAM PANEL

Name: _____

Office Address: _____

_____
City State Zip

Office Phone: _____ Office Fax: _____

Education: _____

_____

_____

_____

Professional licenses or memberships and accreditations:

_____

_____

_____

Dispute Resolution Training: Yes _____ No _____

(a) U.S. Bankruptcy Court Training _____

(b) Other Training _____

_____

Experience: _____

_____

_____

_____

Local Bankruptcy Form J-1

Counties in which you are willing to serve as a Resolution Advocate:

_____

_____

If you are also applying to be a Compensated Resolution Advocate, rates charged:

_____

_____

Additional Information: _____

_____

_____

_____

I hereby certify that the information set forth above is true and correct.[1] I agree to serve for a minimum of one year and to act as an unpaid Resolution Advocate in matters, not to exceed one matter per calendar quarter.

_____ _____

Date Signature

Local Bankruptcy Form J-1
Page Two

[1] It is the responsibility of the applicant to submit an amended application if any information contained on this application changes.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
	*	Chapter _____
Debtor(s)		
----------	*	
	*	
Plaintiff(s)/Movant(s)		
vs.	*	Adversary No. _____ (if appropriate)
Defendant(s)/Respondent(s)	*	

ORDER ASSIGNING MATTER
TO THE BANKRUPTCY DISPUTE RESOLUTION PROGRAM

In an effort to facilitate resolution of the dispute herein, and

_____ the parties having requested in writing

_____ the above-signed Judge having *sua sponte* determined

that the above-captioned contested matter/adversary proceeding/dispute be assigned to the Bankruptcy Dispute Resolution Program, it is, by the United States Bankruptcy Court for the District of Maryland

ORDERED, pursuant to Local Bankruptcy Rule 9019-2, that the matter that is the subject of the instant dispute is assigned to the Bankruptcy Dispute Resolution Program.

cc:

End of Order

Local Bankruptcy Form J-2(a)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
	*	Chapter _____
Debtor(s)		
----------	*	
	*	
Plaintiff(s)/Movant(s)		
vs.	*	Adversary No. _____ (if appropriate)
Defendant(s)/Respondent(s)	*	

ORDER APPOINTING RESOLUTION ADVOCATE

This_____,
(adversary proceeding)(name of dispute in main case)
having been assigned to the Bankruptcy Dispute Resolution Program of this district, the following are hereby appointed as Resolution Advocate and Alternate Resolution Advocate:

RESOLUTION ADVOCATE:	ALTERNATE:
_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
City, State, Zip	City, State, Zip
_____	_____
Telephone	Telephone

Local Bankruptcy Form J-2(b)

This matter concerns:

( ) Dischargeability ( ) Objection to Claim ( ) Lien Avoidance

( ) Other: _____
_____

Special Instruction from the Court: _____
_____

**The attorneys for the parties are:

Attorney for_____ ;	Attorney for _____;
_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
City, State, Zip	City, State, Zip
_____	_____
Telephone	Telephone

The Resolution Advocate is serving on a _____ basis. If the Resolution Advocate is acting as a Compensated Resolution Advocate, following application and approval, compensation will be paid by the following terms:

_____ % From Plaintiff
_____ % From Defendant
_____ % From the Bankruptcy Estate.

The Parties are to comply with the provisions of Local Bankruptcy Rule 9019-2. All individual parties, and representatives with authority to negotiate and to settle the Matter on behalf of parties other than individuals, must personally attend the BDRP conference unless excused by the Resolution Advocate for cause. Willful failure to attend the BDRP conference and other violations of this order may result in the imposition of sanctions by the court. The BDRP conference is to be completed by _____.

Counsel for _____ shall mail a copy of this order to the assigned Resolution Advocate, the Alternate Resolution Advocate, and all parties to the dispute and file a proof of such service within seven (7) days from the date of this Order.

cc:

End of Order

Local Bankruptcy Form J-2(b)
Page Two

**** Use additional pages if there are more than two parties.**

APPENDIX A

United States Bankruptcy Court
District of Maryland
Bankruptcy Dispute Resolution Program

Confidentiality Agreement

This agreement is to be signed prior to the commencement of the Bankruptcy Dispute Resolution Program Conference (BDRP Conference) by all parties, their counsel and the Resolution Advocate.

All parties agree as follows:

1. All statements made during the BDRP Conference or otherwise in furtherance of the resolution process are protected by and subject to Federal Rule of Evidence 408 and are privileged and are not discoverable. The Resolution Advocate has, however, an affirmative duty to disclose any statements made which relate to the commission of a crime to the appropriate authorities.

2. Information provided and representations made for the first time during or in connection with the resolution process must be considered confidential unless otherwise agreed to in writing by all the parties with the exception of information or representations that relate to a crime.

3. The Resolution Advocate may not be compelled to testify in any civil proceeding as to any information provided or representations made during or in connection with the resolution process.

4. Nothing presented by another party in the course of a BDRP matter may be introduced into evidence or relied upon in any legal or quasi-legal proceeding, except for information, statements or documents relating to the commission of a crime or evidence otherwise admissible under Federal Rule of Evidence 408.

Nonliability of Resolution Advocate: Toward the desired goal of open and complete communication to enable parties to settle their disputes, all parties agree that the Resolution Advocate will not be held liable for any act or omission connected to the resolution process.

Breach of Confidentiality Agreement: In the event of a breach of this confidentiality agreement, the breaching party is liable for all costs, expenses, liabilities and fees including attorneys' fees which the non-breaching party and Resolution Advocate may incur as a result of the breach.

Date_____

Resolution Advocate

_____

Parties

_____

_____

Local Bankruptcy Form J-3

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
	*	Chapter _____
Debtor(s)		
----------	*	
		Adversary No. _____
	*	
Plaintiff(s)/Movant(s)		INITIAL MEDIATION
vs.	*	CONFIDENTIALITY AGREEMENT
	*	<u>CONFIDENTIAL - NOT TO BE FILED</u>
Defendant(s)/Respondent(s)		<u>WITH THE COURT</u>
	*	

This is an Agreement between the parties and the Mediator to enter into confidential discussions about the mediation of the following issues: _____

_____

_____

_____

[Attach additional page(s) if necessary.]

The undersigned understand and agree to the strict confidentiality of their mediation. Mediation discussions, any draft resolutions and any unsigned mediated agreements must not be disclosed to anyone not involved in the Mediation Program and will not be admissible in any court or administrative proceeding. Only an agreement signed by all parties may be so admissible.

The parties further agree not to call the Mediator to testify concerning the mediation nor to provide any materials from the Mediation Program in any court or administrative proceeding between the parties.

In addition, the Mediator will not be compelled to divulge any materials from the Mediation Program or to testify in regard to the mediation in any judicial or other proceeding.

Local Bankruptcy Form J-3
Page Two

Dated: _____ _____
(Name of Party)

_____
(Signature of Party)

Dated: _____ _____
(Name of Party's Counsel)

_____
(Signature of Party's Counsel)

Dated: _____ _____
(Name of Party)

_____
(Signature of Party)

Dated: _____ _____
(Name of Party's Counsel)

_____
(Signature of Party's Counsel)

Dated: _____ _____
(Name of Mediator)

_____
(Signature of Mediator)

[Attach additional page(s) if necessary.]

Local Bankruptcy Form J-3
Page Three

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
at _____

IN RE:	*	
	*	Case No. _____
		Chapter _____
Debtor(s)	*	
----------		
	*	
	*	
Plaintiff(s)		
vs.	*	Adversary No. _____
	*	
Defendant(s)		
	*	

CERTIFICATE RE: BDRP CONFERENCE

1. I hereby certify that pursuant to an Order of Assignment by this Court to the Bankruptcy Dispute Resolution Program dated _____, a BDRP Conference was_____ was not _____ held.

(If Applicable) Date:_____
Continued Date: _____

2. A settlement of this matter was _____ was not _____ reached.

Dated:_____

_____
Resolution Advocate

_____
(Type or Print Name)

Local Bankruptcy Form J-4

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
at _____

IN RE:	*	
	*	Case No. _____
Debtor(s)		Chapter _____
----------	*	
	*	
Plaintiff(s)	*	
vs.		Adversary No. _____
	*	
	*	
Defendant(s)		
	*	

REPORT OF BDRP CONFERENCE

I, _____, Resolution Advocate for the Bankruptcy Dispute Resolution Program (BDRP), state:

1. A BDRP conference was held on _____ at _____(attach attendance form(s)).

(If Applicable) Continued Date: _____ at _____

2. The Rules governing the conference were _____ were not _____ complied with. If not, how? _____ _____.

3. A settlement of this matter was _____ was not _____ reached.

4. If a settlement/resolution was reached, _____ (plaintiff/defendant/other), prepared the written stipulation for settlement.

5. Prior to the preparation of a final written agreement, the parties chose to put the agreement on the court record. Yes _____ No _____

6. I spent _____ hours in preparing for and scheduling the conference(s).

7. I spent _____ hours attending the conference(s).

Local Bankruptcy Form J-5

8. The dispute resolution procedure utilized was: (Check as many as applicable. If more than one is applicable, give the appropriate percentage of time spent on each).

Early Neutral Evaluation _____

Settlement Negotiation _____

Mediation _____

9. Comments/Suggestions: _____

_____

_____

_____.

Dated: _____

_____
Resolution Advocate

_____
(Type or Print Name)

Local Bankruptcy Form J-5
Page Two

BDRP SESSION ATTENDANCE FORM

Case Name: _____

Case No.: _____

Adversary Proceeding Name: _____

Adversary Proceeding No.: _____

Date of Session: _____

Resolution Advocate: _____

Instructions: Please have **all attorneys and client representatives** who attend the conference(s) provide the following information. The purpose of this information is to facilitate survey research of the value of the BDRP.

ATTORNEYS

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Attorney for: _____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Attorney for: _____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Attorney for: _____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Attorney for: _____

Local Bankruptcy Form J-5
Page Three

CLIENT REPRESENTATIVES

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Party Representing:_____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Party Representing:_____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Party Representing:_____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Party Representing:_____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Party Representing:_____

Name: _____
Firm Name: _____
_____
Address: _____
_____
Phone: (____)_____
Party Representing:_____

Local Bankruptcy Form J-5
Page Four

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
Debtor(s).	*	Chapter 13
----------	*	
Movant(s),	*	
vs.		Account No._____
	*	(Loan account number that
Respondent(s).		bears lien sought to be avoided)
	*	

NOTICE OF DEBTOR(S)' MOTION TO VALUE COLLATERAL AND TO AVOID SECURITY INTEREST PURSUANT TO 11 U.S.C. § 506 AND <u>HEARING THEREON</u>

A motion was filed on behalf of the debtor(s) to value collateral or to avoid a security interest held by _____. Your rights may be affected. You should read these papers carefully and discuss them with your lawyer. If you do not have a lawyer, you may wish to consult one. A copy of the motion is attached.

If you do not want the court to grant the motion avoiding the lien, or if you want the court to consider your views on the motion, then by _____***** you or your lawyer must file with the Clerk of the Bankruptcy Court a response to the motion explaining your position and mail a copy of the response to:

[Movant's attorney's name and address, or Movant's name and address if without counsel]

If you mail rather than deliver your response to the Clerk of the Court for filing, you must mail it early enough so that the court will receive it by the date stated above.

If you file a timely response to the motion, the hearing on the motion will take place on _____, at _____,****** in Courtroom _____, United States Bankruptcy Court,_____.

If you or your lawyer do not file and serve a timely response to the motion, the court may find that you do not oppose the relief sought in the motion and may grant or otherwise dispose of the motion before the scheduled hearing date.

DATE: _____*******

_____
Signature (Attorney or Movant if without counsel)

Telephone No._____

[*] Insert date that is at least **30 days** after the date this notice is mailed, plus any additional time provided by Federal Bankruptcy Rules 9006(a) and (f). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. Use the date computed.

[**] Insert a date and time from the list of dates available for the judge assigned to the case that is at least **49 days** after the date of this notice.

[***] Insert the date notice was served.

Local Bankruptcy Form K

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 20__, copies of the notice and motion to value collateral or to avoid lien were served upon the Respondent(s) whose name(s) and address(es) are set forth below.

(1)

(2)

(3)

(4)

(5)

(6)

_____
Signature

_____
Print Name

NOTE: Service must be made pursuant to Federal Bankruptcy Rule 7004 and Local Bankruptcy Rule 3012-2.

Local Bankruptcy Form K
Page Two

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
		Case No. _____
	*	Chapter 13
Debtor(s)		
----------	*	
	*	
Movant(s)	*	
vs.		
	*	
Respondent(s)	*	

ORDER GRANTING MOTION TO VALUE COLLATERAL
AND TO AVOID SECURITY INTEREST

Having considered debtor's motion, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. § 506, it is by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the value of the collateral securing Respondent's claim is $_____; and it is further

ORDERED, that at such time as a discharge Order is entered in this case pursuant to 11 U.S.C. § 1328, the lien held in favor of Respondent on the property described below is void to the extent of Respondent's unsecured claim:

[List of collateral];

and it is further

ORDERED, that the claim of Respondent herein shall be treated under debtor's plan as an allowed secured claim in an amount not to exceed the value of Respondent's collateral and as an allowed, general unsecured claim for the balance.

Local Bankruptcy Form L

cc: Trustee
Debtor(s)
Debtor(s)' Attorney
Respondent
U.S. Trustee

End of Order

Local Bankruptcy Form L
Page Two

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at_____

IN RE: *

* Case No. _____
Chapter 13
*

Debtor *

CHAPTER 13 PLAN

☐ **Original Plan** ☐ **Amended Plan** ☐ **Modified Plan**

The Debtor proposes the following Chapter 13 plan and makes the following declarations:

1. The future earnings of the Debtor are submitted to the supervision and control of the Trustee, and Debtor will pay as follows (select only one):

   a. $_____ per month for a term of _____ months. OR

   b. $_____per month for _____month(s),
   $_____per month for _____month(s),
   $_____per month for _____month(s), for a total term of _____ months. OR

   c. $_____per month prior to confirmation of this plan, and $_____ per month after confirmation of this plan, for a total term of _____ months (if this option is selected, complete 2.e.i).

2. From the payments received, the Trustee will make the disbursements in the order described below:

   a. Allowed unsecured claims for domestic support obligations and trustee commissions.

   b. Administrative claims under 11 U.S.C. § 507(a)(2), including attorney's fee balance of $_____ (unless allowed for a different amount by an order of the Court).

   c. Claims payable under 11 U.S.C. § 1326(b)(3). Specify the monthly payment: $ _____.

   d. Other priority claims defined by 11 U.S.C. § 507(a)(3)-(10). The Debtor anticipates the following priority claims:

   e. Concurrent with payments on non-administrative priority claims, the Trustee will pay secured creditors as follows:

Local Bankruptcy Form M

i. Until the plan is confirmed, adequate protection payments and/or personal property lease payments on the following claims will be paid directly by the Debtor; and, after confirmation of the plan, the claims will be treated as specified in 2.e.ii and 2.e.iii, below (designate the amount of the monthly payment to be made by the Debtor prior to confirmation, and provide the redacted account number (last 4 digits only), if any, used by the claimant to identify the claim):

Claimant	Redacted Acct. No.	Monthly Payment

ii. Pre-petition arrears on the following claims will be paid through equal monthly amounts under the plan while the Debtor maintains post-petition payments directly (designate the amount of anticipated arrears, and the amount of the monthly payment for arrears to be made under the plan):

Claimant	Anticipated Arrears	Monthly Payment	No. of Mos.

iii. The following secured claims will be paid in full, as allowed, at the designated interest rates through equal monthly amounts under the plan:

Claimant	Amount	% Rate	Monthly Payment	No. of Mos.:

iv. The following secured claims will be satisfied through surrender of the collateral securing the claims (describe the collateral); any allowed claims for deficiencies will be paid pro rata with general unsecured creditors; upon confirmation of the plan, the automatic stay is lifted, if not modified earlier, as to the collateral of the listed creditors:

v. The following secured claims are not affected by this plan and will be paid outside of the plan directly by the Debtor:

vi. If any secured claim not described in the previous paragraphs is filed and not disallowed, that claim shall be paid or otherwise dealt with outside the plan directly by the Debtor, and it will not be discharged upon completion of the plan.

vii. In the event that the trustee is holding funds in excess of those needed to make the payments specified in the Plan for any month, the trustee may pay secured

claims listed in paragraphs 2.e.ii and 2.e.iii in amounts larger than those specified in such paragraphs.

f. After payment of priority and secured claims, the balance of funds will be paid pro rata on allowed general, unsecured claims. (If there is more than one class of unsecured claims, describe each class.)

3. The amount of each claim to be paid under the plan will be established by the creditor's proof of claim or superseding Court order. The Debtor anticipates filing the following motion(s) to value a claim or avoid a lien. (Indicate the asserted value of the secured claim for any motion to value collateral.):

4. Payments made by the Chapter 13 trustee on account of arrearages on pre-petition secured claims may be applied only to the portion of the claim pertaining to pre-petition arrears, so that upon completion of all payments due under the Plan, the loan will be deemed current through the date of the filing of this case. For the purposes of the imposition of default interest and post-petition charges, the loan shall be deemed current as of the filing of this case.

5. Secured Creditors holding claims subject to cramdown will retain their liens until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or discharge under § 1328; and if the case is dismissed or converted without completion of the plan, the lien shall also be retained by such holders to the extent recognized under applicable nonbankruptcy law.

6. The following executory contracts and/or unexpired leases are assumed (or rejected, so indicate); any unexpired lease with respect to personal property that has not previously been assumed during the case, and is not assumed in the plan, is deemed rejected and the stay of §§ 362 and/or 1301 is automatically terminated:

7. Title to the Debtor's property shall revest in the Debtor when the Debtor is granted a discharge pursuant to 11 U.S.C. §1328, or upon dismissal of the case, or upon closing of the case.

8. Non-standard Provisions:

_____	_____
Date	Debtor
_____	_____
Attorney for Debtor	Joint Debtor

Local Bankruptcy Form M
Page Three

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:	*	
	*	Case No. _____
		Chapter 11
	*	
Debtor(s)	*	

CHAPTER 11 FINAL REPORT AND MOTION FOR FINAL DECREE

The following is the report of payments made pursuant to the Plan, confirmed by this Court on _____ .

TOTAL DISTRIBUTION _____

PERCENTAGE OF CLAIMS PAID OR PROPOSED TO BE PAID TO THE GENERAL CLASS OF UNSECURED CREDITORS WITHIN THE PLAN _____%

A. Gross Cash Receipt _____

	Paid	Proposed	Total
B. Priority Payments of Expenses of Administration Other Than Operating Expenses:			
1. Trustee's commission (if any)	_____	_____	_____
2. Fee and expenses, Trustee's counsel	_____	_____	_____
C. Other Professional Fees and Expenses:			
1. Fees and expenses, Accountants	_____	_____	_____
2. Fees and expenses, Auctioneers and Appraisers	_____	_____	_____
3. Fees and expenses, Attorneys for Debtor	_____	_____	_____
4. Other professional fees (specify)	_____	_____	_____
5. Taxes, fines, penalties, etc.	_____	_____	_____

	Paid	Proposed	Total
6. Other expenses of administration (must be itemized: includes bond premiums, settlement costs, other expenses)	_____	_____	___ ___ ___
7. Total			_____
D. Payments to creditors: (totals under each category sufficient)			
1. Payment to secured creditors	_____	_____	_____
2. Payment to priority creditors	_____	_____	_____
3. Payments to unsecured creditors	_____	_____	_____
4. Payments to equity security holders	_____	_____	_____
E. Other payments: (including surplus payments to debtor)	_____	_____	_____
F. **TOTAL DISTRIBUTION**			_____

The Plan Proponent, (or Trustee if appointed) hereby avers that all provisions of the Plan have been substantially consummated. Wherefore, the Plan Proponent (or Trustee), having fully administered this estate, prays for entry of a Final Decree.

DATE: _____ _____

Attorney for Plan Proponent

(or Trustee)

cc: Creditor's Committee (or counsel), or
20 largest Unsecured Creditors
U.S. Trustee

Local Bankruptcy Form N–1
Page Two

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:	*	
	*	Case No. _____
		Chapter 11
	*	
Debtor(s)	*	

CHAPTER 11 FINAL REPORT AND MOTION FOR DISCHARGE AND FINAL DECREE
[For Individual Debtor(s)]

The following is the report of payments made pursuant to the Plan, confirmed by this Court on _____ .

TOTAL DISTRIBUTION _____
PERCENTAGE OF CLAIMS PAID OR PROPOSED TO BE PAID TO THE GENERAL CLASS OF UNSECURED CREDITORS WITHIN THE PLAN _____%
A. Gross Cash Receipt _____

	Paid	Proposed	Total
B. Priority Payments of Expenses of Administration Other Than Operating Expenses:			
1. Trustee's commission (if any)	_____	_____	_____
2. Fee and expenses, Trustee's counsel	_____	_____	_____
C. Other Professional Fees and Expenses:			
1. Fees and expenses, Accountants	_____	_____	_____
2. Fees and expenses, Auctioneers and Appraisers	_____	_____	_____
3. Fees and expenses, Attorneys for Debtor	_____	_____	_____
4. Other professional fees (specify)	_____	_____	_____
5. Taxes, fines, penalties, etc.	_____	_____	_____

Local Bankruptcy Form N–2

	Paid	Proposed	Total
6. Other expenses of administration (must be itemized: includes bond premiums, settlement costs, other expenses)	_____	_____	___ ___ ___
7. Total			_____
D. Payments to creditors: (totals under each category sufficient)			
1. Payment to secured creditors	_____	_____	_____
2. Payment to priority creditors	_____	_____	_____
3. Payments to unsecured creditors	_____	_____	_____
4. Payments to equity security holders	_____	_____	_____
E. Other payments: (including surplus payments to debtor)	_____	_____	_____
F. **AMOUNT TO BE PAID UNDER PLAN**			_____
TOTAL DISTRIBUTION			_____

The Plan Administrator, (or Trustee if appointed) hereby avers that all provisions of the Plan have been substantially consummated, and plan payments have been completed. Furthermore, the Debtor(s) hereby certify, under penalty of perjury that the following statements are true and correct:

1. Debtor(s) have completed all payments under the Plan.

2. If 11 U.S.C. §1141(d)(3) applies, Debtor(s) have completed an instructional course concerning financial management as described in 11 U.S.C. §111.

3. Debtor(s) did not have, either at the time of filing this bankruptcy or at the present time, equity in excess of $125,000 if the case was filed before April 1, 2007, or $136,875 if the case was filed between April 1, 2007 and April 1, 2010, and $146,450 for a case filed after April 1, 2010 , in the type of property described in 11 U.S.C. §522(p)(1) [generally the debtor's homestead].

4. There is not currently pending any proceeding in which Debtor(s) may be found guilty of a felony of the kind described in 11 U.S.C. §522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. §522(q)(1)(B).

Local Bankruptcy Form N–2
Page Two

Debtor: _____ Date: _____

Debtor: _____ Date: _____

Wherefore, the Plan Administrator (or Trustee), having fully administered this estate, prays for entry of an Order of Discharge and the entry of a Final Decree.

DATE: _____ _____

Attorney for Plan Administrator
(or Trustee)

cc: Creditor's Committee (or counsel), or
20 largest Unsecured Creditors
U.S. Trustee

Local Bankruptcy Form N–2
Page Three

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE:	*	
	*	Case No. _____
	*	Chapter 13
Debtor(s)	*	

PRE-CONFIRMATION CERTIFICATION

Debtor(s) hereby certify under penalty of perjury that the following statements are true and correct:

1. Debtor(s) has/have paid any fee, charge, amount required under Section 1930 of title 28, U.S.C, or by the plan (i.e. adequate protection payments) to be paid before confirmation.

2. Debtor(s) has/have paid all amounts that are required under a domestic support obligation and that first became payable after the date of the filing of the petition, if applicable.

3. Debtor(s) has/have filed all applicable Federal, State, and Local tax returns with the appropriate taxing authorities for all taxable periods ending during the 4-year period ending on the date of the filing of the petition.

Debtor(s) affirm that the plan is proposed in accordance with 11 U.S.C § 1325 and request said plan be confirmed.

Date:_____ _____
Debtor's Signature

Date:_____ _____
Joint Debtor's Signature

Local Bankruptcy Form O

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____

IN RE: *

Case No. _____
* Chapter 13

*

Debtor *

DEBTOR'S AFFIDAVIT REQUESTING DISCHARGE

IN JOINT FILINGS, A SEPARATE AFFIDAVIT MUST BE COMPLETED BY EACH DEBTOR IN ORDER TO BE ELIGIBLE FOR A DISCHARGE

The Chapter 13 Trustee has filed a notice of completion in my case and I am hereby requesting that the Court issue a discharge. I testify under penalty of perjury to the following: (Complete all sections and provide all required information.)

1. The following creditors hold a claim that is not discharged under 11 U.S.C. § 523 (a)(2) or (a)(4) or a claim that was reaffirmed under 11 U.S.C. § 524(c): (provide name, address, and telephone number of each such creditor)

   _____

   _____

2. _____ I have not received a discharge in a Chapter 7, 11 or 12 bankruptcy case that was filed within 4 years prior to the filing of this Chapter 13 Bankruptcy.

3. _____ I have not received a discharge in another Chapter 13 bankruptcy case that was filed within 2 years prior to the filing of this Chapter 13 bankruptcy.

4. A. _____ I did not have either at the time of filing this bankruptcy or at the present time, equity in excess of $125,000 if the case was filed before April 1, 2007, or $136,875 if the case was filed between April 1, 2007 and April 1, 2010, and $146,450 for a case filed after April 1, 2010 , in the type of property described in 11 U.S.C. §522(p)(1) [generally the debtor's homestead].

B. _____ There is not currently pending any proceeding in which I may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

5. COMPLETION OF INSTRUCTIONAL COURSE CONCERNING PERSONAL FINANCIAL MANAGEMENT PURSUANT TO 11 U.S.C. § 1328(g)(1)

[Complete one of the following statements]

___ I, _____, the debtor in the above-styled
(printed name of debtor)
case hereby certify that on _____ I completed an instructional
(date)
course in personal financial management provided by _____,
(Name of Provider)
by an approved personal financial management instruction provider.

____ Official Form 23 was filed previously with the court; OR

____ A document attesting to my completion of the personal financial management instruction course is attached.

___ I,_____, the debtor in the above-styled
(printed name of debtor)
case, hereby certify that no personal financial management course is required because: [check the appropriate box.]

☐ I am incapacitated or disabled, as defined in 11 U.S.C. § 109(h)(4);

☐ I am on active military duty in a military combat zone; or

☐ I reside in a district in which the United States Trustee has determined that the approved instructional courses are not adequate at this time to serve the additional individuals who would otherwise be required to complete such courses.

☐ CERTIFICATION REGARDING DOMESTIC SUPPORT OBLIGATIONS PURSUANT TO 11 U.S.C § 1328(a)

[Complete one of the following statements]

___ I, _____, the debtor in the above-styled case,
(printed name of debtor)
hereby certify that I am not currently required, nor at any time during the period of this bankruptcy have I been required, by a judicial or administrative order, or by statute, to pay a domestic support obligation.

Local Bankruptcy Form P
Page Two

___ I, _____, the debtor in the above-styled
(printed name of debtor)
case am required by judicial or administrative order, or by statute, to pay a domestic support obligation as defined in 11 U.S.C. § 101(14A). (This refers to a debt owed to or recoverable by a spouse, former spouse or child of the debtor or such child's parent, legal guardian or responsible relative or a governmental unit in the nature of alimony, maintenance or support.) The name and address of each holder of a domestic support obligation follows:

_____
_____
_____
_____

_____
_____
_____
_____

[check the appropriate box.]

___ I hereby certify that all amounts payable under such order or such statute that are due on or before the date of this affidavit (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid; or

___ I have executed, and the court has approved, a written waiver of discharge pursuant to 11 U.S.C. § 1328(a).

My current address is:

_____
_____
_____

The name and address of my most recent/current employer is:

_____
_____
_____
_____

Local Bankruptcy Form P
Page Three

I declare under penalty of perjury that all of the above statements are true and correct to the best of my knowledge, information, and belief, and that the Court may rely on the truth of each statement in determining whether to grant me a discharge in this case. I further understand that the court may revoke my discharge if such order of discharge was procured by fraud.

Signature of Debtor:_____ Date: _____

NOTICE OF OPPORTUNITY TO OBJECT

Any objections to the accuracy of this affidavit must be filed within fourteen (14) days of the date of service of this Affidavit. If no objection is filed, the Court will consider entering a discharge order in this case without further notice or hearing.

CERTIFICATE OF SERVICE

I hereby certify that this affidavit was served this _____ day of _____, 20__, electronically to those recipients authorized to receive a Notice of Electronic Filing by the Court, and/or first class mail, postage prepaid to:

Chapter 13 Trustee
All creditors and parties in interest.

Local Bankruptcy Form P
Page Four

APPENDIX A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE:	*	
	*	Case No. _____
	*	
Debtor(s)	*	

STATEMENT UNDER PENALTY OF PERJURY CONCERNING
PAYMENT ADVICES DUE PURSUANT TO 11 U.S.C. § 521(a)(1)(B)(iv)

I, _____(Debtor's name[2]), state that I did not provide copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by me from any employer because:

_____ (1) I was not employed during the period immediately preceding the filing of the above-referenced case _____ (state the dates that you were not employed);

_____ (2) I was employed during the period immediately preceding the filing of the above-referenced case but did not receive any payment advices or other evidence of payment from my employer within 60 days before the filing of the petition;

_____ (3) I am self employed and do not receive any evidence of payment;

_____ (4) Other (please explain) _____.

I declare under penalty of perjury that I have read the foregoing statements and that they are true and accurate to the best of my knowledge, information and belief.

Dated this _____ day of _____, 20__.

_____ (Signature of Debtor)
Debtor

Local Bankruptcy Form Q

[2] A separate form must be filed for each Debtor

LOCAL RULES
U. S. DISTRICT COURT, DISTRICT OF MARYLAND

IV. BANKRUPTCY PROCEEDINGS

Rule 401. Rules in Bankruptcy Court Proceedings

Proceedings in the Bankruptcy Court shall be governed by Local Bankruptcy Rules as adopted from time to time by order of the Court.

Rule 402. Referral of Bankruptcy Cases and Proceedings

Pursuant to 28 U.S.C. Section 157(a), all cases under Title 11 of the United States Code and proceedings arising under Title 11 or arising in or related to cases under Title 11 shall be deemed to be referred to the Bankruptcy Judges of this District.

Rule 403. Definition of Transmittal

As used in this chapter, transmittal of a document includes the forwarding of a paper document or copy; or providing access to an electronic document in accordance with the procedures adopted by the court.

Rule 404. Appeals to the District Court

1. Manner of Appeal

a. **Generally**. Appeals to the District Court from the Bankruptcy Court shall be taken in the manner prescribed in Part VIII of the Bankruptcy Rules, Rules 8001 et. seq.

b. **Bankruptcy Court Opinion and Order**. Appellant shall provide with the opening brief a copy of the Bankruptcy Court opinion and order from which the appeal is being taken.

2. Dismissal for Non-Compliance with Bankruptcy Rule 8006

Whenever the appellant fails to designate the contents of the record on appeal or to file a statement of the issues to be presented on appeal within the time required by Bankruptcy Rule 8006, the Bankruptcy Clerk shall transmit forthwith to the Clerk of the District Court a partial record consisting of a copy of the order or judgment appealed from, the notice of appeal, a copy of the docket entries and such other documents as the Bankruptcy Clerk deems relevant to the appeal. (The District Court may thereafter order the Bankruptcy Clerk to transmit any other relevant documents to the Clerk of the District Court). When the partial record has been filed in the District Court the Court may, upon motion of the appellee (which is to be filed in the District Court) or upon its own initiative, dismiss the appeal for non-compliance with Bankruptcy Rule 8006 after giving the appellant an opportunity to explain the non-compliance and upon considering whether the non-compliance had prejudicial effect on the other parties.

3. Dismissal for Non-Compliance with Bankruptcy Rule 8009

Whenever the appellant fails to serve and file a brief within the time required by Bankruptcy Rule 8009, the District Court may, upon motion of the appellee (to be filed in the District Court) or upon its own initiative, dismiss the appeal after giving the appellant an opportunity to explain the non-compliance and upon considering whether the non-compliance had prejudicial effect on the other parties.

4. Procedure Regarding Motion to Stay Pending Appeal

After seeking appropriate relief under Bankruptcy Rule 8005, an appellant seeking a stay pending appeal by the District Court of an order entered by the Bankruptcy Court shall file with the Clerk of the District Court a motion to stay and copies of all documents in the record of the Bankruptcy Court relevant to the appeal. Upon the filing of these documents, the Clerk of the District Court shall immediately open a civil file and the District Court shall give immediate consideration to the motion to stay. If the underlying appeal is ultimately perfected, it will be assigned the same civil action number as was assigned to the motion to stay.

5. Bankruptcy Court Certification Regarding Interlocutory Appeal

Whenever there has been filed in the District Court an application for leave to appeal an interlocutory order of the Bankruptcy Court, the Bankruptcy Court shall, upon request of the District Court, submit to the District Court a written certification stating whether, in its opinion, the interlocutory order involves a controlling question of law as to which there is substantial ground for difference of opinion and whether an immediate appeal of it may materially advance the ultimate termination of the case. The District Court shall thereafter determine whether to grant or deny the application for leave to appeal.

Rule 405. Rules of Procedure for Withdrawal of Reference

1. General Rule

When a case or proceeding has been referred by this Court to the Bankruptcy Court, all documents and pleadings in or related to such case or proceeding shall be filed with the Clerk in the Bankruptcy Court.

2. Withdrawal of Reference of Bankruptcy Case or Proceedings

a. Filing of Motion for Withdrawal of Reference with Bankruptcy Clerk

A motion pursuant to 28 U.S.C. § 157(d) and Bankruptcy Rule 5011 to withdraw the reference of any bankruptcy case, contested matter or adversary proceeding referred to the Bankruptcy Court pursuant to 28 U.S.C. § 157(a) and L.R. 402 shall be filed with the Clerk in the Bankruptcy Court. If the motion requests withdrawal of only a portion of the case, a contested matter, or a portion of an adversary proceeding, the motion shall be accompanied by the filing of a designation of the documents and pleadings filed in the case or proceeding to which the motion relates.

b. Withdrawal of Reference of Bankruptcy Cases

A motion to withdraw the reference of a case to the Bankruptcy Court must be timely filed, and in any event, before the case is closed.

c. Withdrawal of Reference of Adversary Proceeding or Contested Matter

A motion to withdraw an adversary proceeding or a contested matter in a case which has been referred to the Bankruptcy Court must be filed by the earlier of fourteen (14) days before the date scheduled for the first hearing on the merits and,

i. in the case of an adversary proceeding, within twenty-one (21) days after the last pleading is permitted to be filed pursuant to Bankruptcy Rule 7012; or

ii. in the case of a contested matter, within twenty-one (21) days after the last responsive pleading or memorandum in opposition is permitted to be filed pursuant to Local Bankruptcy Rule 9013-1(b)(3).

3. Filing of Pleadings after Reference Withdrawn

a. If the reference of an entire case has been withdrawn from the Bankruptcy Court to the District Court, all pleadings and documents in or related to such case shall be thereafter filed with the Clerk in the District Court.

b. Where the reference of only a portion of an entire case has been withdrawn, pleadings and documents with respect to the case (including any parts thereof that have been withdrawn or transferred) shall continue to be filed with the Clerk in the Bankruptcy Court. Any pleadings and documents which relate to any parts of the case which have been withdrawn or transferred to the District Court shall also be filed with the Clerk of the District Court.

c. Upon withdrawal or transfer of any complaint to the District Court, the plaintiff may forward to the defendant a notice and request to waive service of summons or the Clerk shall issue a District Court summons pursuant to Fed. R. Civ. P. 4(d) unless either of the aforementioned has already occurred pursuant to the Bankruptcy Rules.

d. This subsection (d) governs personal injury tort and wrongful death claims which must be tried in the District Court pursuant to 28 U.S.C. § 157(b)(5). Except for the procedures contained within this subsection, personal injury tort and wrongful death proceedings shall be filed with the Clerk in the Bankruptcy Court. However, beneath the bankruptcy number, the pleading or other document shall designate the pleading or document as a "SECTION 157(b)(5) MATTER." When filing a complaint a completed District Court civil cover sheet (A.O. Form JS-44c) should be submitted beneath the Bankruptcy Court cover sheet required by Local Bankruptcy Rule 7003-1. No summons shall be issued until the proceeding is transferred to the District Court. Upon filing the complaint, the Clerk in the Bankruptcy Court shall immediately transfer the proceeding to the District Court and plaintiff may send to the defendant(s) a notice and request to waive service of summons pursuant to Fed. R. Civ. P. 4(d) or the Clerk of the District Court shall issue a summons.

4. Motions Concerning Venue in Bankruptcy Cases and Proceedings

All motions concerning venue in cases arising under Title 11 or arising in or related

to cases under Title 11 shall be determined by the Bankruptcy Court, except in those cases to be tried in the District Court pursuant to 28 U.S.C. § 157(b)(5).

Rule 406. Jury Trial

1. Demand. In any bankruptcy proceeding any party may demand a trial by jury of any issue triable of right by jury by (1) serving upon the other parties a demand therefor in writing at any time after the commencement of the action and not later than fourteen (14) days after the service of the last pleading directed to such issue, and (2) filing the demand as required by Bankruptcy Rule 9015. Such demand may be indorsed upon a pleading of the party. If the adversary proceeding is one that has been removed from another court, any demand previously made under the rules of that court shall constitute a demand for trial by jury under this Rule.

2. Specification of Issues. In the demand a party may specify the issues which the party wishes so tried; otherwise the party shall be deemed to have demanded trial by jury for all the issues so triable. If the party has demanded trial by jury for only some of the issues, any other party within fourteen (14) days after service of the demand or such lesser time as the Court may order, may serve a demand for trial by jury of any other or all of the issues of fact in the action.

3. Waiver. The failure of a party to serve and file a demand as required by this Rule constitutes a waiver by the party of trial by jury. A demand for trial by jury made as herein provided may not be withdrawn without the consent of the parties.

4. Consent to Jury Trial before United States Bankruptcy Judge. Pursuant to 28 U.S.C. § 157(e), with the consent of the parties, a District Judge may designate a Bankruptcy Judge to conduct a jury trial.

Rule 407. Removal

Removals under 28 U.S.C. § 1452 or § 1441 in cases related to bankruptcy cases should be filed with the Bankruptcy Clerk.

CROSS-REFERENCE

FEDERAL RULES OF BANKRUPTCY PROCEDURE
to
U.S. DISTRICT COURT OF MARYLAND LOCAL RULES

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APPENDIX C

DISCOVERY GUIDELINES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

GUIDELINE 1: CONDUCT OF DISCOVERY

a. The purpose of these Guidelines is to facilitate the just, speedy, and inexpensive conduct of discovery in all civil cases before the Court, and these Guidelines will be construed and administered accordingly with respect to all attorneys, parties, and non-parties involved in discovery of civil cases before this Court. Fed. R. Civ. P. 26 requires that discovery be relevant to any party's claim or defense; proportional to what is at issue in a case; and not excessively burdensome or expensive as compared to the likely benefit of obtaining the discovery being sought.

The parties and counsel have an obligation to cooperate in planning and conducting discovery to tailor the discovery to ensure that it meets these objectives. Counsel have a duty to confer early and throughout the case as needed to ensure that discovery is planned and conducted consistent with these requirements and, where necessary, make adjustments and modifications in discovery as needed.

During the course of their consultation, counsel are encourages to think creatively and to make proposals to one another about alternatives or modifications to the discovery otherwise permitted that would permit discovery to be completed in a more just, speedy, inexpensive way. By way of illustration only, such alternatives could include different or additional deadlines for the filing of motions or the completion of all or part of discovery; accelerated exchanges of disclosures, additional data or descriptions of the parties' claims and defenses; sampling techniques; and substantial limitations on, or even the elimination of, depositions, coupled with alternative methods of exchanging or obtaining factual information or the equivalent of deposition testimony.

The parties and their counsel are encouraged to submit to the Court for approval their agreements to expand or limit discovery. If, however, counsel are unable to reach agreement on a discovery plan that substantially modifies the normal course of discovery, and either side believes that the Court's assistance would be helpful in framing or implementing such a plan,

then the Court will make itself available with reasonable promptness, in response to a brief, written request for a discovery management conference that identifies the issues for consideration.

b. Counsel are expected to have read the Federal Rules of Civil Procedure, Local Rules of the Court, these Guidelines, and, with respect to discovery of electronically stored information ("ESI"), the Suggested Protocol for Discovery of ESI, posted on the Court's website, www.mdd.uscourts.gov. Compliance with these Guidelines will be considered by the Court in resolving discovery disputes, including whether sanctions should be awarded pursuant to Fed. R. Civ. P. 37, or the Court's inherent powers.

c. Attorneys are expected to behave professionally and with courtesy towards all involved in the discovery process, including but not limited to opposing counsel, parties and non-parties. This includes cooperation and civil conduct in an adversary system. Cooperation and civility include, at a minimum, being open to, and reasonably available for, discussion of legitimate differences in order to achieve the just, speedy, and inexpensive resolution of the action and every proceeding. Cooperation and communication can reduce the costs of discovery, and they are an obligation of counsel.

d. All discovery requests, responses and objections are governed by the requirements of Fed. R. Civ. P. 26(g) and counsel and parties are expected to be familiar with the requirements of the Rule.

e. Whenever possible, attorneys are expected to communicate with each other in good faith throughout the discovery process to resolve disputes without the need for intervention by the Court, and should do so promptly after becoming aware of the grounds for the dispute. In the event that such good faith efforts are unsuccessful, an unresolved dispute should be brought to the Court's attention promptly after efforts to resolve it have been unsuccessful. A failure to do so may result in a determination by the Court that the dispute must be rejected as untimely. Counsel may bring the unresolved dispute to the Court's attention by filing a letter, in lieu of a written motion, that briefly describes the dispute, unless otherwise directed by the Court.

f. Upon being notified by the parties of the unresolved discovery dispute, the Court will promptly schedule a conference call with counsel, or initiate other expedited procedures, to consider and resolve the discovery dispute. If the Court determines that the issue is too complicated to

resolve informally, it may set an expedited briefing schedule to ensure that the dispute can be resolved promptly.

g. To the extent that any part of these Guidelines conflicts with any Local Rules of this Court, or an order of this Court in a particular case, then the conflicting rule or order should be considered to be governing.

GUIDELINE 2: STIPULATIONS SETTING DISCOVERY DEADLINES

Subject to approval by the Court, attorneys are encouraged to enter into written discovery stipulations to supplement the Court's scheduling order. During the scheduling process, the Court will consider requests to impose milestone dates for motions, such as spoliation motions, and motions *in limine* (including *Daubert* motions) that do not normally otherwise have automatically-imposed deadlines. The Court encourages parties to submit to the Court for approval joint suggestions made pursuant to the Suggested Protocol for Discovery of ESI.

GUIDELINE 3: EXPERT WITNESS FEES

a. Unless counsel agree that each party will pay its own experts, the party taking an expert witness' deposition ordinarily pays the expert's fee for the time spent in deposition and related travel. *See* L.R. 104.11.a. Accordingly, counsel for the party that designated the expert witness should try to assure that the fee charged by the expert to the party taking the deposition is fair and reasonable. In the event a dispute arises as to the reasonableness or other aspects of an expert's fee, counsel should promptly confer and attempt in good faith to resolve the dispute without the involvement of the Court. If counsel are unsuccessful, the expert's deposition shall proceed on the date noted, unless the Court orders otherwise, and the dispute respecting payment shall be brought to the Court's attention promptly. The factors that may be considered in determining whether a fee is reasonable include, but are not limited to: (1) the expert's area of expertise; (2) the expert's education and training; (3) the fee being charged to the party who designated the expert; and (4) the fees ordinarily charged by the expert for non-litigation services, such as office consultations with patients or clients.

b. Recognizing that a treating physician may be considered both a fact witness and an expert, the Court has chosen to impose a specific limitation on the fee a treating physician may charge to either party. It is implicit in L.R. 104.11.b, which requires counsel to estimate the hours of deposition time required, that the physician may charge a fee for the entire time he or she

reserved in accordance with the estimate, even if counsel conclude the deposition early. Further, unless the physician received notice at least two business days in advance of a cancellation, the physician is entitled to be paid for any time reserved that cannot reasonably be filled. Every effort should be made to schedule depositions at a time convenient for the witness, and to use videotaped or other visually recorded *de bene esse* depositions rather than requiring the physician's presence at trial. Note that this Discovery Guideline does not limit the reasonable fee a treating physician may charge if required to testify in Court.

c. The parties are encouraged not to designate multiple experts on the same or similar topics.

d. Guideline 4.d is applicable to expert witness depositions.

GUIDELINE 4: SCHEDULING DEPOSITIONS

a. Attorneys are expected to make a good faith effort to coordinate deposition dates with opposing counsel, parties, and non-party deponents, before noting a deposition.

b. Before agreeing to a deposition date, an attorney is expected to attempt to clear the date with his/her client if the client is a deponent, or wishes to attend the deposition, and with any witnesses the attorney agrees to attempt to produce at the deposition without the need to have the witness served with a subpoena.

c. An agreed upon deposition date is presumptively binding. An attorney seeking to change an agreed upon date has a duty to coordinate a new date before changing the agreed date. Noncompliance with Guideline 4.d may rebut the presumption contained herein.

d. If an attorney making a good faith effort to coordinate deposition dates under Guideline 4.a anticipates requesting that the deponent produce ESI at the deposition, the anticipated request should be disclosed to the opposing counsel, parties, and non-party deponents at the time of the Guideline 4.a coordination effort, or as soon thereafter as it becomes anticipated. At a minimum, the discovering/requesting party should describe the scope and form of ESI that will be requested. Counsel are encouraged to review and, if applicable, comply with the Suggested Protocol For Discovery of ESI.

e. Upon reasonable request, and where reasonably practicable, in order to expedite the deposition questioning, a deponent should produce documents including ESI, properly requested in a

notice of deposition and accompanying subpoena, if any, a reasonable time prior to the deposition. Noncompliance with a reasonable and timely request for production of such documents prior to a deposition may be considered by the Court in a motion or request made pursuant to Fed. R. Civ. P 30(d)(1) to determine whether additional time is needed to fairly examine the deponent or if the deponent, another person, or any other circumstance has impeded or delayed the examination.

GUIDELINE 5: DESIGNATION BY AN ORGANIZATION OF SOMEONE TO TESTIFY ON ITS BEHALF

a. **Requested Areas of Testimony**. A notice or subpoena to an entity, association or other organization should accurately and concisely identify the designated area(s) of requested testimony, giving due regard to the nature, business, size and complexity of the entity being asked to testify. The notice or subpoena should ask the recipient to provide the name(s) of the designated person(s) and the areas that each person will testify to by a reasonable date before the deposition is scheduled to begin.

b. **Designating the Best Person to Testify for the Organization**. An entity, association or other organization responding to a deposition notice or subpoena should make a diligent inquiry to determine what individual(s) is (are) best suited to testify.

c. **More Than One Person May Be Necessary**. When it appears that more than one individual should be designated to testify without duplication on the designated area(s) of inquiry, each such individual should be identified, a reasonable period of time before the date of the deposition, as designated witness along with a description of the area(s) to which he or she will testify.

GUIDELINE 6: DEPOSITION QUESTIONING, OBJECTIONS AND PROCEDURE

a. An attorney should not intentionally ask a witness a question that misstates or mischaracterizes the witness' previous answer.

b. During the taking of a deposition, it is presumptively improper for an attorney to make objections which are not consistent with Fed. R. Civ. P. 30 (c)(2). Objections should be stated as simply, concisely and non-argumentatively as possible to avoid coaching or making suggestions to the deponent, and to minimize interruptions in the questioning of the deponent

(for example: “objection, leading”; “objection, asked and answered”; “objection, compound question”; “objection, form”). If an attorney desires to make an objection for the record during the taking of a deposition that reasonably could have the effect of coaching or suggesting to the deponent how to answer, then the deponent, at the request of any of the attorneys present, or, at the request of a party if unrepresented by an attorney, shall be excused from the deposition during the making of the objection.

c. An attorney should not repeatedly ask the same or substantially identical question of a deponent if the question already has been asked and fully and responsively answered by the deponent. Upon objection by counsel for the deponent, or by the deponent if unrepresented, it is presumptively improper for an attorney to continue to ask the same or substantially identical question of a witness unless the previous answer was evasive or incomplete.

d. It is presumptively improper to instruct a witness not to answer a question during the taking of a deposition unless under the circumstances permitted by Fed. R. Civ. P. 30(c)(2). However, it is also presumptively improper to ask questions clearly beyond the scope of discovery permitted by Fed. R. Civ. P. 26(b)(1), particularly of a personal nature, and continuing to do so after objection shall be evidence that the deposition is being conducted in bad faith or in such a manner as unreasonably to annoy, embarrass, or oppress the deponent or party, which is prohibited by Fed. R. Civ. P. 30(d)(3).

e. If requested to supply an explanation as to the basis for an objection, the objecting attorney should do so, consistent with Guideline 6(b) above.

f. While the interrogation of the deponent is in progress, neither an attorney nor the deponent should initiate a private conversation except for the purpose of determining whether a privilege should be asserted. To do so otherwise is presumptively improper.

g. During breaks in the taking of a deposition, no one should discuss with the deponent the substance of the prior testimony given by the deponent during the deposition. Counsel for the deponent may discuss with the deponent at such time whether a privilege should be asserted or otherwise engage in discussion not regarding the substance of the witness’ prior testimony.

h. Unless otherwise ordered by the Court, the following persons may, without advance notice, attend a deposition: individual parties; a representative of non-individual parties; and expert witnesses of parties. Except for the persons identified above, counsel should notify other

parties not later than seven (7) days before the taking of a deposition if counsel desires to have a non-party present during a deposition. If the parties are unable to agree to the attendance of this person, then the person shall not be entitled to attend the deposition unless the party desiring to have the person attend obtains a Court order permitting him/her to do so. Unless ordered by the Court, however, a dispute regarding who may attend a deposition should not be grounds for delaying the deposition. All persons present during the taking of a deposition should be identified on the record before the deposition begins. Other than the deponent, counsel representing a party or unrepresented party, persons attending a deposition may not ask or answer questions during, or otherwise participate in the process of, the deposition.

i. Except for the person recording the deposition in accordance with Fed. R. Civ. P. 30(b), during the taking of a deposition no one may record the testimony without the consent of the deponent and all parties in attendance, unless otherwise ordered by the Court.

GUIDELINE 7: ASSERTIONS OF PRIVILEGE AT DEPOSITIONS

When a claim of privilege is asserted during a deposition, and information is not provided on the basis of such assertion:

a. In accordance with Fed. R. Civ. P. 26(b)(5), the person asserting the privilege should identify during the deposition the nature of the privilege (including work product) that is being claimed.

b. After a claim of privilege has been asserted, the person seeking disclosure should have reasonable latitude during the deposition to question the witness to establish other relevant information concerning the assertion of privilege, including: (i) the applicability of the particular privilege being asserted; (ii) any circumstances that, under Fed. R. Evid. 502, may demonstrate that a prior disclosure was or was not permitted without waiver of the privilege; (iii) any circumstance that may constitute an exception to the assertion of the privilege; and (iv) any circumstances which may result in the privilege having been waived.

c. In accordance with Fed. R. Civ. P. 26(b)(5), the party asserting the privilege, in providing the foregoing information, should not be required to reveal the information that is itself privileged or protected from disclosure.

GUIDELINE 8: MAKING A RECORD OF IMPROPER CONDUCT DURING A DEPOSITION

Upon request of any attorney, party unrepresented by an attorney, or the deponent if unrepresented by an attorney, the person recording the deposition in accordance with Fed. R. Civ. P. 30(b) should enter on the record a description by the requesting person of conduct of any attorney, party, or person attending the deposition which violates these guidelines, the Federal Rules of Civil Procedure, or the Local Rules of this Court.

GUIDELINE 9: DELAY IN RESPONDING TO DISCOVERY REQUESTS

a. **Interrogatories, Requests for Production of Documents, and Requests for Admission of Facts and Genuineness of Documents**

The Federal Rules of Civil Procedure designate the time prescribed for responding to Interrogatories, Requests for Production of Documents, and Requests for Admission of Facts and Genuineness of Documents. Nothing contained in these guidelines modifies the time limits prescribed by the Federal Rules of Civil Procedure. Attorneys should make good faith efforts to respond to discovery requests within the time prescribed by those rules.

Absent exigent circumstances, attorneys seeking additional time to respond to discovery requests should contact opposing counsel as soon as practical after receipt of the discovery request, but not later than three (3) days before the response is due. In multiple party cases, the attorney wanting additional time should contact the attorney for the party propounding the discovery.

A request for additional time which does not conflict with a scheduling deadline imposed by the Federal Rules of Civil Procedure, the Local Rules of this Court, or a Court order should not be unreasonably refused. If a request for additional time is granted, the requesting party should promptly prepare a writing which memorializes the agreement, which shall be served on all parties but need not be submitted to the Court for approval.

Unless otherwise provided by the Local Rules of the Court, no stipulation that modifies a Court-imposed deadline shall be deemed effective unless and until the Court approves the stipulation.

b. **Depositions**.

Unless otherwise ordered by the Court or agreed upon by the parties, fourteen (14) days notice shall be deemed to be "reasonable notice" within the meaning of Fed. R. Civ. P.30(b)(1), for the noting of depositions.

GUIDELINE 10: INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, ANSWERS TO INTERROGATORIES, AND WRITTEN RESPONSES TO DOCUMENT REQUESTS

a. A party may object to an interrogatory, document request, or part thereof, while simultaneously providing partial or incomplete answers to the request. If a partial or incomplete answer is provided, the answering party shall state that the answer is partial or incomplete.

b. No part of an interrogatory or document request should be left unanswered merely because an objection is interposed to another part of the interrogatory or document request.

c. In cases where a party is represented by more than one attorney of record, no discovery motion, response or opposition should be filed unless a senior attorney of record has read the contents of the motion and any supporting memorandum and exhibits.

d. In accordance with Fed. R. Civ. P. 26(b)(5), where a claim of privilege is asserted in objecting to any interrogatory, document request, or part thereof, and information is not provided on the basis of such assertion:

i. The party asserting the privilege shall, in the objection to the interrogatory, document request, or part thereof, identify with specificity the nature of the privilege (including work product) that is being claimed;

ii. The following information should be provided in the objection, if known or reasonably available, unless divulging such information would cause disclosure of the allegedly privileged information;

a. For oral communications:

i. the name of the person making the communication and the names of persons present while the communication was made, and, where not

apparent, the relationship of the persons present to the person making the communication;

ii. the date and place of the communication; and

iii. the general subject matter of the communication.

b. For documents:

i. the type of document;

ii. the general subject matter of the document;

iii. the date of the document; and

iv. such other information as is sufficient to identify the document, including, where appropriate, the author, addressee, custodian, and any other recipient of the document, and, where not apparent, the relationship of the author, addressee, custodian, and any other recipient to each other.

iii. The above information should be provided separately for each document for which privilege/protection is asserted, unless doing so would be excessively burdensome or expensive. In such instances, the party asserting privilege/protection should particularize why providing separate designations would be excessively burdensome or expensive, and then may identify by categories the voluminous documents or communications for which privilege/protection is asserted, providing the above information for each category. A party may only designate documents as privilege/protected by category if each document (1) is within the privilege/protected claimed, and (2) shares common characteristics such as sender, receiver, author, or specific subject matter. Where only part of a document or communication is privilege/protected, the unprivileged/unprotected portion should be disclosed if otherwise discoverable and within the scope of the discovery request.

iv. Reasonably promptly after receiving the information contained in Guideline 10.d.ii., the party seeking disclosure should notify the party from whom disclosure is sought of any deficiencies in the particularization of the basis for any privilege/protection asserted,

including any "category designations" under Guideline 10.d.iii. Once done, the party from whom disclosure was sought shall, with reasonable promptness, provide sufficient factual information, including by affidavit, to establish the factual basis for each claim of privilege or protection that has been claimed. Failure to do so may result in a determination by the Court that the party asserting the privilege or work product protection has failed to particularize it as required by Fed. R. Civ. P. 26(b)(5), resulting in the waiver of any privilege/protection that has been claimed.

v. The parties are encouraged to confer and reach agreement regarding how to assert privilege/protection claims with respect to Email "chains" or "strings," and if unable to do so, to bring to the attention of the Court their disagreement for prompt resolution.

e. If a party asserts in response to an interrogatory, request for production of documents, or request for admission of facts, that electronically stored information is not reasonably accessible because of undue burden or cost, within the meaning of Fed. R. Civ. P. 26(b)(2)(B), or otherwise asserts the requested discovery is unduly burdensome or expensive, the party making that assertion is expected to disclose, promptly and with particularity, the facts on which it relies to support that contention.

f. In addition to paper copies, parties are encouraged to exchange discovery requests and responses in a commonly-accepted word processing format, if requested, in order to reduce the clerical effort required to prepare responses and motions.

COMPENSATION GUIDELINES FOR PROFESSIONALS IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MARYLAND

The following guidelines apply to professional fee applications in all bankruptcy cases in the United States Bankruptcy Court for the District of Maryland. These guidelines shall apply to all professionals seeking compensation pursuant to 11 U.S.C. §§327, 328, 330 and 331, including attorneys, accountants, examiners, investment bankers and real estate advisors, unless the court, in the order employing such professional or other order, provides otherwise. These guidelines set forth information to be contained in both interim and final applications for the approval of fees and expenses.

Although conformity to these guidelines will ensure that certain necessary information is included to assist the court in its review of professional fee applications, it must be remembered that the following are guidelines only. Applications for compensation may vary from case to case, and each application must be reviewed on its own merits depending upon the facts and circumstances of the case. Familiarity with and adherence to the following guidelines will, it is hoped, promote the submission of more uniform professional fee applications containing adequate information, and facilitate a meaningful review process and more expeditious action by the court.

A. Format of Fee Applications.

Bankruptcy Rule 2016(a) sets forth certain requirements with respect to professional fee applications. The application should set forth a detailed statement of (1) the services rendered, (2) the time expended, (3) the expenses incurred, (4) the amounts requested, (5) the rates charged for such services, (6) how the services rendered were necessary to the administration of, or beneficial at the time at which the services were rendered toward the completion of, the case, (7) information relevant to a determination that the services were performed within a reasonable amount of time commensurate

with the complexity, importance and nature of the problem, issue or task addressed, and (8) an affirmation that the compensation requested is reasonable based upon the customary compensation and reimbursement of expenses charged by the applicant and comparably skilled professionals in nonbankruptcy matters. In addition, applications should include a statement as to what payments have been made or promised to the applicant, the source of the compensation paid or promised, whether there is any sharing arrangement and the particulars as to any such sharing arrangement. Applications should also set forth the date the order approving employment was entered and the dates of entry of any previous orders approving interim compensation to the applicant and the amounts of compensation previously approved. Finally, fee applications should include a "lodestar" analysis and discussion of the factors identified in Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5th Cir. 1974), and adopted by the Fourth Circuit in Barber v. Kimbrell's, Inc., 577 F.2d 216 (4th Cir. 1978), Anderson v. Morris, 658 F.2d 246 (4th Cir. 1978) and Harman v. Levin, 772 F.2d 1150 (4th Cir. 1985).

B. Description of Services Rendered and Time Expended.

Daily time sheets or a listing of daily time entries, in legible form, should be included in or attached to the application.[1]/ The time sheets or time entries should provide an itemized listing of all services performed by each professional and paraprofessional and the time spent on each matter indicated. The applicable billing rate for each professional and paraprofessional should be indicated.

Each professional and paraprofessional should record time in increments of tenths of an hour and keep contemporaneous time records. Time records should set forth in reasonable detail an appropriate narrative description of the services rendered. As a general rule, the description should include indications of the participants in and the length and nature of the activities undertaken. Examples of insufficient descriptions include "telephone call," "telephone call to X," "conference with

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[1]/ Fee applications for matters handled on a contingent fee basis and applications required to be submitted pursuant to §506(b) should also conform to the applicable format guidelines set forth herein.

client," "research," "review of documents," "review of pleadings," and "correspondence." Examples of satisfactory descriptions are set forth in footnote 3.

The broad "lumping" of services, or the grouping of different tasks within one block of time, should generally be avoided in favor of more specific descriptions.[2]/ In recording time for each day, each professional and paraprofessional may describe in one entry the nature of the services rendered on a given task during that day and the aggregate time expended that day on such task, provided, however, that if the professional or paraprofessional works more than one hour on a task on any given day, the time record for that day should include internally, within the description of services for that day, the amount of time spent on each particular activity. A hypothetical time record complying with the foregoing is included below.[3]/

The description of services required to be set forth is not intended to require the disclosure of privileged or confidential information, provided, that if additional detail is required, the court may direct that such additional information be furnished subject to appropriate protective conditions. Information set forth in a fee application shall not operate as a waiver of any applicable privilege, including the attorney/client privilege or work product doctrine.

Charges for conferences between individuals in the same firm on the same case are not objectionable, if reasonable, necessary and limited. Similarly, more than one professional may charge for attending a meeting or hearing on behalf of the same client if such attendance is reasonable, necessary and limited. An explanation as to why more than one professional attended such meeting

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[2]/ Notwithstanding the general prohibition of "lumping", time entries for periods of one hour or less on a given day may be grouped together provided that a reasonable description of the services rendered within such time entry is provided.

[3]/ A complying time entry would be:
"internal conference with X re cash collateral (.3); revise draft motion re cash collateral (.8); conf. call with Y and Z re cash collateral hearing (.5); review documents re cash collateral motion (1.1); legal research re cash collateral hearing (.5) ... Total Time 3.2"

or hearing may in certain circumstances be required, particularly if such multiple professional attendance does not appear to be reasonable in a particular situation.[4]/

Ordinarily, time entries should be organized by tasks and presented chronologically. An applicant should either organize the time sheets or present a time entry listing by discrete tasks where an application covers multiple tasks undertaken by the applicant during the time period covered by the application. Within each task identified, the time entries of all timekeepers working on such task should appear chronologically. In addition, the application should include a summary by timekeeper of the time spent on each task, the billing value for each timekeeper and a total billing amount for each task. Finally, the application should also include a brief narrative description as to why each task was undertaken, the current status thereof and the results or benefits achieved to date.

It is not the intent of these guidelines to set forth a definitive listing of what tasks should be separately identified in each case or each professional fee application. However, where a discrete activity can reasonably be expected to continue over a period of at least three months and can reasonably be expected to constitute 10-20% or more of the fees to be sought for an interim period, the professional should present a separate chronological listing of time entries for such matter to the extent reasonably practicable. Examples of categories which might comprise separate tasks in a particular case are set forth below.[5]/

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[4]/ In appropriate cases where there are multiple counsel from different firms representing the same party, such counsel may be required to submit their applications simultaneously.

[5]/ <u>Sample Task Listing for Attorneys</u>

Asset analysis and recovery.
Asset disposition/sales/leases/executory contracts.
Business operations.
Case administration.
Claims administration and objections.
Fee/employment applications and objections.
Financing/cash collateral.
Litigation [separately identify larger litigation matters as discrete tasks].
Meetings of creditors.

(continued...)

Subject to court approval, a trustee may employ himself or herself, or a firm with which the trustee is affiliated, as a professional. In such cases, applications for compensation should distinguish services rendered as trustee from those rendered by the professional seeking compensation.

Compensation sought for time spent traveling should indicate the mode and time of travel, the necessity for travel and whether any substantive work was performed while traveling (e.g., preparing for hearing). If excessive or unreasonable, compensation for travel time may be reduced. If time is spent during travel working on other matters, such travel time should not also be billed to the bankruptcy case.

Compensation for time spent preparing and defending fee applications is appropriate if reasonable. Compensation for the preparation of fee applications will be based on the level and skill reasonably required to prepare the application.

C. Reimbursement for Disbursements and Expenses.

Disbursements and expenses for which reimbursement is sought should be summarized in the fee application by category and any unusual items explained. Excessive charges will not be reimbursed. The following are guidelines with respect to some (but not necessarily all) of the categories of reimburseable disbursements and expenses:

Photocopying. The applicable charge for photocopying should be the actual cost of such copying not to exceed 20¢ per page or, if an outside service is used, the actual cost of such copying.

(...continued)

Plan and disclosure statement.

Sample Task Listing for Accountants

Accounting/auditing.
Business analysis.
Corporate finance.

Data analysis.
Litigation consulting.
Tax issues.
Valuation/projections.

Facsimile Transmission. Charges for out-going facsimile transmissions to long-distance telephone numbers are reimburseable at the lower of (i) toll charges or (ii) if such amount is not readily determinable, $1.25 per page for domestic and $2.50 per page for international transmissions. Charges for incoming facsimile transmissions are not reimburseable.

Mileage. The applicable charge for automobile mileage should not exceed the government approved rate, plus actual parking charges incurred.

Travel. The actual expenses incurred for out-of-town travel are reimburseable. However, first-class airfare, luxury accommodations and deluxe meals are not reimburseable, nor are personal or incidental charges unless necessary as a result of unforeseen circumstances.

Computerized Legal Research. Reasonable expenses may be charged for computerized legal research, including Lexis and Westlaw, provided that there is a description of the legal research undertaken and the charges do not exceed the actual cost to the attorney.

Postage, Telephone, Courier and Freight. The cost of postage, freight, overnight delivery, courier services and telephone toll charges may be reimburseable, if reasonably incurred. Only the long distance component of cellular telephone charges is reimbursable. Charges for services such as messengers and overnight mail should not be incurred indiscriminately. Charges for local telephone services are not reimburseable. If normal, routine first-class postage is not customarily charged to other clients, then such postage would not be reimburseable; however, special postage charges or bulk mailings would ordinarily be reimburseable.

Court Costs. Court costs and disbursements are reimburseable.

Meals. Charges for meals are generally not reimburseable unless justified under appropriate circumstances or unless incurred as part of otherwise reimburseable out-of-town travel.

Overtime Charges. Overtime for non-professional and paraprofessional staff is reimburseable only if specifically justified in the application as necessary under the circumstances. Overtime charges for professional staff is not reimburseable.

Word Processing, Proofreading, Secretarial and Other Staff Services. Daytime, ordinary business hour charges for word processing, proofreading, secretarial, library and other staff services

(exclusive of paraprofessional services) are generally considered office overhead items and, therefore, not reimburseable unless specifically justified in exceptional circumstances.

With respect to all disbursements and expenses for which reimbursement is sought, it must be understood that they must be of a kind and at a rate customarily charged to and collected from other clients and subject to the test of reasonableness under the circumstances of each case.

Each professional fee application in which the applicant is seeking reimbursement for expenses should include a statement that, with respect to expenses for which reimbursement is sought, the applicant is familiar with and has submitted the application in conformity with the "Compensation Guidelines for Professionals in the United States Bankruptcy Court for the District of Maryland."

D. Lodestar Analysis, Johnson Factors And Billing Judgment.

Each professional fee application should contain a "lodestar" analysis and discussion of the Johnson v. Georgia Highway Express, Inc. (supra) factors, as adopted by the Fourth Circuit in Barber v. Kimbrell's, Inc. (supra), including a statement as to the professional's application of billing judgment to the compensation sought by such professional.

The "lodestar" analysis should include a summary listing the name of each professional and paraprofessional for whom compensation is sought, the number of hours worked by each identified individual, that individual's hourly rate (which should not exceed such individual's standard hourly rate in other bankruptcy and non-bankruptcy matters), the total compensation sought for each such individual and a total of all compensation sought for the period in question, before and after applying billing judgment to the compensation requested. A similar detailed summary of disbursements and expenses by category should also be presented.

The fee application should discuss the application of the twelve Johnson v. Georgia Highway Express, Inc. factors, to the extent that they apply in each particular case. Those factors may be summarized as follows:

1. the time and labor expended;

2. the novelty and difficulty of the questions raised;

3. the skill required to properly perform the professional services rendered;

4. the professional's opportunity costs in pursuing the matter;

5. the customary fee for like work;

6. the professional's expectations as to compensation at the outset of the matter;

7. the time limitations imposed by the client or circumstances;

8. the amount in controversy and the results obtained;

9. the experience, reputation and ability of the professional;

10. the desirability or undesirability of the case within the professional community in which the case arose;

11. the nature and length of the professional relationship between the professional and client; and

12. professional fee awards in similar cases.

Not all of the foregoing twelve factors will be applicable to every fee application. However, they should be considered in the professional's exercise of billing judgment and discussed in the fee application. If a particular factor is not considered to be applicable, the application should so state. In addition, if the professional believes that other factors are relevant to the compensation requested, the foregoing list is not intended to be exhaustive. Professionals are encouraged to state all facts and circumstances that such professional believes to be relevant to the compensation requested.

In the final analysis, in making its determination with respect to a fee application and the amount of compensation to be awarded, the court will consider the nature, the extent, and the value of the services rendered.

MARYLAND STATE BAR ASSOCIATION
CODE OF CIVILITY

In May 1997, the Maryland State Bar Association's Board of Governors approved the following aspirational Code of Civility for all lawyers and judges in Maryland. MSBA encourages all Maryland lawyers and judges to honor and voluntarily adhere to the standards set forth in these codes. Civility is the cornerstone of the legal profession.

LAWYERS' DUTIES

1. We will treat all participants in the legal process, in a civil, professional, and courteous manner and with respect at all times and in all communications, whether oral or written. These principles are intended to apply to all attorneys who practice law in the State of Maryland regardless of the nature of their practice. We will refrain from acting upon or manifesting racial, gender, or other bias or prejudice toward any participant in the legal process. We will treat all participants in the legal process with respect.

2. We will abstain from disparaging personal remarks or acrimony toward any participants in the legal process and treat everyone with fair consideration. We will advise our clients and witnesses to act civilly and respectfully to all participants in the legal process. We will, in all communications, speak and write civilly and respectfully to the Court, staff, and other court or agency personnel with an awareness that they, too, are an integral part of the judicial system.

3. We will not encourage any person under our control to engage in conduct that would be inappropriate under these standards if we were to engage in such conduct.

4. We will not bring the profession into disrepute by making unfounded accusations of impropriety or attacking counsel, and absent good cause, we will not attribute bad motives or improper conduct to other counsel.

5. We will strive for orderly, efficient, ethical and fair disposition of litigation, as well as disputed matters that are not yet the subject of litigation, and for the efficient, ethical, and fair negotiation and consummation of business transactions.

6. We will not engage in conduct that offends the dignity and decorum of judicial and administrative proceedings, bring disorder to the tribunal or undermines the image of the legal profession, nor will we allow clients or witnesses to engage in such conduct. We will educate clients and witnesses about proper courtroom decorum and to the best of our ability, prevent them from creating disorder or disruption in the courtroom.

7. We will not knowingly misrepresent, mischaracterize, or misquote fact or authorities cited.

8. We will be punctual and prepared for all scheduled appearances so that all matters may begin on time and proceed efficiently. Furthermore, we will also educate everyone involved concerning the need to be punctual and prepared, and if delayed, we will notify everyone involved, if at all possible.

9. We will attempt to verify the availability of necessary participants and witnesses so we can promptly reschedule appearances if necessary.

10. We will avoid ex parte communications with the court, including the judge's staff, on pending matters in person (whether in social, professional, or other contexts), by telephone, and in letters and other forms of written communication, unless authorized.

JUDGES' RESPONSIBILITIES

1. We will not use hostile, demeaning or humiliating words in opinions or in written or oral communications with lawyers, parties or witnesses.

2. We will be courteous, respectful and civil to lawyers, parties, witnesses, and court personnel. We will maintain control of all court proceedings, recognizing that judges have both the obligation and the authority to ensure that judicial proceedings are conducted with dignity, decorum and courtesy to all.

3. Within the practical limits of time, we will afford lawyers appropriate time to present proper arguments and to make a complete and accurate record.

4. We will make reasonable efforts to decide promptly all matters presented for decision.

5. We will be considerate of professional and personal time schedules of lawyers, parties, witnesses and court staff in scheduling hearings, meetings, and conferences, consistent with the efficient administration of justice.

6. We will be punctual in convening trials, hearings, meetings, and conferences; if they are not begun when scheduled; proper and prompt notification will be given.

7. We will inform counsel promptly of any rescheduling, postponement, or cancellation of hearings, meetings or conferences.

8. We will work cooperatively with all other judges and other jurisdictions with respect to availability of lawyers, witnesses, parties and court resources.

9. We will treat each other with courtesy and respect.

10. We will conscientiously assist and cooperate with other jurists to assure the efficient and expeditious processing of cases, while, when possible, accommodating the trial schedule of all lawyers, parties and witnesses.

APPENDIX F

CHAPTER 13 DEBTOR'S COUNSEL RESPONSIBILITIES AND FEES

1. A copy of paragraphs 2. and 3. of this document, Chapter 13 Debtor's Counsel Responsibilities and Fees, must be delivered to the debtor(s) by counsel at the time counsel is employed, in addition to the retainer agreement by and between the debtor(s) and debtor's counsel.

2. With the exception of adversary proceedings, appeals, and United States Trustee audits, for which separate arrangements may be made, counsel must represent their client in all matters in the bankruptcy case as long as counsel is counsel of record. This includes defending motions, including motions for relief from stay, and bringing objections to claims and prosecuting motions on behalf of debtor. After the initial engagement, counsel may not demand payments from the debtor as a precondition to doing the work. Notwithstanding the foregoing, the Court may, upon prior application, allow counsel to enter a limited appearance, including, but not limited to, representation on a pro bono or reduced fee basis.

3. Counsel must remain as counsel of record until the entry of a court order allowing the withdrawal of appearance, or until the case is dismissed or closed. The failure to receive payment for services rendered or to be rendered may serve as the basis for counsel filing a motion to withdraw.

4. The following fee arrangements are presumed reasonable under Section 329 and allowable under Section 330 and require no application or approval, except as stated below. This presumption is rebuttable and the fee can be the subject of an order to justify the fee.

If no objection or order to justify fee is filed or entered, the presumptively reasonable fee is deemed allowed under 11 U.S.C. § 330 without the entry of an Order. However, if an objection or order to justify fee is filed or entered, the burden shall be upon debtor's counsel to prove that the fee should be allowed under 11 U.S.C. § 330 under the facts and circumstances of the case for which the fee is sought. The foregoing notwithstanding, any objection filed by a trustee or other party in interest shall describe the asserted factual basis for rebutting the presumption.

A. A flat fee, not to exceed $3,500.00 for representation of the debtor for all matters in the main case. However, Counsel may by application request approval of additional fees for work done upon matters that were both not reasonably expected and that are extraordinary, or for work done after 90 days following the entry of the order confirming plan until representation ends. Such application may be made on Local Form E with notice (Local Form E-1).

B. A flat fee, not to exceed $4,500.00 for representation for all matters in the main case. Except as stated in the following sentence, Counsel waives all opportunity to apply for additional work in the main case. Counsel may by application request approval of additional fees for work done upon matters that were not reasonably expected and that are extraordinary. Such application may be made on Local Form E with notice (Local Form E-1).

C. A flat fee, not to exceed $2,000.00 for representation of the debtor on all matters relating to plan confirmation. Counsel may apply for additional compensation for additional fees for prosecuting or defending motions not relating to the plan confirmation, including, without limitation, motions for relief from stay, or for claims objections. Such application may be made on Local Form E with notice (Local Form E-1). The requirement for representation in all matters in the bankruptcy case, stated in paragraph 2. above, applies without regard to the more limited coverage of the $2,000.00 fee arrangements set forth in this subparagraph.

D. In any fee arrangement described in subparagraphs A, B and C above, the plan may provide that the trustee will disburse any unpaid fees to counsel and other claimants whose claims are described in 11 U.S.C. § 507(a)(2), before any disbursement by the trustee to other creditors except claimants whose claims are described in 11 U.S.C. § 507(a)(1). Unless otherwise provided by the confirmed Plan, if, after payment to claimants whose claims are described in 11 U.S.C. § 507(a)(1), the remaining unpaid balance of the attorney's fee, the trustee's commission and other claims described in 11 U.S.C. § 507(a)(2) cannot be disbursed in full from the Plan payments due during the first twelve months of the Plan term, then the remaining unpaid balance of such fee shall be disbursed on a pro rata basis with any other priority and/or secured claims.[1]

5. All fees are subject to subsequent disgorgement upon an order of the court. No plan or confirmation order shall bar by res judicata or otherwise the subsequent review and potential disgorgement of the fee, upon objection or order to justify fee and notice thereof.

6. Full compliance with Federal Rule of Bankruptcy Procedure 2016(b) is required, including the filing of a Supplemental Disclosure on Local Form E-2 of additional funds received from any person, other than distributions from the trustee under a confirmed plan. Counsel shall state in the Disclosure of Compensation filed pursuant to Federal Rule of Bankruptcy Procedure 2016(b) whether the fee arrangement is one of the flat fees described in subparagraphs A, B or C of paragraph 4 above, and, if so, which such fee arrangement applies.

7. Nothing in this Appendix F shall preclude, restrict, or prohibit counsel from entering into fee arrangements different from those arrangements described in Paragraph 4 above. Counsel must file an application for compensation in accordance with the Bankruptcy Code, Bankruptcy Rules, and the Rules of this Court for any fee arrangement that is different from the fee arrangements described in Paragraph 4 above.

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[1] Nothing in subparagraph 4.D is intended to alter or amend any obligation counsel may have under nonbankruptcy law concerning escrowing, administering or accounting for any funds disbursed to counsel pursuant to these procedures.

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