LOCAL RULES OF BANKRUPTCY PRACTICE

United States Bankruptcy Court

District of Nevada

Updated March 2, 2021

U.S. Bankruptcy Court
District of Nevada

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LOCAL RULES OF BANKRUPTCY PRACTICE

LR 1001. TITLE AND SCOPE OF RULES.

(a) Title. These are the Local Rules of Bankruptcy Practice of the United States Bankruptcy Court, District of Nevada. This part governs cases and proceedings before the United States Bankruptcy Court of this District. These Rules may be cited as LR.

(b) Applicability of local bankruptcy and district court rules.

(1) All cases under title 11 and all proceedings arising under, arising in, or related to a case under title 11 are referred to the bankruptcy court for this district. If a bankruptcy judge or district judge determines that entry of a final order or judgment by a bankruptcy judge would not be consistent with Article III of the United States Constitution in a particular proceeding referred under these rules, the bankruptcy judge must, unless otherwise ordered by the district court or consistent with LR 5011, hear the proceeding and submit proposed findings of fact and conclusions of law to the district court, consistent with 28 U.S.C. § 157(d) and LR 9033. The district court may treat any order of the bankruptcy court as proposed findings of fact and conclusions of law in the event that the district court concludes that the bankruptcy judge could not have entered a final order or judgment consistent with Article III of the United States Constitution.

(2) The Federal Rules of Bankruptcy Procedure and these Local Rules govern procedure in all bankruptcy cases and proceedings in the District of Nevada. Except for those matters contained in the Local Rules of Practice for the United States District Court for the District of Nevada, no other local rules apply unless they are specifically adopted by reference in these bankruptcy Local Rules.

(3) Except where specified, these rules do not apply to bankruptcy proceedings in the district court.

(4) These rules supplement or, as permitted, modify the Federal Rules of Bankruptcy Procedure and are to be construed to be consistent with the Federal Rules of Bankruptcy Procedure and to promote the just, efficient, and economic determination of every action and proceeding.

(5) These rules are effective starting January 1, 2021, and govern all actions and proceedings pending or begun on, or after, that date.

(c) General and administrative orders, guidelines, and policy statements.

(1) These rules may be amended by general order of the district court or by administrative order of the bankruptcy court. There may be matters relating to internal bankruptcy court administration that, in the discretion of the bankruptcy court en banc, may be accomplished by administrative orders.

(2) The clerk will maintain copies of orders, guidelines, and policy statements that relate to practice before this court and will make copies available:

(A) On request and accompanied with the payment of a nominal charge; and

(B) On the court's website, www.nvb.uscourts.gov.

(d) Procedures outside the rules. These rules are not intended to limit the discretion of the court. The court may, on a showing of good cause, waive any of these rules, or make additional orders as it may deem appropriate and in the interest of justice.

(e) Sanctions for noncompliance with rules. Failure of an attorney or of a party to comply with these rules, the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, or any court order may be grounds for imposing sanctions, including, without limitation, monetary sanctions.

(f) United States Trustee guidelines. The United States Trustee may, from time to time, issue guidelines regarding all matters in or relating to cases under Title 11 of the United States Code. The guidelines reflect the position of the United States Trustee on the matters they address as well as actions that the United States Trustee may take in accordance with those positions. Copies of the guidelines will be available from the United States Trustee upon request or through the court's website.

(g) Links to other websites. Bankruptcy trustees and governmental entities, appointees, or agents, including but not limited to the United States Attorney, the United States Trustee, the Internal Revenue Service and organizations that assist low income individuals, may submit proposed links to the clerk for inclusion on the court's website.

(h) Meaning of terms. Unless otherwise specifically stated, throughout these rules, the word "debtor" means the debtor, the debtor's attorney, or anyone else who speaks for or represents the debtor. Similarly, the word "trustee" means the trustee, the trustee's attorney, or anyone else who speaks for or represents the trustee. The same understanding applies to all other parties.

LR 1002. PETITION - GENERAL.

(a) Number of copies.

(1) For documents that are not electronically filed by parties under the

provisions of LR 5005, the clerk will maintain a list of requirements that specify the minimum number of copies that must be submitted. The clerk may from time to time revise the list of copy requirements. When the requirements are revised, the clerk will reissue them with a notation of the effective date of the revision. The clerk will make copies of the list available upon request and will post them on the court's website.

(2) Notwithstanding this rule, if the clerk asks a filer for a copy of a document or for additional copies, the filer must comply.

(b) Additional documents. When a voluntary petition is filed by an entity, other than a sole proprietorship, evidence of authorization of the filing must be attached to the petition. When a voluntary petition is filed by a corporation, there must be attached to it a true copy of the resolution of the corporation's board of directors authorizing the filing. When a voluntary petition is filed by a partnership, evidence of the unanimous consent of all general partners must be attached to the petition unless the partnership agreement permits other than unanimous consent. If that is the case, a declaration to that effect must be attached to the petition. When a voluntary petition is filed by a limited liability company, a resolution signed by all members must be attached to the petition, unless the operating agreement permits a bankruptcy petition to be filed: (i) without unanimous consent by the members; or (ii) by the number of managers required by the Operating Agreement(s). If that is the case, a declaration to that effect must be attached to the petition.

(c) Duty to notice other courts of the filing of bankruptcy petition. Within fourteen (14) days after filing a bankruptcy petition, the debtor must file a notice of the bankruptcy case in any proceeding where any claim or cause of action is pending against, or on behalf of, the debtor. The debtor must file evidence of service of the notice with the bankruptcy court within seven (7) days after service is completed.

LR 1003. JOINDER OF PETITIONERS IN INVOLUNTARY CASE.

If a debtor files an answer averring the existence of twelve (12) or more creditors, the creditor(s) filing the involuntary petition must serve a copy of the petition, the answer, and a notice to all creditors. The notice must state that the creditor may join in the petition before the hearing date to adjudicate the involuntary petition.

LR 1005. PETITION - CAPTION.

Signatures are required in all appropriate sections in the petition when filed with the court. All petitions filed must include the following: (1) the name of all attorneys appearing for the petitioner, their Nevada or other state bar number, address, telephone number, fax number, and email address; or, for a party appearing pro se, the party's name, address, email address (if applicable), and telephone number; and (2) in all cases, the chapter of the Bankruptcy Code under which the case is filed.

LR 1006. PAYMENT OF FILING FEE IN INSTALLMENTS; DENIAL OF PETITION UNDER 28 U.S.C. § 1930(f).

(a) An application for permission to pay filing fees in installments by an individual must provide that an initial payment will be made within five (5) business days after filing the petition, and the balance of the filing fee will be paid in accordance with the order approving payment of filing fee in installments. The bankruptcy fee schedule is posted on the court's website, and it will have a breakdown of the authorized installment payment amounts.

(b) If a petition under 28 U.S.C. § 1930(f) is denied, the debtor will be deemed to have applied for installment payments under section (a) above as of the date of denial.

LR 1007. LISTS, SCHEDULES, AND STATEMENTS; MAILING LIST.

(a) Number of copies. *See* LR 1002(a).

(b) Master mailing list.

(1) The debtor must prepare and file a master mailing list in a format approved by the clerk.

(2) The master mailing list must include the following information:

(A) The names and addresses of creditors, either alphabetically or alphabetically by category, including those parties to pending lawsuits indicated on the debtor's statement of financial affairs, and those additional parties and governmental entities specified in LR 2002;

(B) Zip codes for all postal addresses; and

(C) The names and addresses of all corporate officers and equity security holders for any debtor that is a corporation, all general and limited partners for any debtor that is a partnership, and all managers and members of any limited liability company.

(3) The clerk will maintain requirements for a master mailing list that specify the format of a list to be submitted for filing. This may include the requirement that the list be submitted electronically. The clerk may from time to time revise the requirements. When revised, the clerk will reissue the requirements with a notation of the effective date of the revision. Copies of the requirements for the format of a master mailing list will be available from the clerk and will be posted on the court's website.

(4) If the debtor fails to timely prepare and file a master mailing list in a format that conforms to the clerk's requirements for a master mailing list, the attorney for the debtor or the debtor in proper person will be required to mail the Notice of Chapter __Bankruptcy Case and the Discharge of Debtor to all creditors and parties in interest pursuant to LR 2002(a).

(5) Amendment.

(A) If any amended schedule of creditors is filed, a supplement to the master mailing list must be submitted. The supplement must not repeat those creditors on the prior master mailing list and must list only the following information:

(i) The complete name and address of additional creditors and corrections to the master mailing list, together with the bankruptcy case number;

(ii) The complete name and address of any party requesting special notice, together with the bankruptcy case number; and

(iii) The complete name and address of the most recent addition of any creditor that is either scheduled or has filed a proof of claim.

(B) Besides the notice of the amendment required by Fed. R. Bankr. P. 1009(a), upon filing an amendment, the debtor must send a copy of the Notice of Chapter Bankruptcy Case issued in the bankruptcy case to the added creditors, and within two (2) business days must serve notice on the added creditors by mail and file a certificate of service of such service.

(6) The debtor is responsible for the accuracy and completeness of the master mailing list and any supplement. The clerk will not compare the names and addresses of the creditors listed in the schedules with the names and addresses shown on the master mailing list or supplement.

(7) A party serving notice is responsible for determining the appropriate address pursuant to, among other rules, Fed. R. Bankr. P. 2002(g).

(c) Extension of time. Any motion to extend the time to file lists, schedules, and statements must be filed within the time period provided by Fed. R. Bankr. P. 1007.

(d) Pay stubs. As authorized by 11 U.S.C. § 521(a)(1)(B), the court hereby exempts any debtor who is an individual from the filing requirements of 11 U.S.C. § 521(a)(1)(B)(iv). However, the information and documents required by 11 U.S.C. § 521(a)(1)(B)(iv) still may be required by the trustee, the United States Trustee's Office, or requested by any creditor.

LR 1009. AMENDMENT OF PETITION.

The clerk may direct the debtor to file an amendment to the petition on a form prescribed by the clerk to correct any clerical mistakes in the debtor's name, address or identification number. If the debtor fails to comply, the clerk may require the debtor to file an ex parte motion and order. The debtor must send notice of the amendment to the United States Trustee, trustee, and all creditors.

LR 1013. HEARING AND DISPOSITION OF PETITION IN INVOLUNTARY CASES.

(a) Setting trial of involuntary cases. Unless the clerk sets a status hearing when an involuntary petition is filed, the petitioning creditor(s) must obtain a hearing date from the clerk for the trial of a contested petition and must immediately notify the alleged debtor of the hearing date along with any creditors identified in the debtor's answer.

(b) Effect of default. If an answer or responsive pleading is not filed as required by Fed. R. Bankr. P. 1011, the petitioning creditor(s) must within seven (7) days after the default, submit an order for relief to the court or a notice of voluntary dismissal. If the petitioning creditors fail to file an order or notice, the court may dismiss the case without prejudice.

LR 1015. RELATED CASES; CONSOLIDATION OR JOINT ADMINISTRATION.

(a) Notice of related cases. An attorney or a debtor who is aware that a case on file, or about to be filed, is related to another case that is pending or that was pending within the preceding two (2) years, must file a notice of related cases, setting forth the title, case number and filing date of each related case, together with a brief statement of the relationship.

(b) Cases deemed related. Cases deemed to be related within the meaning of this rule include the following:

(1) The debtors are the same entity;

(2) The debtors are spouses or domestic partners;

(3) The debtors are partners in a partnership;

(4) The debtor in the case is a general partner or majority shareholder of the debtor in the other case;

(5) The debtors have the same partners or substantially the same shareholders; or

(6) The debtors are affiliated as that term is defined under 11 U.S.C. §101(2).

(c) Reservation of judicial discretion to deem case as related. Without limiting the foregoing, the court may deem the case to be so related that it should be treated as related.

(d) Assignment to judges. Unless the court directs otherwise, related cases will be assigned to the same judge. Whenever the clerk is apprised of related cases, after consulting with the assigned judge, the clerk will reassign each successive related case to the judge to whom the first case was assigned, unless the court orders otherwise.

(e) Nonlimitation of applicability. A judge may re-assign any case or adversary proceeding to another judge.

(f) Trustee assignment. If a debtor files a chapter 13 bankruptcy case within two (2) years of a prior dismissed chapter 13 case, the United States Trustee's Office will request that the new case be assigned to the trustee that administered the prior case, with the exception of a change in venue.

(g) Joint administration. A motion seeking to jointly administer two (2) or more cases will, if granted, result in the joint administration of such cases unless otherwise ordered by the court.

(1) A motion to jointly administer two (2) or more cases must be filed in all cases listed in the motion, and the hearing on the joint administration will be held by the judge in the first assigned case.

(2) The party that obtained the order for joint administration must, within fourteen (14) days of the entry of the order, file with the court a combined matrix, without duplication, constituting a total mailing list of all interested parties in all the jointly administered cases.

(h) Assignment of jointly administered or consolidated cases. Unless otherwise ordered, jointly administered cases will be assigned to the lowest numbered case as the lead case. Subsequent filings of papers must be filed only in the lead case.

(i) Caption of jointly administered or consolidated cases. The caption of jointly administered or consolidated cases must include the name of each debtor entity, a list of each case number and a note specifying "Jointly Administered" [or Consolidated] under Case No. XX-XXXXX."

LR 1016. NOTIFICATION OF DEATH OR INCOMPETENCY.

If a debtor dies or is deemed incompetent, the debtor's executor, administrator, attorney or guardian must file a statement of that fact and, if applicable, a Certificate of Death with the court and must immediately serve the statement and Certificate of Death on the trustee if there is one, or on the United States Trustee if no trustee has been appointed. The statement of that fact and a Certificate of Death filed and served must comply with LR 9037.

LR 1017. CHAPTER 13 DISMISSALS OR CONVERSIONS.

(a) Conversions under § 1307(a). If a debtor seeks to voluntarily convert a chapter 13 case pursuant to 11 U.S.C, § 1307(a), the debtor must file and serve the assigned chapter 13 trustee with a notice of conversion.

(b) Dismissals under § 1307(b). If a debtor seeks to voluntarily dismiss a chapter 13 case under 11 U.S.C. § 1307(b), it may be brought on negative notice as described in LR 9014.1.

(c) Dismissals or conversions under § 1307(c). If the assigned chapter 13 trustee or another party in interest seeks conversion or dismissal of a chapter 13 case under 11 U.S.C. § 1307(c), the chapter 13 trustee or other party in interest must file a motion to convert or dismiss, set the motion for a court hearing, and serve the notice of the motion and hearing upon all required parties in compliance with LR 9014.

LR 1070. JURISDICTION.

(a) Any case, contested matter, or adversary proceeding that is referred either automatically or otherwise to a particular bankruptcy judge may be heard by any other bankruptcy judge or by a bankruptcy judge designated and assigned temporarily to this district.

(b) Judges assigned to either division of this court may hear cases in any official duty station in the district.

LR 1071. DIVISIONS - BANKRUPTCY COURT.

(a) The State of Nevada is one (1) judicial district and is divided into two (2) divisions as follows:

(1) Southern Division: Clark, Esmeralda, Lincoln, and Nye Counties; and

(2) Northern Division: Carson City, Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe, and White Pine Counties.

(b) Petitions must be filed in the division in which venue is based. If a petition is filed in the wrong division, the court may, on its own, either transfer it to the appropriate division or retain the case.

LR 2002. NOTICES TO CREDITORS AND OTHER INTERESTED PARTIES.

(a) Notices to parties in interest; proof of service.

(1) Any person who files a pleading, written motion, or other document that requires notice to another party is responsible for serving all parties who must be served. Unless the court directs otherwise, the clerk will not serve those notices.

(2) Unless otherwise ordered or provided by applicable rule or statute, service, other than by electronic means, must be completed within two (2) business days after the filing of any pleading, written motion, or other document.

(3) Proof of service made in accordance with LR 2002(a)(1), unless ordered otherwise, must be filed within seven (7) days after the filing of the pleading, written motion, or other document required or permitted to be served. Failure to timely file a certificate of service in compliance with this rule may result in denial of the related motion, or removal of the motion from the court's hearing calendar. The proof must show the date of service, the name of the person served, and the manner of service. A certificate of service must be included with all documents filed electronically, indicating that service was accomplished through the notice of electronic filing for parties and attorneys who are filing users and indicating how service was accomplished on any party or attorney who is not a filing user. A "filing user" is one who has completed a registration form to file papers in the court's electronic case filing system. Proof of service is deemed sufficient if it complies with the court's certificate of service form, which is available on the court's website. Failure to file the proof of service required by this rule does not affect the validity of service. Unless material prejudice would result, the court may at any time allow the proof of service to be amended or supplied.

(4) Notice to added creditors. If an amendment is filed adding creditors in accordance with Fed. R. Bankr. P. 1009(a), the debtor must send each added creditor a copy of the Notice of Chapter Bankruptcy Case, file a Certificate of Service in accordance with LR 2002(a)(3), and update the master mailing list pursuant to LR 1007(b).

(5) Hearing calendaring and noticing also must comply with LR 9014 to ensure the twenty-eight (28) day notice requirement is satisfied, if applicable.

(b) Notices to governmental units and certain taxing authorities. Any document that is required to be served on or noticed to all parties also must be served on or noticed to the federal and state governmental units listed in the Register of Mailing Addresses of Federal and State Governmental Units kept by the Clerk in accordance with Fed. R. Bankr. P. 5003(e) and LR 5003(c). Additional service requirements may be found in Fed. R. Bankr. P. 2002(j).

(c) Notice of First Meeting of Creditors in certain cases involving more than 200 creditors. For chapter 9, 11, and 12 cases with more than 200 creditors and parties in interest listed, the debtor is directed to give the trustee, if any, all creditors, and other parties in interest at least twenty-one (21) days' notice by mail of the Notice of Chapter Bankruptcy Case, entered by the court in each bankruptcy case.

(d) Creditor's designation of preferred address. If a creditor has designated a person or organizational subdivision in accordance with 11 U.S.C. § 342(f), the court's electronic case filing system will ordinarily replace any nonconforming address for that creditor on the mailing matrix, with the designated address noted with the symbol "(p)" next to the address. If a designated address does not appear, it is the duty of the creditor to review the matrix and file a request for notice in the particular case.

(e) Amended or incomplete filings. If an amendment is filed adding creditors or creditor addresses, the debtor must comply with LR 1007(b)(5).

(f) Extension of time to serve notice. If the court issues an order granting an extension of time to serve the notice required by LR 2002(c), the original creditors' meeting must be continued, and a new date for the meeting must be set. Any motion or request to extend the time to serve the notice will be deemed to waive the deadlines that run from the first date for the meeting of creditors and to stipulate that the deadlines run from the renoticed meeting date.

(g) Notice to creditors whose claims have been filed. After a bar date for claims expires in a chapter 7 case, all notices required by Fed. R. Bankr. P. 2002(a) may be served only on the debtor, the trustee, all indenture trustees, creditors that hold claims for which proofs of claim have been filed with the clerk and to creditors, if any, that are permitted to file claims by reason of an extension granted under Fed. R. Bankr. P. 3002(c).

(h) Clerk's notice to United States Trustee and trustees. The clerk may serve the United States Trustee and all trustees by transmitting a copy of any document electronically using the court's electronic case filing system. Service must be made in accordance with the electronic filing procedures described in LR 5005.

(i) Clerk's notice to attorneys. The clerk may provide notice to any attorney or any party represented by an attorney who is not a regular filer in the court's electronic case filing system, as that term is defined by LR 5005(a), by transmitting a copy of any document electronically in accordance with the procedures described in LR 5005.

(j) Certain notices in chapter 15 cases. In a chapter 15 case, the notice requirements under Fed. R. Bankr. P. 2002(q)(1) and (2) are delegated to the foreign representative.

(k) Chapter 7 Notice of Summary of Final Report and Account of Trustee Over $1500. In a chapter 7 asset case, the notice requirement under Fed. R. Bankr. P. 2002(f)(8) is delegated to the case trustee.

(l) Notice of chapter 13 plan confirmation hearing and objections. The chapter 13 noticing requirements under Fed. R. Bankr. P. 2002(b) are delegated to the debtor.

LR 2003. MEETINGS OF CREDITORS AND EQUITY SECURITY HOLDERS.

A motion to waive the appearance of the debtor must state that the United States Trustee and the trustee in a chapter 7, 12 or 13 case have been contacted and whether there is an objection to the motion.

LR 2004. EXAMINATIONS.

(a) Request for examination. All requests for orders under Fed. R. Bankr. P. 2004 must be made by motion and must be accompanied by a proposed order.

(b) Order for examination. The clerk may sign orders for examination only if the date set for examination is more than fourteen (14) days from the date the motion is filed. If examination is requested on less than fourteen (14) days' notice, the clerk may not sign. The motion must state whether the examination date has been agreed on, or if there is no agreement, why examination on less than fourteen (14) days' notice is requested.

(c) Production of documents. Production of documents may not be obtained via an order under Fed. R. Bankr. P. 2004 pursuant to subsection (b). Production of documents may, however, be obtained via subpoena as provided by Fed. R. Civ. P. 45(a)(1)(C), as adopted by Fed. R. Bankr. P. 9016.

(d) Securing attendance of witness. Securing the attendance of a witness or the production of documents must be done in accordance with LR 9016 and Fed. R. Bankr. P. 9016.

LR 2010. TRUSTEES' BONDS.

(a) Blanket bond coverage. Trustees covered by the blanket bond applicable to the United States Trustee Region 17 and the District of Nevada must pro rate the cost of the annual bond premium for those estates having assets held by the trustee at the time the bond premium is due and must pay the pro rata share from each estate.

(b) Increase in bond premium. If the amount of the bond required in an individual case results in an increase in the bond premium for that case, the trustee must pay the increased premium from the assets of that case.

(c) Payment of bond premiums. The trustee must pay all bond premiums on or before the due date.

(d) Maintenance of original bonds. An original bond must be filed with the court and a duplicate original bond must be submitted to the United States Trustee.

(e) Bank fees and technology fees. Trustees administering cases may incur and pay on an ongoing basis any bank service fee, technology fee and any other fee associated with bank accounts as contemplated by 11 U.S.C. § 330(a)(1)(B). The court shall retain authority to review and approve such expenses in the context of the trustee's request to approve their Final Report and/or by further motion by a trustee or other interested party.

LR 2014. ATTORNEY OF RECORD.

(a) Appearances. An attorney who appears in a bankruptcy case on behalf of a party is the attorney of record for the party for any and all purposes, except adversary proceedings, until an order is entered permitting the withdrawal of the attorney or the case is closed or dismissed. If a case is reopened, an attorney may move to withdraw from the case or terminate the attorney's electronic service if the attorney is no longer attorney of record for the party.

(1) An attorney approved as special counsel for the bankruptcy estate and/or the debtor under 11 U.S.C. § 327(e) (or any other applicable code section) is attorney of record for that special purpose only. The attorney is attorney of record for the special purpose until an order is entered permitting the withdrawal of the attorney or the case is closed or dismissed.

(2) Unless the court orders otherwise or further appearance is made in an adversary proceeding, an attorney who has appeared for a party only in the main bankruptcy case is not automatically the attorney of record for the party in the adversary proceeding.

(b) Substitution of Attorney. A stipulation and order permitting substitution of attorney may be submitted ex parte if:

(1) the substitution is signed by the client, the withdrawing attorney and the substitution attorney; and

(2) the substituting attorney acknowledges responsibility for all pending dates and deadlines. Notwithstanding this provision, the court may require that requests for substitution of attorney be set on noticed hearing. In the event that the withdrawing attorney is disbarred, suspended, or no longer in good standing to represent the client, such attorney's signature is not required for the substitution.

(c) Withdrawals. See LR IA 11-6 the Local Rules of Practice for the United States District Court for the District of Nevada.

LR 2015. REQUIRED PAYMENTS TO GOVERNMENT ENTITIES.

Without altering the priorities established under 11 U.S.C. § 507, or creating a superpriority, a trustee or debtor who operates a business must pay all post-petition taxes, fees, charges, or other required payments to governmental entities on a timely basis, except where otherwise ordered.

LR 2015.3. REPORTS OF FINANCIAL INFORMATION ON ENTITIES IN WHICH A CHAPTER 11 ESTATE HOLDS A CONTROLLING OR SUBSTANTIAL INTEREST; USE OF OFFICIAL FORM REQUIRED; EFFECT OF FAILURE TO TIMELY FILE.

(a) Periodic financial reports. Unless the court has entered an order pursuant to Fed. R. Bankr. P. 2015.3(d) or (e), the trustee or debtor in possession in every chapter 11 case filed on or after December 1, 2008, is to file all periodic financial reports identified in Fed. R. Bankr. P. 2015.3(a) within the time for filing established by Fed. R. Bankr. P. 2015.3(b).

(b) Official Form. In order to comply with the periodic financial reporting requirements identified in Fed. R. Bankr. P. 2015.3(a) and this local rule, the trustee or debtor in possession is to complete the Official Form and timely file it with the court. Use of the Official Form is mandatory.

(c) Failure to file report. Unless the court has entered an order pursuant to Fed. R. Bankr. P. 2015.3(d) or (e), failure to file one or more of the periodic financial reports identified in Fed. R. Bankr. P. 2015.3(a) within fourteen (14) days after the due date for filing under Fed. R. Bankr. P. 2015.3(b) may constitute cause for dismissal or conversion pursuant to 11 U.S.C. § 1112(b)(4)(F).

LR 2016. COMPENSATION OF PROFESSIONALS.

Local guidelines relating to applications for compensation and reimbursement of expenses may be published from time to time and will be posted on the court's website. The guidelines should be read in conjunction with applicable statutes, rules, and the United States Trustee's Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses filed under 11 U.S.C. § 330.

LR 2016.1. REIMBURSMENT OF FILING FEES PAID BY CHAPTER 7 PANEL TRUSTEES.

Chapter 7 panel trustees may reimburse themselves court filing fees paid by credit card (including filing fees for adversary proceedings and proceedings in other courts) from available funds in the respective bankruptcy estates without further order of the court. Reimbursement is subject to future review and possible disgorgement by further order of the court.

LR 2016.2. COMPENSATION FOR CHAPTER 13 DEBTOR'S ATTORNEYS.

(a) In Chapter 13 cases, presumptively reasonable attorney's fees may be awarded pursuant to the Chapter 13 Presumptive Attorney's Fees Guidelines. Presumptive fees are subject to debtor's attorney performing the obligations set forth in the Chapter 13 Presumptive Attorney's Fees Guidelines. Presumptive fees may be awarded through confirmation, or if the plan has been confirmed, may be approved through an ex-parte motion and order. Debtor's counsel must certify that they have performed, or are willing to perform, the duties set forth in the Chapter 13 Presumptive Attorney's Fees Guidelines. The Chapter 13 Presumptive Attorney's Fees Guidelines are available on the court's website.

(b) Nothing in this rule prevents the attorney from seeking compensation by making an application to the court under 11 U.S.C. § 330.

LR 3001. CLAIMS AND EQUITY SECURITY INTERESTS - GENERAL.

(a) Form and content. Each proof of claim must be completed and filed with the court using the most current Official Form. Each proof of interest must be filed using the local form available on the court's website.

(b) Transferred claims.

(1) Each proof of claim for a transferred claim must state on the face of the claim form, immediately adjacent to the bankruptcy case number, that the claim has been "transferred other than for security" or that the claim has been "transferred for security," whichever applies.

(2) The transferee of a transferred claim must prepare and provide to the clerk, the notice that is required to be sent by Fed. R. Bankr. P. 3001(e)(2), 3001(e)(3), or 3001(e)(4).

(c) Jointly administered cases. In cases that are jointly administered, but not substantively consolidated, claims must be filed only in the case to which a claim relates, and such filing does not constitute the filing of a claim in any other jointly administered case.

(d) Substantively consolidated cases. In cases that have been substantively consolidated, all claims must be filed only in the lead case, and the claims register will be maintained in the lead case.

LR 3002. FILING A PROOF OF CLAIM OR INTEREST.

(a) Copies and Service. To receive a file stamped copy of a proof of claim that was not filed electronically, a creditor must provide the court with an extra copy of the proof of claim together with a self-addressed, stamped envelope. A creditor must serve a copy of the proof of claim on a debtor who is not represented by an attorney, but a creditor is not required to serve the proof of claim on a trustee or on debtor's counsel.

(b) Claim arising from rejection of executory contract or unexpired lease. A proof of claim arising from the rejection of an executory contract or unexpired lease of the debtor under 11 U.S.C. § 365(d) must be filed not later than ninety (90) days after the first date set for the meeting of creditors held under 11 U.S.C. § 341(a), unless the court orders otherwise.

(c) Proof of claim form. A proof of claim must be filed with the court using the most current Official Form.

(d) Equity security form. A holder of an equity security interest in a non-individual debtor may file proof of the equity security interest using the local form available on the court's website.

(e) Change of address for notices of payments for a creditor that has filed a proof of claim. A creditor that has filed a proof of claim must file an amended proof of claim using the most current Official Form to effectuate a change of either the address to which notices should be sent, or the address to which payments should be sent in a chapter 7, 11 or 13 case.

LR 3002.1. NOTICES RELATING TO CLAIMS SECURED BY SECURITY INTERESTS IN THE DEBTOR'S PRINCIPAL RESIDENCE.

Notice of Final Cure Payment. If no Response to the Notice of Final Cure Payment is filed pursuant to Fed. R. Bankr. P. 3002.1(g), the holder of the claim shall be deemed to have agreed to the amount set forth in the Notice.

LR 3003. FILING PROOF OF CLAIM IN CHAPTER 11 REORGANIZATION CASE.

(a) Unless the court orders otherwise, a proof of claim in a chapter 11 case must be filed within ninety (90) days after the date first set for the meeting of creditors under 11 U.S.C. § 341(a). The notice setting the date for the first meeting of creditors also must provide a bar date for filing claims.

(b) In a case under subchapter V of chapter 11, a proof of claim must be filed not later than seventy (70) days after the order of relief.

LR 3007. CLAIMS - OBJECTIONS.

(a) Form of objection. In an objection to claim, the following procedures apply:

(1) The objection must identify the claimant, the amount of the claim, the date the claim was filed, and the number assigned to the claim on the claims docket;

(2) The objection must contain a statement of the grounds for the objection;

(3) The objection must state the amount of the claim that is in dispute; and,

(4) A copy of the first page of the proof of claim must be attached to the objection.

(b) Responses to objection to claims. The time for filing a response to an objection to a claim and of the filing of any reply to such a response, is governed by the time limits set out in LR 9014(d)(1) and (2). A response to an objection is sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

(c) Hearing on objections. If a written response is not timely filed and served, the court may grant the objection without calling the matter and without receiving arguments or evidence. If a response is timely filed and served, and the court determines that further evidence must be taken to resolve a factual dispute, the court may treat the initial hearing as a status and scheduling hearing. Unless the court orders otherwise or for good cause, live testimony will not be presented at the first date set for hearing. The judge may order a further evidentiary hearing.

(d) Service. In addition to any other service required, the objection must be served on the creditor at the address shown in the proof of claim as the notice address.

LR 3007.1 OBJECTION TO CLAIMS IN CHAPTER 11 CASES (NEW)

Unless otherwise extended by court order, all objections to claims in a chapter 11 case must be filed within sixty (60) days after entry of an order confirming the chapter 11 plan.

LR 3011. UNCLAIMED FUNDS.

(a) Procedure for requesting payment.

(1) Any entity seeking payment of unclaimed funds must file with the clerk a written application on forms prescribed by the clerk and available from the court's website. The applicant must disclose the following:

(A) The service(s) rendered by any asset recovery firm or fund locator;

(B) Any agreement of commission, fees, compensation, or reimbursement of expenses; and

(C) The amount(s) requested.

(2) In no event may any commission, fee, compensation, or reimbursement of expenses exceed fifty percent (50%) of the claim.

(b) Order. The clerk will not process a payment from the unclaimed funds' account without receiving a written court order.

LR 3011.1. DISPOSITION OF UNCLAIMED FUNDS.

(a) Deposit by chapter 7, 12, or 13 trustee. The chapter 7, 12, or 13 trustee must deposit with the court any funds left undistributed pursuant to Fed. R. Bankr. P. 3011.

(b) Disposition of unclaimed funds under a chapter 11 liquidating plan.

(1) The disbursing agent, under a chapter 11 plan that provides for the complete liquidation of the property of the debtor, must, when making final distribution under the plan:

(A) Notify such entity, if any, that purchased all of the debtor's assets under the chapter 11 plan, of its potential right to the unclaimed funds to the extent the disbursing agent can identify such an entity; and

(B) File a final account under 11 U.S.C. § 1106(a)(7), prior to the expiration of time provided in 11 U.S.C. § 1143, and all other reports required by local rules.

(2) A chapter 11 liquidating plan may provide that any unclaimed funds may be redistributed to other creditors or administrative claimants or donated to a not-for-profit, non-religious organization identified in the plan or disclosure statement accompanying the plan.

(c) Disposition of undistributable funds under a chapter 11 liquidating plan.

(1) Undistributable funds are any funds other than unclaimed funds, including but not limited to, funds that cannot be disbursed because:

(A) A creditor has affirmatively rejected a distribution;

(B) The administrative costs effectively interfere with distribution; or

(C) All creditors, including administrative claimants, have been paid in full, and there is no one that has a right to the funds;

(2) A chapter 11 liquidating plan may provide that any undistributable funds, if applicable or practicable, may be redistributed to other creditors, administrative claimants, or donated to a not-for-profit, non-religious organization identified in the plan or disclosure statement accompanying the plan.

(3) If a chapter 11 liquidating plan does not provide for the disposition of undistributable funds then, if there are any such funds at the time of final distribution under the plan, the disbursing agent must file a motion, upon notice and hearing, proposing distribution of such funds, including as described in subsection (c)(2) of this local rule.

(4) Withdrawal of unclaimed funds. The court shall consider a request for withdrawal of unclaimed funds in accordance with LR 3011.

LR 3012. VALUATION OF SECURITY IN CHAPTER 13 CASES.

If a plan proposes to pay a secured creditor in accordance with 11 U.S.C. §1325(a)(5)(B), the debtor must file a motion to value the collateral under Fed. R. Bankr. P. 3012 to be heard on or before the hearing on confirmation of the chapter 13 plan. The motion must be served in accordance with the provisions of Fed. R. Bankr. P. 7004.

LR 3015. CHAPTER 13 PLAN AND CONFIRMATION.

(a) Mandatory Form Plan. The local form Chapter 13 Plan must be used without alteration for all plans filed in chapter 13 cases. This form will be available on the court's website.

(b) Chapter 13 plan administration guidelines. Each chapter 13 trustee may issue guidelines for the administration of chapter 13 plans. The guidelines will set forth positions that the trustee will generally follow in administering plans. The guidelines also may set procedures for scheduling confirmation hearings, filing objections to confirmation, and submitting orders confirming chapter 13 plans. The trustees may, from time to time, revise the guidelines. The trustees will post any revised guidelines on their website with a notation of the effective date of the revision.

(c) Extension of time. A motion to extend the time to file a plan must be filed within the fourteen (14) day time period provided by Fed. R. Bankr. P. 3015(b), and will be set on a hearing date of not less than fourteen (14) days' notice.

(d) Service of plan. Upon the filing of a plan or an amended plan, the debtor must serve a copy of the plan, or a summary thereof, along with a notice setting the date, time and location of the confirmation hearing and the deadline to file objections to the plan on the chapter 13 trustee, all creditors, and other parties in interest who do not receive copies by electronic filing. The debtor must file with the plan or amended plan a certificate of service certifying that a copy of the plan or summary of the plan, and the notice of confirmation hearing has been served upon the trustee, all creditors and parties in interest, in accordance with Fed. R. Bankr. P. 2002(b).

(e) Service of modification of a chapter 13 plan. Upon the filing of a request to modify the chapter 13 plan, the filing party must serve a copy of the modified plan, or a chapter 13 plan summary, on the chapter 13 trustee, all creditors, and other parties in interest who do not receive copies by electronic filing. The debtor must file with the modified plan a Certificate of Service certifying that a copy of the chapter 13 plan or chapter 13 plan summary and the time fixed for filing objections pursuant to Fed. R. Bankr. P. 3015(g) has been served upon the trustee, all creditors and parties in interest, in accordance with Fed. R. Bankr. P. 2002(b) and LR 9014 (b)(1)and (2).

(f) Direct payments to lessors and creditors. As authorized by 11 U.S.C. § 1326(a)(1), all payments that the debtor is obligated to make under Section 1326(a)(1)(B) or 1326(a)(1)(C) must be made to the lessor or creditor only if the debtor's plan so provides. In all other cases, the payments must be made to the chapter 13 trustee together with all payments made to the trustee under Section 1326(a)(1)(A). Chapter 13 trustees must separately account to each lessor or creditor for all payments received either (i) in the same way that they account for all other payments received under Section 1326(a); or (ii) as the court approves in accordance with separate agreements with each lessor or creditor.

Payments tendered to the trustee that are intended as lease or adequate protection payments pursuant to the express terms of the debtor's proposed chapter 13 plan, or that are deemed to be lease or adequate protection payments pursuant to 11 U.S.C. 1326(a)(1)(B) and (C), may be

disbursed to the applicable lessor or secured creditor by the trustee prior to confirmation of the debtor's chapter 13 plan along with the trustee's regular monthly disbursements.

(g) Conduit payments on secured claims in chapter 13 cases.

(1) For all chapter 13 cases filed on or after October 1, 2013, if there is a pre-petition arrearage on a claim secured by real property or a vehicle of the debtor, or if the debtor becomes more than one month delinquent on any post-petition installment payments to such a creditor, then all post-petition installment payments to the creditor must be made through the chapter 13 trustee as conduit payments. A debtor may be excused from this mandatory conduit payment requirement upon a showing of good cause. An increase in trustee's fees as a result of the conduit payment requirement shall not constitute good cause.

(2) Each chapter 13 trustee may issue guidelines for the administration of conduit payments. Unless otherwise ordered, the guidelines issued by the chapter 13 trustee assigned to a specific case must be observed. The trustees may revise the guidelines and will re-issue any revised guidelines with a notation of the effective date of the revision.

(3) Where the debtor's proposed chapter 13 plan provides for conduit payments to be made by the trustee to a creditor, the chapter 13 trustee may disburse such conduit payments prior to confirmation of the debtor's plan. The filing of an amended chapter 13 plan may not recharacterize any conduit payments received or disbursed by the chapter 13 trustee prior to the date that the amended plan was filed. Creditors receiving conduit payments must not report a payment as late or charge a late fee unless the untimely disbursement of the conduit payment was caused by the debtor's failure to make a full or timely payment under the chapter 13 plan.

LR 3015.1. CHAPTER 13 MORTGAGE MODIFICATION PROGRAM.

This court has adopted uniform procedures for a Mortgage Modification Program (MMP). This program applies to chapter 13 bankruptcy cases filed in Nevada. Debtor(s) in a chapter 13 bankruptcy case are eligible to participate in MMP with respect to real property. Procedures for the MMP are available on the court's website.

LR 3015.2. DESTRUCTION OF ORDERS CONFIRMING, AMENDING, OR MODIFYING CHAPTER 13 PLANS.

Notwithstanding LR 9004(c)(1)(D), LR 5005(a)(3), and the court's electronic filing procedures, any original order confirming a chapter 13 plan, amended plan, modified plan, or trustees' modified plan may be destroyed appropriately by shredding twenty-eight (28) weeks after the entry of the order unless there is an appeal of such order. In the event the order becomes the subject matter of a dispute for any reason after its destruction, the electronic image on file with the clerk is the equivalent of the original.

LR 3016. FILING OF CHAPTER 11 PLAN; HEARING.

In a chapter 11 case, an original plan must be filed with the bankruptcy court along with copies as required by LR 1002(a) and LR 9004(d). If a chapter 11 plan has not been filed or approved within six (6) months after commencement of the case, the debtor must schedule a status conference with the court. The debtor in possession, and, if applicable, trustee, must file a status report with the court at least seven (7) days before the hearing, explaining why a plan has not been filed or approved and setting forth a schedule for filing and hearing the disclosure statement and plan confirmation. Thereafter, the status report must be updated quarterly.

LR 3017. EXPEDITED CONFIRMATION PROCEDURES; CONDITIONAL APPROVAL OF DISCLOSURE STATEMENTS.

(a) Expedited chapter 11 plan confirmation procedures. A motion filed pursuant to this rule may request entry of an order implementing expedited confirmation procedures, including but not limited to:

(1) Early deadlines for submitted plans and disclosure statements;

(2) Conditional approval of disclosure statements without hearing;

(3) Scheduling a combined hearing on the conditionally approved disclosure statement and confirmation of plan; and

(4) Submission of a combined plan and disclosure statement.

(b) Application to all chapter 11 cases. In any chapter 11 case, including small business chapter 11 cases, the court may, on application of the plan proponent or on its own initiative, conditionally approve a disclosure statement.

(c) Procedure for conditional approval. The plan proponent may file an ex parte motion for conditional approval of the disclosure statement seeking a combined hearing on the conditionally approved disclosure statement and confirmation of the plan. The application must be accompanied by the proposed disclosure statement and by a certificate stating: (i) the circumstances that favor the preliminary approval of the disclosure statement; (ii) the total number of creditors, value of assets, and amount of claims as reflected in the debtor's schedules; and (iii) that the proposed disclosure statement contains the information required by the Official Form. The notice of the combined hearing on the conditionally approved disclosure statement and confirmation of the plan must clearly provide that creditors and parties in interest may object to the conditionally approved disclosure statement as permitted by Fed. R. Bankr. P. 3017.1, at the combined hearing.

(d) Non-small business cases. Except as otherwise provided herein, Fed. R. Bankr. P. 3017.1 applies to all non-small business cases.

LR 3018. BALLOTS - VOTING ON CHAPTER 11 PLAN.

(a) Filing of ballot summary. Unless otherwise ordered, the proponent of a chapter 11 plan must:

(1) File a Certification of Acceptance and Rejection of Chapter 11 Plan (ballot summary) no later than one (1) business day before the hearing on plan confirmation. The ballot summary must be signed by the plan proponent and must certify to the court the amount and number of allowed claims of each class accepting or rejecting the plan and the amount of allowed interests of each class accepting or rejecting the plan; and,

(2) Have all of the original ballots available at the hearing for inspection and review by the court and any interested party.

(b) Submission of ballots. Unless otherwise ordered by the court, all original ballots will be delivered to the plan proponent. Any original ballots received by the clerk will be forwarded to the plan proponent, unless otherwise ordered by the court.

(c) Amended ballot summary. In addition to the above requirements, the court may order an amended ballot summary to be filed, with the original ballots attached.

(d) Duty of plan proponent. The plan proponent must:

(1) Tabulate the ballots of those accepting and rejecting the plan; and

(2) Maintain those original ballots for a period of not less than the time required for the retention of originally signed documents in the electronic filing procedures described in LR 9004. In the event that the bankruptcy case is dismissed without confirmation, the plan proponent is not required to maintain the original ballots for the time periods specified in this rule.

LR 3019. MODIFICATIONS TO DISCLOSURE STATEMENT AND CHAPTER 11 PLAN.

At the hearing on the approval of the disclosure statement, the court may consider modifications to the disclosure statement, which may be incorporated in the order approving the disclosure statement. A comparison of the modified disclosure statement language to the original disclosure statement language also must be filed in advance of the hearing. At the hearing on confirmation of a chapter 11 plan, the court may consider modifications to the plan, which may be incorporated in the order confirming the plan. Any notice of a confirmation hearing under Fed. R. Bankr. P. 2002(b) must include notice that modifications may be considered at the hearing. A comparison of the modified plan language to the original plan language also must be filed.

LR 3019.1. MODIFICATIONS OF ACCEPTED PLAN AFTER CONFIRMATION IN A CHAPTER 11 CASE INVOLVING AN INDIVIDUAL DEBTOR.

(a) Required Information. A proponent requesting the post-confirmation modification of a chapter 11 plan involving an individual debtor must file the modified plan, together with a motion seeking confirmation of the modified plan, which specifies the changes sought by the modification including, but not limited to, the following:

(1) The purpose of, or the necessity for, the modification together with sufficient information regarding such circumstances that would enable a hypothetical investor to make an informed judgment regarding the modification;

(2) The proposed changes to the plan payments, the term of the plan, the proposed distribution to any class, or any other substantive provision; and

(3) A comparison of the modified plan language to the original plan language.

(b) Procedure. Plan modifications must be made by motion filed pursuant to LR 9014.

LR 3020. CHAPTER 11-CONFIRMATION.

Any party may file a declaration in support of, or in opposition to, confirmation of a chapter 11 plan, and all declarations must be filed fourteen (14) days or more prior to the confirmation hearing, with any subsequent opposition to any declaration to be filed seven (7) days prior to the scheduled hearing, unless otherwise ordered by the court.

LR 3021. CHAPTER 13 TRUSTEE'S NOTICE OF PROPOSED DISTRIBUTION.

After the claims bar dates have passed and all claims have been reviewed by the chapter 13 trustee, the trustee may file and serve a notice of chapter 13 trustee's proposed distribution. The notice must list all claims as reflected on the court's claims docket and describe how each claim will be treated. The notice must be served on the debtor(s) and all creditors listed in the case, whether or not the creditor has filed a claim. The proposed distribution will advise creditors to review the notice to ensure that the proposed distribution is accurate and that claims are properly listed. Should a claim be missing or inaccurate, the creditor is required to file a written objection to the proposed distribution with the court within twenty-one (21) days of the date of the notice and serve it on the chapter 13 trustee. If the creditor fails to timely file an objection, the creditor will be deemed to have accepted the trustee's proposed treatment of the claim. If a timely objection is filed, the trustee will take no further action until the objection is resolved by the court after a hearing. Within twenty-one (21) days of the filing of the objection, the creditor must schedule a hearing on the objection, and provide a minimum of twenty-one (21) days' notice of the hearing. If a hearing on the objection is not noticed timely, the objection, unless otherwise ordered by the court, will be deemed withdrawn, and the chapter 13 trustee will

proceed to administer the confirmed, or modified plan, and filed claims as set forth in the notice of proposed distribution.

LR 3022. CHAPTER 11 FINAL DECREE IN NON-INDIVIDUAL CASES.

Unless otherwise provided in the confirmed plan or by court order, or unless there are pending contested matters or adversary proceedings, a non-individual chapter 11 case is deemed fully administered one hundred eighty (180) days after plan confirmation, and the clerk may then enter a final decree without further notice.

LR 3022.1 CHAPTER 11 INDIVIDUAL DISCHARGES.

(a) Upon completion of all plan payments required of an individual debtor under a confirmed chapter 11 plan, the individual debtor(s) must file the local form "Debtor's Certificate of Compliance with Conditions Related to Entry of Chapter 11 Individual Discharge."

(b) The debtor must file and serve a motion for entry of discharge on all creditors. The "Debtor's Certificate of Compliance with Conditions Related to Entry of Chapter 11 Individual Discharge" must be served on all creditors and filed as a separate document from the motion for entry of discharge.

(c) Upon entry of a discharge order on behalf of an individual debtor, and in the absence of any unresolved administrative issue, a final decree closing the case will be entered by the clerk.

(d) If the debtor proposes to close the case before plan payments have been completed, and intends to reopen the case after plan completion to obtain a discharge, the debtor must file a motion to close the case and include in that motion a statement of the debtor's intent to reopen. Upon the filing of a motion to reopen, the debtor must pay any fees due for reopening the case. The debtor must also file the "Debtor's Certificate of Compliance with Conditions Related to Entry of Chapter 11 Individual Discharge."

LR 3022.2. INDIVIDUAL SUBCHAPTER V OF CHAPTER 11 DISCHARGES.

(a) An individual debtor under subchapter V of chapter 11 seeking entry of discharge must complete and file the local certificate of compliance form, and serve a copy of the certificate of compliance on all creditors.

(b) If the debtor fails to file the certificate of compliance, the case may be closed without entry of a discharge.

(c) Upon entry of a discharge, and in the absence of any unresolved administrative issues, a final decree closing the case will be entered by the clerk.

LR 4001. RELIEF FROM THE AUTOMATIC STAY; USE OF CASH COLLATERAL OR OTHER RELIEF; AND EMERGENCY ORDERS.

(a) Motions for relief from automatic stay.

(1) Section 362 information sheet.

(A) A form of § 362 information sheet is available from the clerk's office and on the court's website.

(B) All motions for relief from the automatic stay and any opposition must have attached as a cover sheet a properly filled out § 362 information sheet, which must be signed by the attorney (or unrepresented individual) filing the motion and the information sheet.

(C) Unless the court orders otherwise, a properly completed § 362 information sheet will satisfy the requirements for a statement of facts and legal memorandum in cases under chapters 7 and 13.

(2) Parties in interest are directed to communicate in good faith regarding resolution of the motion before filing a motion for relief from stay including, as appropriate, communication with any trustee appointed in the case. Such attempts to resolve the dispute must be made in a reasonable time frame prior to, but in any case no less than three (3) business days (if debtor is represented by an attorney) or five (5) business days (if debtor(s) are representing themselves), before the motion is filed. Movant must provide evidence of their attempt to resolve the matter with more than conclusory declarations, which must be filed with the motion. The court may refuse to entertain a motion or opposition if the parties do not comply with this rule. The court may award, deny, or adjust the fees of an attorney for noncompliance. Compliance with this subsection is not required for motions for relief from stay relating to property identified by the debtor as being surrendered in the schedules, statements, or the proposed plan of reorganization.

(3) When, in accordance with a prior court order, an ex parte order is submitted regarding relief from stay, the order must be accompanied by evidence (which may be in the form of a declaration or affidavit, or citation to papers already filed with the court in that case) establishing each of the following:

(A) The identification of the prior order of the court authorizing the ex parte relief;

(B) The facts and circumstances of default under the prior order;

(C) The method of service of notice of default;

(D) The time period for cure; and

(E) The failure to cure within that time.

(b) Applications for use of cash collateral or postpetition financing.

(1) The court and its individual judges may provide guidelines for applications seeking to approve the use of cash collateral and/or postpetition financing. The guidelines will be posted on the court's website.

(2) Motions for using cash collateral or obtaining credit to be heard on less than twenty-one (21) days' notice must:

(A) Be accompanied by separately filed affidavits or declarations setting forth the nature and extent of the immediate and irreparable harm that will result if the request is not granted, and

(B) Conform with the requirements to obtain an order shortening time under LR 9006.

(c) Agreements.

(1) In chapter 7 and chapter 13 cases, the court may approve an agreement or stipulation under Fed. R. Bankr. P. 4001(d) without a hearing if the agreement or stipulation is signed by the debtor, the creditor, and the trustee. The signature of the trustee is not required where the subject of the motion is property that has been claimed as exempt, the objection period under Fed. R. Bankr. P. 4003(b) has expired, and no timely objection has been filed.

(2) As to all other agreements or stipulations under Fed. R. Bankr. P. 4001(d), upon the filing of a declaration attesting that no objections have been timely filed within fourteen (14) days of the filing and service of the agreement or stipulation and notice thereof, the court may enter an order approving the agreement or stipulation. Nothing contained herein precludes the court from sua sponte setting a hearing with regard to such an agreement or stipulation.

(3) Every agreement or stipulation must begin with the concise statement as described in Fed. R. Bankr. P. 4001(d)(1)(B) and include each provision of the type listed in Fed. R. Bankr. P. 4001(c)(1)(B).

(d) Procedures for receiving rent deposits. If a debtor claims an exception to the limitation of the automatic stay under 11 U.S.C. § 362(l), the debtor must submit with the petition (i) a certified check or money order payable to the lessor and a certificate of intent to cure default to the clerk of court; and (ii) a copy of the judgment entitling the creditor to possession of the leased premises with the petition. Upon receipt of the certified check or money order, the certificate of intent to cure default, and a copy of the judgment, the clerk must transmit the certified check or money order to the lessor by certified mail to the address listed in the petition.

(e) Except as otherwise set forth above, LR 9014 applies to motions contemplated by this subsection.

LR 4002. DUTIES OF CHAPTER 13 DEBTORS BEFORE COMPLETING THEIR PLAN.

(a) Transfers of property and new debt. Debtors are prohibited from transferring, selling, or otherwise disposing of any nonexempt personal property with a value of $1,000 or more or nonexempt real property with a value of $5,000 or more without court approval. Except as provided in 11 U.S.C. § 364 and § 1304, debtors may not incur new debt exceeding $1,000 without court approval.

(b) Insurance. Debtors must maintain insurance as required by any law, contract, or security agreement.

(c) Support payments. Debtors must maintain direct ongoing child or spousal support payments.

(d) Compliance with applicable nonbankruptcy law. Chapter 13 debtors must conduct their financial and business affairs in accordance with applicable nonbankruptcy law. This duty includes, but is not limited to, filing tax returns and paying taxes.

(e) Wage order. A debtor may request an order from the court directing debtor to obtain a voluntary wage deduction from his or her employer for payments to be made directly to the chapter 13 trustee. The order will request debtor to obtain the wage deduction within fourteen (14) days of entry of the order. A request for wage order must be made by filing with the court an ex parte application and a proposed order using the court's local form. Additionally, if a debtor becomes delinquent with chapter 13 plan payments, the chapter 13 trustee may direct the debtor in writing to obtain a wage order from the court, and debtor must request the wage order within twenty-eight (28) days of the trustee's written directive. If the debtor fails to timely request the wage order, the chapter 13 trustee may seek appropriate relief from the court, including dismissal or conversion of the case.

LR 4002.1. FRAUDULENT STATEMENTS.

In any case in which the court finds that there may be materially fraudulent statements in any document required pursuant to 11 U.S.C. § 521, the court may refer the matter for further action to the individual designated for the District of Nevada under 18 U.S.C. § 158(a).

LR 4003. EXEMPTIONS.

(a) Amendments to Claim of Exemptions. An amendment to a claim of exemptions under Fed. R. Bankr. P. 1009 and 4003 must be filed and served by the debtor on the trustee, the United States Trustee, and all creditors listed.

(b) Objections to Claim of Exemptions. An objection to a claim of exemptions must state specifically the grounds for the objection.

(c) Hearing. The objecting party must set a hearing on not less than thirty (30) days' notice to the debtor, the debtor's attorney, the trustee, and the local Office of the United States Trustee in a chapter 11 case.

(d) Procedure. LR 9014 applies to objections to exemptions.

LR 4007. CHAPTER 13 DISCHARGE AND CHAPTER 13 CLOSING CASE.

(a) Standard discharge. In a completed case, within forty-five (45) days after both the final distribution to the creditors and the expiration of any applicable time periods set forth in Fed. R. Bankr. P. 3002.1, the trustee must file with the court the Chapter 13 Final Account and Report. The trustee must provide at least twenty-eight (28) days' notice to all creditors and the Chapter 13 Final Account and Report must set a date for objections.

(1) If no objection is timely filed to the Chapter 13 Final Account and Report, a discharge may be issued if the debtor is otherwise eligible to receive a discharge.

(2) If an objection to the Chapter 13 Final Account and Report is timely filed, within twenty-one (21) days of filing that objection, the objecting party must schedule a hearing and provide at least twenty-one (21) days' notice to the trustee, debtor(s), and attorney for debtor(s).

(3) If a hearing on the objection to the Chapter 13 Final Account and Report is not timely noticed, the objection, unless otherwise ordered by the court, will be deemed withdrawn and the chapter 13 trustee will proceed to close the case.

(4) Any debtor seeking entry of a discharge under 11 U.S.C. § 1328, must complete and file the local certificate of compliance form within thirty (30) days after receiving the court's notice of the requirement to file the certificate of compliance. This notice will be sent to the debtor and the debtor's attorney of record after the objection period to the trustee's Chapter 13 Final Account and Report has passed. The certificate of compliance form is available on the court's website. In a joint case, both debtors must complete this form. The attorney for the debtor (or clerk, if the debtor is pro se) must serve a copy of the certificate of compliance form on all creditors. If the form has not been filed after the objection period to the trustee's Chapter 13 Final Account and Report has passed, the court will send the notice of requirement to file the form. This notice will be sent to the debtor and debtor's attorney of record. Failure to file the form within thirty (30) days after the court's notice is issued will result in the case being closed without a discharge.

(A) If no objection is filed within twenty-one (21) days after the service of the certificate of compliance, a discharge may be issued if the debtor is otherwise eligible to receive a discharge.

(B) If an objection is timely filed to the certificate of compliance, the discharge may be withheld until the objection is resolved by the court.

(C) If the debtor fails to timely file the certificate of compliance, the case may be closed without entry of a discharge.

(b) Hardship discharge. A hardship discharge is requested through a motion for hardship discharge filed by the debtor under 11 U.S.C. § 1328(b). Upon the filing of the motion, the debtor will schedule a hearing pursuant to LR 9014. The clerk will enter an order under Fed. R. Bankr. P. 4007(d) fixing the time to file a complaint to determine the dischargeability of any debt under Section 523(a)(6) and give no less than thirty (30) days' notice to all creditors of the time fixed to file an objection in the manner provided in Fed. R. Bankr. P. 2002. If no objection is filed to the motion for hardship discharge, the debtor is eligible for hardship discharge subject to the conditions set forth in subsection (B) below.

(1) If an objection to the motion for hardship discharge is filed, the objection must be resolved before the granting of a hardship discharge.

(2) When the motion for a hardship discharge is filed under 11 U.S.C. § 1328(b), the debtor must complete and file the local certificate of compliance form. This form is available on the court's website. In a joint case, both debtors must complete this form.

(A) The attorney for the debtor (or clerk, if the debtor is pro se) must serve a copy of the certificate of compliance form on all creditors.

(B) If no objection to the certificate of compliance is filed within fourteen (14) days after the service of the certificate of compliance form, a discharge may be issued if the debtor is otherwise eligible to receive a discharge.

(C) If an objection is timely filed to the certificate of compliance, it may be considered at the hearing on the debtor's motion for hardship discharge.

LR 4009. CREDITOR'S DESIGNATION FOR RECEIVING NOTICE.

(a) If a creditor has designated a person or organizational subdivision in accordance with 11 U.S.C. § 342(g), the creditor must file with the court a document that (i) identifies the person or subdivision so designated, and (ii) describes the procedures the creditor is using to ensure that the designated person or subdivision receives all properly addressed notices.

(b) If a creditor is not an individual and does not file a document substantially complying with subsection (a) above, or does not maintain any formal procedures for receiving notices, then notice to the creditor will be deemed effective if it would satisfy the provisions of Nev. Rev. Stat. § 104.1202.

LR 5001. CLERK'S OFFICE LOCATION AND HOURS.

The clerk maintains offices in Las Vegas for the Southern Division and in Reno for the Northern Division of the court. The offices are open for business from 9 a.m. to 4 p.m., Monday through Friday, except legal holidays. The clerk may institute administrative procedures for filing pleadings and papers. If necessary, the clerk may, on request, transact business at other times. The current mailing addresses and locations of the office of the clerk are posted on the court's website. On the effective date of these rules, the mailing addresses and locations are:

(a) Las Vegas:

Clerk, U.S. Bankruptcy Court
Foley Federal Building and U.S. Courthouse
300 Las Vegas Blvd. South, Suite 4-242
Las Vegas, Nevada 89101

(b) Reno:

Clerk, U.S. Bankruptcy Court
C. Clifton Young Federal Building and U.S. Courthouse
300 Booth Street, Room 1109
Reno, Nevada 89509

LR 5003. COURT RECORDS.

(a) Files and records.

(1) All files and records of the court will remain in the clerk's custody and will not be taken from the clerk's custody without the court's written permission and only after the person obtaining the file or record signs a receipt for it.

(2) In cases filed on or after January 2, 2002, electronic files consisting of the images of documents filed in cases and proceedings and documents filed electronically are designated as and constitute the official record of the court, together with the other records kept by the court. Documents filed electronically have the same status for all purposes as documents filed on paper. Filing a document electronically constitutes entry of that document on the docket kept by the clerk. The clerk is not required to establish or maintain paper files for cases or proceedings filed on or after January 2, 2002.

(b) Exhibits.

(1) The clerk will have custody of all exhibits marked for identification or admitted into evidence during any proceeding.

(2) The court may order original exhibits returned to the party who offered the original exhibits.

(3) Unless the court orders otherwise, the clerk will retain custody of the exhibits until the judgment has become final and the time for filing a notice of appeal or motion for a new trial has passed, or until appeal proceedings have ended, whichever is later.

(4) After the time to take an appeal from any appealable order or judgment has expired, any party may, upon twenty-one (21) days' written notice to all parties, withdraw any exhibit originally produced by it unless another party or person files notice with the clerk of a claim to the exhibit. If a notice of claim is filed, the clerk will not deliver the exhibit except with the written consent of the party who produced it and the claimant, or until the court has determined who is entitled to the exhibit.

(5) After the time to appeal any appealable order or judgment has expired, the clerk may, upon twenty-one (21) days' written notice to all parties, destroy any exhibit not claimed by the parties. When the case is closed, if no timely request is made for returning the exhibits, the clerk may destroy or make other disposition of them.

(c) Register of mailing addresses of federal and state governmental units and certain taxing authorities. Copies of the register of mailing addresses of federal and state government units and certain taxing authorities required to be kept under Fed. R. Bankr. P. 5003(e) are available from the clerk and are posted on the court's website.

(d) Notice of address under 11 U.S.C. § 342(f). A creditor's notice of preferred address to be used in all cases under chapters 7 and 13 pursuant to 11 U.S.C. § 342(f) should be submitted directly to the National Creditor Registration Service ("NCRS"). A request for notice under 11 U.S.C. § 342(f) must be made using the NCRS form, available from the NCRS website. Registration of a preferred address with NCRS will constitute the filing of a notice under 11 U.S.C. § 342(f) with the court.

LR 5004. DISQUALIFICATION: DISCLOSURE OF INTERESTED PARTIES OR AFFILIATES.

(a) Unless otherwise ordered, when an attorney for a nongovernmental party enters an adversary proceeding, the attorney must file a certificate listing all persons, associations of persons, firms, partnerships, or corporations known to have an interest in the outcome of the case including the names of any parent, subsidiary, affiliate, or insider of the named non-individual parties, as follows:

"Number and Caption of Case "
"Number and Caption of Adversary Proceeding "
"Certificate Required by LR 5004"

"The undersigned, attorney of record for_____, certifies that the following have an interest in the outcome of this adversary proceeding:

(List the names of all such parties including the names of all parent, subsidiary, affiliate, or insider of the named non-individual parties, and identify their interests.)

"These representations are made to enable judges of the court to evaluate possible recusal.

"Attorney of Record for_____."

(b) If there are no known interested parties other than those participating in the adversary proceeding, a statement to that effect will satisfy this rule.

(c) There is a continuing obligation to update this information in accordance with this rule.

LR 5005. ELECTRONIC FILING, SERVICE, AND TRANSMITTAL OF PAPERS.

(a) Electronic filing is mandatory.

(1) Except as provided below, all filings made by regular filers must be made electronically. "Regular filers" means any entity, including any attorney (without regard to whether he or she is admitted generally to practice before the court) who:

(A) Made more than two (2) filings with the court in any calendar year after 2002; or,

(B) Is employed by a law firm, or has an interest as a partner, shareholder, or member of a law firm, that made more than two (2) filings with the court in any calendar year after 2002; or,

(C) Is employed by a governmental unit (as that term is defined in 11 U.S.C. § 101) that made more than two (2) filings with the court in any calendar year after 2002.

(2) All regular filers must complete the court's electronic case filing system registration form, complete training, and obtain a password in order to file electronically. Information concerning these requirements can be found on the court's website.

(3) Filing documents submitted, signed, and verified by electronic means is authorized subject to administrative orders and procedures as issued by the court. Documents to be filed electronically must be filed in compliance with the electronic filing procedures, except where otherwise stated in these rules, and which are available on the court's website and may be revised from time to time.

(4) The following classes of filings are exempt from the electronic filing requirement:

(A) A proof of claim filed by a creditor not represented by an attorney in the case in which the proof of claim is filed, if that creditor has filed no more than ten (10) proofs of claim with the court during the current calendar year;

(B) A proof of interest filed by any equity security holder not represented by an attorney in the case in which the proof of interest is filed, if that equity security holder has filed no more than ten (10) proofs of interest with the court during the current calendar year;

(C) A request to be admitted to the bar of this court for purposes of practicing in a particular case filed under LR IA 11-2 of the Local Rules of Practice for the United States District Court for the District of Nevada;

(D) Any filing made by an attorney in the course of representing an individual without charge as part of a recognized pro bono or other public interest program designed to assist unrepresented individuals, so long as that attorney, but for similar filings, would not be a regular filer; and

(E) Any filing made by an individual who is not otherwise registered in the court's electronic case filing system who appears without an attorney (also known as a pro se litigant); and

(F) A proof of claim filed through the court's Electronic Proof of Claim (EPOC) or a certificate concerning a debtor's completion of the financial management course filed through Electronic Financial Management Certificate (EFinCert) Program.

(5) If exceptional or emergency circumstances prevent a person from filing electronically, the person may ask the clerk to accept the filing under the Exceptional Circumstances Rule, which is set forth below.

(A) If an attorney or individual asks the clerk to accept a filing on paper because of exceptional or emergency circumstances, the clerk will accept the filing, digitize and index it, and transmit a copy of the filing to the appropriate bankruptcy judge.

(B) Unless the court directs otherwise, a person filing on paper under exceptional or emergency circumstances must, either concurrently with the filing or within two (2) business days after making it, submit an exceptional or emergency circumstances motion. If the motion is not made within the time limit, the clerk will strike the paper filing from the docket. The exceptional or emergency circumstances motion must be accompanied by:

(i) A declaration or affidavit detailing the exceptional or emergency circumstances that precluded an electronic filing. The declaration must include the number of previous exceptional or emergency circumstances motions made by the office or firm that employs the person making the affidavit or declaration; and,

(ii) A proposed order that the court may use in granting the exceptional or emergency circumstances motion.

(C) Exceptional circumstances include the unpreventable unavailability of internet services available to the person presenting the filing. Filings that assert this ground of exceptional circumstances must detail the extent and nature of the unavailability and what steps (if any) will be taken to ensure that the unavailability will not recur. Exceptional circumstances do not include an inability to file because of a failure to receive the training necessary to access the court's electronic case filing system. In deciding whether to grant the exceptional circumstances motion and allow a paper filing, the court may consider the number and extent of prior motions made by the moving party for exceptions to the electronic filing requirement.

(6) If the court finds that there are exceptional or emergency circumstances that warrant an exception to the electronic filing requirement, the court may grant the motion. In addition, if the court has not affirmatively denied the motion within five (5) business days after the clerk receives it, the clerk will consider the motion granted and will not strike the filing. But if the court denies the motion, the clerk must strike the filing from the court's records, and the filing will be treated as if it had not occurred.

(b) Signature. The user log-in and password that are required to submit documents to the court's electronic case filing system serve as the filing user's (as that term is defined in LR 2002(a)(3)) signature on all electronic documents filed with the court. The user log-in and password may not be used as an accommodation for any other party. No filing user or other person may knowingly permit or cause to permit a filing user's password to be used by anyone other than an authorized agent of the filing user. The filing user's log-in and password also serve as a signature for purposes of Fed. R. Bankr. P. 9011, the other Federal Rules of Bankruptcy Procedure, the local rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court. Any violation of this subsection may result in sanctions, including suspension of a filing user's account to electronically file.

(c) Electronic service.

(1) Parties are authorized to serve documents under Fed. R. Civ. P. 5(b)(2)(E) through the court's transmission facilities, subject to the electronic filing procedures, which may be revised from time to time.

(2) Electronic transmission of the notice of electronic filing constitutes service of notice of the filed document on any person who is a registered participant in the electronic case filing system, except for service under Fed. R. Bankr. P. 7004, and for other exceptions in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules.

(3) Generally, only attorneys and trustees are registered participants in the electronic case filing system. The notice of electronic filing is sent electronically to:

(A) All registered participants in the system who have entered an appearance in the particular case or proceeding by filing a document or requesting notice in the case;

(B) The case trustee in cases (but not in adversary proceedings); and

(C) The United States Trustee in cases (but not in adversary proceedings).

(4) Service or notice on an attorney does not constitute service on a client of that attorney or an entity unless the attorney is authorized to accept service by the client, by law, or by court order.

(5) A separate request for notice must be filed for each attorney seeking electronic notice. A single request for notice that identifies multiple attorneys will result in only the attorney first identified receiving notice.

(d) Change of attorney mailing address or email address.

(1) If an attorney changes their mailing address or email address, a notice of change of address of attorney must be filed for every case and adversary proceeding for which the attorney is the attorney of record in order to maintain a current mailing matrix. The form is available on the court's website. As a separate requirement, the attorney also must update the court's electronic case filing system. Substitutions of attorney must be obtained for all cases and proceedings for which the attorney will not remain the counsel of record.

(2) If an attorney fails to update their mailing address or email address as required by this rule, service made to their address of record will be deemed good service, unless the court orders otherwise.

(e) Waiver. By executing a written waiver when they register for the electronic case filing system, participants consent to service and notice by electronic transmission as provided below.

(1) The signed waiver constitutes waiver of the following:

(A) The right to receive service and notice by first class mail;

(B) The right to receive service and notice by first class mail of the notice of entry of an order and judgment under Fed R. Bankr. P. 9022.

(2) The signed waiver is also consent to receive notice electronically for all matters for which the attorney is entitled to notice, and consent to receive electronic service for all matters for which the attorney is entitled to service except with regard to those matters listed in Fed. R. Bankr. P. 7004.

(3) The signed waiver constitutes a written request for notice by electronic transmission under Fed. R. Bankr. P. 9036.

(4) Waiver does not constitute an agreement by an attorney to accept service or notice on behalf of a client.

(f) Paper copies. Parties are entitled to receive a paper copy of any electronically filed document from the filer in circumstances where service by non-electronic means is required or where parties are not registered in the court's electronic case filing system.

(g) Filing papers. Cases must be filed with the clerk of the United States Bankruptcy Court for the District of Nevada at Las Vegas or Reno in accordance with LR 1071. Once filed, cases will be administered, papers and pleadings will be docketed, and open files will be retained in the place where the case was filed, unless the court orders otherwise.

(h) No effect on deadlines. Nothing in this rule will affect the rules regarding the timing or timeliness of any filing under the Federal Rules of Bankruptcy Procedure or these Local Rules.

LR 5007. RECORD OF PROCEEDINGS AND TRANSCRIPTS.

Any party ordering transcripts of proceedings must notify the clerk of the need for daily transcripts at least seven (7) days prior to the hearing.

LR 5009. ORDER DECLARING LIEN SATISFIED IN CHAPTER 12 AND CHAPTER 13 CASES.

Following successful plan completion in a chapter 12 or chapter 13 case, a debtor may file a motion requesting an order under Fed. R. Bankr. P. 5009(d) declaring the lien satisified and that the lien has been released under the terms of the completed plan. If the motion solely seeks remedies under Rule 5009(d), then the motion may be brought on negative notice as described in LR 9014.1. Unless good cause is shown, the court will not entertain motions to compel the release of such liens or to impose sanctions against creditors who do not release such liens, unless the debtor first complies with Fed. R. Bankr. P. 5009(d).

LR 5010. REOPENING CASES.

(a) Disclosure of payment or nonpayment of fees. Anyone filing a motion to reopen a bankruptcy case must disclose the payment or nonpayment of any fee owed in the original case, including any filing fee or administrative fee prescribed by 28 U.S.C. § 1930(a) and by the Judicial Conference of the United States.

(b) Payment of fees. Unless the court orders otherwise, anyone filing a motion to reopen a bankruptcy case must pay any filing or administrative fees due to the clerk and any other fees remaining unpaid in the original case as required by 28 U.S.C. § 1930(a) and by the Judicial Conference of the United States. Payment of the fees is due immediately on filing the motion. The bankruptcy fee schedule is posted on the court's website.

(c) Closing of reopened case. Unless the court orders otherwise, if no motion or adversary proceeding is pending sixty (60) days after the case is reopened, and if no trustee has been ordered appointed, the case may be closed without further notice.

LR 5011. WITHDRAWAL OF THE REFERENCE.

(a) Form of request and place for filing. A request for withdrawal of the reference in whole or in part of a matter referred to the bankruptcy judge, other than a request by the bankruptcy court on its own or the automatic withdrawal as provided in a jury case by LR 9015(e), must be by motion and filed timely with the clerk of the bankruptcy court. All such motions must conspicuously state that "RELIEF IS SOUGHT FROM A UNITED STATES DISTRICT JUDGE."

(b) Time for filing. A motion to withdraw the reference of a bankruptcy case in whole or in part must be served and filed at or before the time first scheduled for the meeting of creditors held under 11 U.S.C. § 341(a). A motion to withdraw the reference of an adversary proceeding, in whole or in part, must be served and filed on or before the date on which the party enters its first appearance in the case. A motion to withdraw the reference of a contested matter must be served and filed concurrently with the first motion, opposition, or other paper filed in connection with the contested matter by the party requesting withdrawal of the reference.

(c) Docket in the District Court. Upon the filing of a motion to withdraw, all pleadings and papers with respect to the motion to withdraw the reference must be filed in the district court.

(d) Filing of other documents not affected. All pleadings or papers, other than those relating to the motion to withdraw the reference, must continue to be filed with the clerk of the bankruptcy court.

(e) Sua sponte motion to withdraw the reference. Any motion and any request by the bankruptcy court on its own to withdraw the reference must be referred to the chief district judge or the chief district judge's designee for decision in the district court.

LR 5075. CLERK - DELEGATED FUNCTIONS.

(a) United States Bankruptcy Court Clerk.

(1) The clerk of the bankruptcy court has the same rights and powers, may perform the same functions and duties, and is subject to the same provisions of 28 U.S.C. § 751

as a clerk of the district court. Under 28 U.S.C. § 956, the judges of this court further assign the following powers and duties to the clerk of the bankruptcy court:

(A) Assignment of cases and proceedings commenced under Title 11, United States Code, in accordance with the provisions of 28 U.S.C. § 157, including the reassignment of a case to another bankruptcy judge of the district, on the oral or written directive of the judge assigned to the case; and,

(B) Signing and entering all orders and process specifically allowed to be signed by the clerk under Title 28, United States Code, and the Federal Rules of Civil Procedure as modified by the Federal Rules of Bankruptcy Procedure. If the Federal Rules of Civil Procedure delegate a duty of the court to the clerk, a bankruptcy court clerk may perform the same type of duty specified in the Federal Rules of Bankruptcy Procedure.

(2) Specific duties assigned to the clerk. Unless the court orders otherwise, the clerk is authorized to sign and enter the following orders, if applicable, which are deemed to be ministerial:

(A) Orders specifically appointing persons to serve process in accordance with Fed. R. Civ. P. 4;

(B) Orders on stipulation:

(i) Noting satisfaction of a judgment;

(ii) Approving and annulling bonds filed or to be released by court order and exonerating sureties; and,

(iii) Setting aside a default;

(C) Orders and notices that establish meeting and hearing dates required or requested by a party in interest under Title 11, United States Code, including orders that fix the last dates for filing objections to discharge and confirmations of plans, complaints to determine the dischargeability of debts and proofs of claim;

(D) Orders and notices regarding duties of debtors and debtors in possession;

(E) Orders discharging a debtor in a chapter 7 case if there is no pending motion to dismiss under 11 U.S.C. § 707(b), and if there has not been a timely filed objection to discharge of the debtor or a waiver by the debtor of the debtor's discharge;

(F) Orders discharging a debtor in a chapter 13 case as provided in 11 U.S.C. § 1328 if an objection to discharge of the debtor has not been filed or a waiver by the debtor of its discharge;

(G) Orders closing cases and discharging the trustee in all cases in which the trustee has filed a final account and certified that the case has been fully administered under Fed. R. Bankr. P. 5009, and orders entering final decrees in chapter 11 cases under Fed. R. Bankr. P. 3022;

(H) Orders under LR IA 11-2 of the Local Rules of Practice for the United States District Court for the District of Nevada, granting permission to an attorney to practice in a particular case, and orders under LR IA 11-4, when ordered by the court in the particular case or in all cases assigned to a particular bankruptcy judge;

(I) Orders on all motions and applications of the type specified in Fed. R. Civ. P. 77(c), except as provided for by LR 7055;

(J) Orders permitting installment payment of filing fees and fixing the number, amount, and date of payment of each installment filed under LR 1006. A request for an extension beyond one hundred twenty (120) days, or a request that is received after entry of the first order entered by the clerk must be in writing and will be considered only by a judge;

(K) Orders reopening bankruptcy cases for administrative purposes;

(L) Orders authorizing examinations to be taken under Fed. R. Bankr. P. 2004 if the date set for examinations is set on not less than fourteen (14) days' notice and the request for examination does not include a request for production of documents. Orders that do not meet these requirements and orders under Fed. R. Bankr. P. 2004(d), must be signed by a judge;

(M) Reaffirmation orders under 11 U.S.C. § 524(c), if:

(i) The debtor is represented by an attorney; or

(ii) The court has approved the reaffirmation agreement after notice and hearing. If the debtor is not represented by an attorney, the clerk will forward the order to a bankruptcy judge for determination and entry;

(N) Orders withdrawing exhibits under LR 5003;

(O) Judgments on verdicts or decisions of the court in circumstances authorized in Fed. R. Civ. P. 58 as incorporated by Fed. R. Bankr. P. 9021;

(P) Orders to remove a name from the email service list;

(Q) Orders under Fed. R. Bankr. P. 4007(d);

(R) Orders to refund court filing fees;

(S) Orders of referral to the court's Mortgage Modification Program (MMP);

(T) Orders for exemption from Public Access to Electronic Case Records (PACER) fees;

(U) Orders to transfer cases to the appropriate division if the information in the electronic case filing system does not match the petition;

(V) Orders to redact information specified in Fed. R. Bankr. P. 9037(a). Orders to redact information outside the scope of Fed. R. Bankr. P. 9037(a) must be signed by a bankruptcy judge; and,

(W) Any other orders that under applicable rule or statute do not require special direction by the court.

(3) A judge may for good cause suspend or rescind any action taken by the clerk in connection with the powers and duties described in this Rule.

(b) Authorization to issue notices or orders to show cause. The clerk and deputy clerks of the court are authorized to issue notices or orders to show cause for failure of a party to comply with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, these local rules, or any order of this court.

LR 6004. SALE MOTIONS IN CHAPTER 11 CASES.

(a) Applicability of rule. Except as otherwise provided in these local rules, this rule applies to motions filed in chapter 11 cases to sell property of the estate under 11 U.S.C. § 363(b)("sale motions") and motions seeking approval of sale, bid or auction procedures in anticipation of or in conjunction with a sale motion.

(b) Sale motions. Except as otherwise provided in these local rules, the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, or an order of the court, all sale motions must include the following information, or include a declaration stating why such information has not been provided:

(1) A copy of the proposed purchase agreement, or a form of such agreement substantially similar to the one the moving party reasonably believes will be executed in connection with the proposed sale;

(2) A list of all lienholders with an interest in the property to be sold under the sale motion;

(3) A copy of a proposed form of sale order;

(4) A request, if necessary, for the appointment of a consumer privacy

ombudsman under 11 U.S.C. § 332.

(5) The sale motion must highlight material terms and must indicate the location of any such provision in the proposed form of order or purchase agreement.

(6) In any non-individual chapter 11 case, the terms and conditions of subsections (A) through (O) below are presumptively material.

(A) If the proposed sale is to an insider, as defined in 11 U.S.C. § 101, the sale motion must:

(i) Identify the insider; and,

(ii) Describe the insider's relationship to the debtor.

(B) If a proposed buyer has discussed or entered into any agreements with management or key employees regarding compensation or future employment, the sale motion must disclose the material terms of any such agreements.

(C) The sale motion must highlight any provisions pursuant to which an entity is being released or claims against any entity are being waived or otherwise satisfied.

(D) The sale motion must disclose whether an auction is contemplated, and highlight any provision in which the debtor has agreed to not solicit competing offers for the property subject to the sale motion or to otherwise limit the marketing of the property.

(E) The sale motion must highlight any deadlines for the closing of the proposed sale or deadlines that are conditions to closing the proposed transaction.

(F) The sale motion must highlight whether the proposed purchaser has submitted or will be required to submit a good faith deposit and, if so, the conditions under which the deposit may be forfeited.

(G) The sale motion must highlight any provision pursuant to which a debtor is entering into any interim agreements or arrangements with the proposed purchaser, such as interim management arrangements (which, if out of the ordinary course, also must be subject to notice and a hearing under 11 U.S.C. § 363(b)), and the terms of the agreements.

(H) The sale motion must highlight any provision pursuant to which a debtor proposes to release sale proceeds on or after the closing without further court order, or to provide for a definitive allocation of sale proceeds.

(I) The sale motion must highlight any provision seeking to have the sale declared exempt from taxes under 11 U.S.C. § 1146(a), and the type of tax (e.g., recording tax, stamp tax, use tax, or capital gains tax) for which the exemption is sought. It is not sufficient to refer simply to "transfer" taxes and the state or states in which the affected property is located.

(J) If the debtor proposes to sell substantially all of its assets, the sale motion must highlight whether the debtor will retain, or have reasonable access to, its books and records to enable it to administer its bankruptcy case.

(K) The sale motion must highlight any provision pursuant to which the debtor seeks to sell or otherwise limit any rights to pursue avoidance claims under Chapter 5 of Title 11 of the United States Code.

(L) The sale motion must highlight any provision limiting the proposed purchaser's successor liability.

(M) The sale motion must highlight any provision by which the debtor seeks to sell property free and clear of a possessory leasehold interest, license or other right.

(N) The sale motion must highlight any terms with respect to credit bidding pursuant to 11 U.S.C. § 363(k).

(O) The sale motion must highlight any provision whereby the debtor seeks relief from the fourteen (14) day stay imposed by Fed. R. Bankr. P. 6004(h).

LR 6006. INDIVIDUAL DEBTOR'S ABILITY TO ASSUME A PERSONAL PROPERTY LEASE AFTER REJECTION.

Notwithstanding the requirements of LR 2002, if an individual debtor elects to assume a personal property lease under 11 U.S.C. § 365(p)(2), the only notice that he or she must give under either Section 365(p)(2)(A) or 365(p)(2)(B) is notice to the nondebtor party or parties to the contract being assumed, and to the trustee, or if there is no trustee, to the Office of the United States Trustee. No additional notice is required. The court may enter an order on a stipulation signed by all these parties without holding a hearing.

LR 7003. COVER SHEET FOR ADVERSARY COMPLAINTS.

All adversary complaints filed in bankruptcy court on paper must be accompanied by a properly completed bankruptcy adversary proceeding cover sheet. Adversary proceedings filed electronically do not require a cover sheet.

LR 7005. CERTIFICATE OF SERVICE (ADVERSARY PROCEEDINGS).

(a) Certificate of service. A proof of service, in conformity with the court's certificate of service form, must be filed within seven (7) days for all papers and pleadings required or permitted to be served. The proof must show the date of service, the name of the person served, and the manner of service (e.g., electronically or by mail). Proof of service is deemed sufficient

if it substantially complies with the court's certificate of service form, which is available on the court's website.

(b) Failure to file a proof of service. The court may refuse to take action on any papers or pleadings until a proof of service is filed. If an affidavit or certificate of service is attached to the original pleading, it must be attached so that the character of the pleading is easily discernible. Failure to file the proof of service does not affect the validity of the service, and the court may at any time allow the proof of service to be amended or supplied unless it clearly appears that doing so would result in material prejudice to the substantial rights of any party.

LR 7007.1. CORPORATE OWNERSHIP STATEMENT.

In addition to any corporation, any party to an adversary proceeding, other than a debtor or a governmental entity, that is a non-individual entity including a general or limited partnership, joint venture, LLC, or LLP also must file the Corporate Ownership Statement required under Fed. R. Bankr. P. 7007.1. Only one (1) copy of the Corporate Ownership Statement must be filed.

LR 7008. PLEADING CONSENT TO ENTRY OF FINAL ORDER OR JUDGMENT.

In an adversary proceeding or contested matter, in addition to the statements required by Fed R. Bankr. P.7008(a), the first pleading, motion, or paper must contain a statement that the pleader does or does not consent to the entry of final orders or judgments by the bankruptcy judge if it is determined that the bankruptcy judge, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution. Failure to do so constitutes consent to the matter being heard and final orders or judgment being entered by the bankruptcy court.

LR 7010. GENERAL REQUIREMENTS OF FORM.

(a) Form of papers. After notice and hearing, any paper or pleading filed that does not conform to an applicable provision of these Rules or any Federal Rule of Bankruptcy Procedure may be stricken by the court on its own motion. Whenever there are more than five (5) plaintiffs or defendants in the caption of a complaint or third-party complaint, the filing party must at the same time file an alphabetical list of the parties.

(b) Caption, title of court and name of case. In addition to the requirements of LR 9004, the caption must include the caption of the adversary proceeding as well as the caption of the case, including the adversary proceeding number. If a scheduling conference has been set, the complaint and answer must indicate that date in the space for hearing date and time, like this:

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:	)	Case No: 15-00123-ABL
	)	CHAPTER _
JOHN DOE,	)	
	)	
	)	Adversary Proceeding: 14-2001-ABL
Debtor.	)	
	)	
JOHN DOE,	)	DEFENDANT'S ANSWER TO
	)	COMPLAINT TO DETERMINE
Plaintiff,	)	DISCHARGEABILITY OF DEBT
	)	
v.	)	Hearing Date (Scheduling conf.):
	)	Hearing Time:
RICHARD ROE,	)	Estimated Time:
	)	
Defendant.	)	

(c) Copies. For documents that are not electronically filed by the parties under the provisions of LR 5005, the clerk maintains a list of copy requirements on the court's website that specifies the number of copies to be submitted. The copy requirements may be revised from time to time, and when they are revised, the list of copy requirements will be reissued in full with a notation of the effective date of the revision. The list of copy requirements is available from the clerk and is posted on the court's website.

(1) Unless otherwise required, attorneys or persons appearing pro se must submit the original pleadings, summons, orders, or other papers and the required number of copies.

(2) If anyone filing a document wishes to receive a file-stamped copy of it, the filer must submit one (1) additional copy. Filers who wish to have the file-stamped copy returned by mail must include a self-addressed, stamped envelope.

LR 7012. RESPONSIVE PLEADING CONSENT TO ENTRY OF FINAL ORDER OR JUDGMENT.

In addition to statements required by Fed. R. Bankr. P. 7012(b), in an adversary proceeding or contested matter, the first responsive pleading, motion, or paper must contain a statement that the pleader does or does not consent to the entry of final orders or judgment by the bankruptcy judge if it is determined that the bankruptcy judge, absent consent of the parties, cannot enter final orders or judgment consistent with Article III of the United States

Constitution. Failure to do so constitutes consent to the matter being heard and final orders or judgment being entered by the bankruptcy court.

LR 7015. AMENDED AND SUPPLEMENTAL PLEADINGS.

(a) Any motion to amend the pleadings must have a copy of the proposed amended pleading and a redlined comparison to the pleading to be amended included as an exhibit. Unless the court permits otherwise, every amended pleading must be filed so that it will be complete in itself, including exhibits, without reference to the superseded pleading.

(b) If the motion is granted, the moving party has fourteen (14) days from the entry of the order approving the motion to file and serve an original amended pleading.

LR 7016. PRETRIAL PROCEDURES.

(a) Actions exempt from scheduling order. The following categories of cases are exempt from the requirements of Fed. R. Civ. P. 16(b) as adopted by Fed. R. Bankr. P. 7016:

(1) Contested matters under Fed. R. Bankr. P. 9014, unless otherwise ordered by the court; and

(2) Other actions or categories of actions as the court orders.

(b) Scheduling conference.

(1) Unless excused by the court, the parties or their counsel must appear at any scheduling conference.

(2) At the first scheduling conference, the court will consider the proposed discovery plan or request for waiver of filing discovery plan and address further pretrial and trial matters.

(c) Confirmation of consent to entry of final order or judgment at scheduling conference. At the first scheduling conference for adversary proceedings the court may inquire as to whether the respective parties do or do not consent to the entry of final orders or judgment by the bankruptcy judge.

(1) Should any party fail to consent to the entry of final orders or judgment by the bankruptcy judge, then the bankruptcy court will, on motion of one of the parties or on the court's own motion, determine and enter an order on whether the proceeding is not subject to entry of final orders or judgment by the bankruptcy court, unless the district court withdraws the reference first.

(d) Issuance of scheduling order regarding pretrial and trial matters including trial

setting.

(1) After the first scheduling conference, the court will issue a scheduling order regarding the discovery plan and may set the date for filing a joint or separate trial statement(s) and such further matters as appropriate.

(2) The court may enter any other orders regarding pretrial and trial matters as appropriate, including ordering a joint or separate trial statement or a status hearing or scheduling conference of all the parties at any time.

(3) The court may set a trial date in the scheduling order or by separate written or oral order.

(4) Continuances of trial are disfavored and will not be granted except for good cause as to why the current trial setting must be continued.

(e) Time limits for filing certain motions. Unless the court orders otherwise, the following time periods govern filing certain motions:

(1) All motions to amend the pleadings under Fed. R. Bankr. P. 7015(a) or for the joinder of parties must be filed no later than 90 days prior to the close of discovery.

(2) Unless otherwise ordered, all potentially dispositive motions on any issues must be filed no later than 30 days after the close of discovery; and

(3) Motions *in limine* must be filed no later than 30 days before the start of trial. No reply will be permitted unless the court requests one.

(f) Settlement conference and alternative methods of dispute resolution. The court may set any adversary proceeding for settlement conference or other alternative method of dispute resolution.

LR 7026. DISCOVERY - GENERAL.

(a) Discovery Conference and Plan.

(1) Exemptions from discovery conference and plan provisions of Fed. R. Civ. P. 26(f). Parties may seek exemption of an action from Fed. R. Civ. P. 26(f) by court order that is not otherwise exempted by Fed. R. Civ. P. 26(a)(1)(B), after filing a motion noticed to all parties to the action or by stipulation of all parties before the date any meeting under Fed. R. Civ. P. 26(f) is required to be held. Parties that obtain an exemption under this subsection do not have to file the standard discovery plan or request for waiver of filing discovery plan, which is available from the clerk and the court's website.

(2) Limited exemption from discovery plan provisions of Fed. R. Civ. P. 26(f). The parties to an action not exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under subsection (b)(l) of this rule may seek a limited exemption from Fed. R. Civ. P. 26(f) insofar as the rule requires filing the standard discovery plan.

(A) Parties seeking a limited exemption under this subsection must: (1) meet and confer no later than thirty (30) days after the first defendant has answered or otherwise appeared, (2) no later than fourteen (14) days after the meeting, file a certification that no formal discovery is required, and (3) request a waiver of the requirement for the standard discovery plan by so indicating on the request for waiver of filing discovery plan and by completing all information requested on that form.

(B) If a limited exemption is granted, trial may proceed one hundred twenty (120) days from the date the standard discovery plan would have been due.

(3) Nonexempt actions must comply with discovery conference and plan provisions of Fed. R. Civ. P. 26(f).

(A) Unless exempted, the parties must meet and confer no later than thirty (30) days after the first defendant has answered or otherwise appeared.

(B) No later than fourteen (14) days after the meeting, the parties must submit the standard discovery plan LR 7016 and 7026(c) govern the requirements for discovery plans. If the parties agree to different deadlines than those contained within the standard discovery plan, or cannot agree on deadlines, they must so indicate on the face of the standard discovery plan and attach a proposed modified plan or their respective plans.

(C) If the parties fail to submit a discovery plan, they may be subject to sanctions, including application of the deadlines set forth in the standard discovery plan, even if the parties have not agreed to those deadlines.

(4) If a new party serves its initial pleading after the first case conference, a supplemental case conference must be held within thirty (30) days after service by any party of a written request for a supplemental conference; otherwise, a supplemental case conference is not required, and the original discovery plan is binding unless otherwise ordered by the court.

(b) Discovery limitations and timing.

(1) Unless the court orders otherwise, in cases in which a discovery plan is required, all discovery must begin in time to be completed by one hundred eighty (180) days after the answer or first appearance by the first defendant.

(2) Unless the court orders otherwise, the parties to an action exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under subsection (b)(l) of this rule may begin discovery on the commencement of the action.

(3) Unless the court orders otherwise, the parties to an action in which the court has granted a limited exemption under subsection (b)(2) of this rule and the parties to nonexempt actions may begin discovery after conferring as required under subsection (b)(2)(A) or (b)(3)(A) as applicable.

(4) Disclosures of Expert Testimony. Unless the court orders otherwise, the disclosures required by Fed. R. Civ. P. 26(a)(2), as adopted by Fed. R. Bankr. P. 7026, must be made no later than thirty (30) days before the close of discovery by the party bearing the burden of proof on the issue in question and no later than fourteen (14) days before the close of discovery by the opposing party.

(c) Extension of discovery deadline.

(1) Unless the court orders otherwise, an extension of a discovery completion deadline will not be allowed without a showing of good cause as to why all discovery was not completed within the time allotted. The parties must file all motions or stipulations to extend discovery at least twenty-one (21) days before the date fixed for completion of discovery, or at least twenty-one (21) days before the expiration of any extension that the court may have approved. The motion or stipulation to extend time or to reopen discovery must include:

(A) A statement of the discovery that the parties have completed as of the date of the motion or stipulation;

(B) A specific description of the discovery remaining to be completed;

(C) The reasons why the remaining discovery was not completed within the time limit of the existing discovery completion deadline; and

(D) A proposed schedule for completing all remaining discovery.

(2) Parties and their counsel must ensure that all discovery is initiated so it can be completed by the end of the period set out in the discovery completion deadline. No additional discovery will be permitted after the discovery completion deadline, except as provided above.

(d) Demand for prior discovery. Whenever a party makes a written demand for discovery that took place before that person or entity became a party to the action, each party who has previously responded to a request for admission or production or answered interrogatories must furnish to the demanding party: (1) the documents containing the discovery responses in question for inspecting and copying; (2) a list identifying each document by title; or (3) on further demand, at the expense of the demanding party, a copy of any discovery response specified in the demand. If there are requests for production, a party must make available for inspection by the demanding party all documents and things previously produced. Further, each party who has taken a deposition must make a copy of the transcript available to the demanding party for copying at the demanding party's expense.

(e) Filing discovery papers. Notices of deposition, deposition transcripts, interrogatories, requests for production or inspection, requests for documents, requests for admissions, answers and responses, and proofs of service should not be filed with the court unless the court orders otherwise. Originals of responses to requests for admissions or production and answers to interrogatories must be served on the party who made the request or propounded the interrogatories, and that party must make the original responses available at the time of any pretrial hearing or at trial for use by any party. Likewise, the deposing party must make the original transcript of a deposition available at the time of any pretrial hearing or at trial for use by any party or filing with the court if so ordered.

LR 7030. DEPOSITIONS UPON ORAL EXAMINATION.

(a) Commencement of discovery by deposition.

(1) Depositions in actions exempted under Fed. R. Civ. P.26(a)(1)(B) or by order obtained under LR 7026(b)(1). Depositions taken under Fed. R. Civ. P. 30 and Fed. Bankr. P. 7030 may be taken without leave of court in an action exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under LR 7026(b)(1). But if the plaintiff seeks to take the deposition within thirty (30) days after service of the summons and complaint, court approval is required. However, if a defendant in the adversary proceeding has served a notice of taking deposition or otherwise sought discovery, leave of court is not required.

(2) Depositions in actions with limited exemption under LR 7026(b)(2) and nonexempt actions. Depositions taken under Fed. R. Civ. P. 30 and Fed. Bankr. P. 7030 may be taken without leave of court unless the party in an adversary proceeding seeks to take a deposition before the parties confer in accordance with Fed. R. Civ. P. 26(f).

(b) Requirements for deposition transcripts. Unless the parties stipulate or the court orders otherwise, depositions taken under Fed. R. Civ. P. 30 and Fed. Bankr. P. 7030 must be recorded by stenographic means and also may be recorded by audio and/or audiovisual means.

LR 7031. DEPOSITIONS UPON WRITTEN QUESTIONS.

(a) Commencement of discovery by deposition upon written questions. Except as provided in Fed. R. Civ. P. 31(a)(2)(A)(ii):

(1) After commencement of an action exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under LR 7026(b)(1), any party may take the testimony of any person, including a party, by deposition upon written questions.

(2) Depositions may be taken upon written questions without leave of court unless the party in an adversary proceeding seeks to take a deposition before the parties confer in accordance with Fed. R. Civ. P. 26(f).

(b) Requirements for deposition transcripts. Unless the parties stipulate or the court orders otherwise, depositions must be recorded by stenographic means.

LR 7032. USE OF DEPOSITIONS IN ADVERSARY PROCEEDINGS AND CONTESTED MATTERS.

(a) Designation. Any party intending to offer deposition testimony or other transcribed designation statements made under oath (such as at a 341 meeting of creditors or at a Fed. R. Bankr. P. 2004 examination) must prepare a designation statement clearly identifying the name of the deponent or person otherwise examined, the date of the deposition or other type of examination taken under oath, and the specific portions of the deposition or transcribed statement, by page and line numbers, that will be offered as evidence. The party also must include as an exhibit a copy of the entire transcribed record.

(b) Exchange of statements and objections. Unless the court orders otherwise, copies of all statements and objections must be furnished to opposing counsel or the opposing party and lodged with the court. Cross reference is made to the procedural rules for filing oppositions, replies and other responses, and to LR 9017.

(1) The plaintiff or movant must submit all statements to opposing counsel or the opposing party at least fourteen (14) days before the trial or the hearing on the contested matter, with the opposition to the contested matter.

(2) The defendant or respondent must submit all statements or objections to opposing counsel with a reply served in accordance with LR 9014.

(3) Unless otherwise ordered by the court, two (2) business days before trial or the hearing, each party must lodge with the courtroom deputy clerk for the judge to whom the matter is assigned one (1) copy of all statements intended to be offered as evidence by that party, and an original and one (1) copy of that party's written objections to the admission of any deposition testimony or transcribed statement taken under oath of an opposing party.

LR 7033. INTERROGATORIES TO PARTIES.

(a) Number of interrogatories permitted; commencement of discovery by interrogatories.

(1) Unless the court orders otherwise or it is stipulated by the parties to an action exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under LR 7026(b)(1), after commencement of the action, any party may serve on any other party not more than twenty-five (25) interrogatories, including all discrete subparts. A defendant in an adversary proceeding is required to serve answers or objections to interrogatories no sooner than forty-five (45) days after service of the summons and complaint.

(2) Interrogatories may be served under Fed. R. Civ. P. 33 without leave of court unless the party in an adversary proceeding seeks to serve interrogatories before the parties confer in accordance with Fed. R. Civ. P. 26(f).

LR 7034. PRODUCTION OR INSPECTION OF DOCUMENTS AND THINGS.

(a) Requests for production or inspection.

(1) Unless the court orders otherwise or it is stipulated by the parties to an action exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under LR 7026(b)(1), any party may serve on any other party a request for production or inspection after commencement of the action. A defendant in an adversary proceeding is required to respond no sooner than forty-five (45) days after service of the summons and complaint.

(2) Requests for production or inspection may be served under Fed. R. Civ. P. 34 without leave of court unless a party in an adversary proceeding requests production or inspection before the parties confer in accordance with Fed. R. Civ. P. 26(f).

(b) Responses to discovery sought. All responses to discovery sought must, immediately preceding the response, identify the number or other designation and set forth in full the text of the discovery sought.

LR 7035. ALLEGATIONS OF MENTAL AND PHYSICAL CONDITION

Whenever a party in the pleadings filed with the court places any party's present, past or future physical or mental condition at issue, the pleading party may not prevent discovery of information concerning such physical or mental condition or prior history related thereto by asserting any physician-patient privilege provided by state law against discovery or information concerning such physical or mental condition or prior history directly related thereto.

LR 7036. REQUESTS FOR ADMISSION.

(a) Unless the court orders otherwise or it is stipulated by the parties to an action exempted by Fed. R. Civ. P. 26(a)(1)(B) or by order obtained under LR 7026(b)(1), after commencement of the action, any party may serve a request for admission on any other party. A defendant in an adversary proceeding is required to serve answers or objections to requests for admissions no sooner than forty-five (45) days after service of the summons and complaint.

(b) Requests for admission may be served under Fed. R. Civ. P. 36 without leave of court unless a party in an adversary proceeding seeks to request admission before the parties confer in accordance with Fed. R. Civ. P. 26(f).

LR 7037. DISCOVERY MOTIONS.

(a) Parties are required to meet and confer regarding any discovery dispute before seeking court intervention. If the parties are unable to resolve the dispute without court intervention, the parties are required to follow the assigned Judge's procedure for resolving the dispute. Each individual Judge's procedure for the resolution of discovery disputes can be found on the court's website.

(b) All motions to compel discovery or for protective orders must, in addition to the discovery being sought or enjoined in the motion, set forth in full the text of the discovery originally sought or enjoined and the response made to it, if any, and comply with Fed. R. Civ. P. 26(c), as adopted by Fed. R. Bankr. P. 7026.

(c) Any attorney or party appearing pro se may make written application to, or, where time does not permit, may telephone the court, to request judicial assistance in resolving an emergency discovery dispute. The attorney or party seeking emergency relief must endorse on the face of any written application the words, "Request for Emergency Relief" and also obtain an Order Shortening Time pursuant to LR 9006.

LR 7041. DISMISSAL FOR LACK OF PROSECUTION.

Any contested matter or adversary proceeding that has been pending in this court for more than 270 days without any activity of record may, after notice, be dismissed for want of prosecution on motion by any party, or by the court. In addition, in appropriate circumstances, the court may issue an order to show cause why a contested matter or adversary proceeding should not be dismissed regardless of how long it has been pending.

LR 7054. COSTS –TAXATION/PAYMENT.

The taxation of costs requirements of the Local Rules of Civil Practice for the United States District Court for the District of Nevada are adopted in full.

LR 7055. DEFAULTS AND DEFAULT JUDGMENTS.

Defaults and default judgments are governed by Fed. R. Bankr. P. 7055. A properly requested default may be entered by the clerk. A default judgment may be entered only by the court. Any procedures for obtaining a default judgment are available on the court's website.

LR 7056. SUMMARY JUDGMENT.

(a) Motions. Each motion for summary judgment must be accompanied by a separately filed statement of undisputed facts that must specify each of the material facts relied

upon in support of the motion and which cites to the particular portions of any pleading, affidavit, declaration, deposition, interrogatory answer, admission or other evidence on which the party relies. The statement of undisputed facts will not be counted toward the applicable page limit in LR 9014(e)(1). The moving party also must file as an exhibit to the statement of undisputed facts all of the evidentiary documents that are cited in the moving papers.

(b) Stipulated Facts. All parties in interest may file jointly a stipulation setting forth a statement of stipulated facts to which all parties in interest agree. As to any stipulated facts, the parties so stipulating may state that their stipulations are entered into only for the purposes of the motion for summary judgment and are not intended to be otherwise binding.

(c) Opposition. Any party opposing a motion for summary judgment must be accompanied by a separately filed statement of disputed facts. The statement of undisputed facts must repeat the itemized facts in the statement of undisputed facts and admit those facts that are undisputed and deny those that are disputed and cite to the particular portions of any pleading, affidavit, declaration, deposition, interrogatory answer, admission or other evidence on which the party relies. The opposing party must file as an exhibit to its statement of undisputed facts all evidentiary documents that are cited in the opposing papers. If a need for discovery is asserted as a basis for denial of the motion, the party opposing the motion must provide a description of the particular facts on which discovery is to be had or the issues on which discovery is necessary.

Unless the court orders otherwise, an opposing party has twenty-one (21) days after service of the moving party's points and authorities to file and serve a memorandum of points and authorities in opposition to the motion.

(d) Reply memorandum. Unless the court orders otherwise, the moving party has fourteen (14) days after service of the opposition to file and serve a reply memorandum of points and authorities. Unless otherwise ordered, there is no reply to a countermotion under subsection (e)(1).

(e) Countermotion.

(1) A countermotion for summary judgment that relates to the same claim or partial claim may be filed against the movant(s) within the time allowed for the opposition to the motion for summary judgment.

(2) Any party seeking summary judgment on a different claim or part of a claim, or against a non-movant, must notice the motion in accordance with subsection (f)(1) and may not, without the consent of the moving party, the party against whom judgment is sought, and the court, set it on the date set in the first motion for summary judgment. If the movant does not consent, the counter movant may seek an order shortening time in accordance with LR 9006.

(f) Hearings on motions for summary judgment.

(1) The party moving for summary judgment must obtain a hearing date from

the clerk for hearing the motion. Unless the court shortens the time for hearing, the date will not be less than forty-two (42) days from the date the motion was filed.

(2) Unless the court orders otherwise, the countermotion filed under subsection (e)(1) will be heard at the same time as the original motion.

LR 7064. SERVICE OF PROCESS.

(a) Service by the United States Marshal. The United States Marshal is authorized to serve civil process on behalf of the United States government without a court order.

(b) Service of process under state procedure.

(1) In cases or proceedings where the Federal Rules of Civil Procedure or the Federal Rules of Bankruptcy Procedure authorize the service of process to be made in accordance with Nevada state practice, attorneys for the party seeking the service must comply with the requirements of state practice together with specific instructions for administering service.

(2) Pursuant to Nev. Rev. Stat .§ 31.270(1), service of writs of garnishment may be made via any method of service authorized for service of summons pursuant to Fed. R. Bankr. P. 7004.

LR 7067. REGISTRY FUNDS.

(a) Receipt of funds.

(1) No money shall be sent to the court for deposit in the court's registry without a court order signed by the judge in the case or proceeding.

The order must be prepared by the party seeking the order of deposit. The order must state the exact amount to be deposited, that the funds are to be deposited into an interest-bearing account, and that the funds will remain on deposit until further order of the court.

(2) The party making the deposit or transferring funds to the court's registry must serve on the clerk of court the order permitting the deposit or transfer.

(3) Unless provided for elsewhere in such Order, all monies ordered to be paid to the Court or received by its officers in any case pending or adjudicated must be deposited with the Treasurer of the United States in the name and to the credit of this court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury of the United States to accept such deposit on its behalf.

(4) The funds must be submitted to the clerk by check or money order

made payable to "U.S. Bankruptcy Court" in the exact amount specified in the court order.

(b) Investment of registry funds.

(1) Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account, the Court Registry Investment System (CRIS) administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, shall be the only investment mechanism authorized.

(2) Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a "Disputed Ownership Fund" (DOF), a taxable entity that requires tax administration. Unless otherwise ordered by the court, interpleader funds must be deposited in the DOF established within the CRIS and administered by the Administrative Office of the United States Courts, which shall be responsible for meeting all the DOF tax administration requirements.

(3) The Director of the Administrative Office of the United States Courts is designated as custodian for CRIS. The Director or the Director's designee shall perform the duties of custodian. Funds held in CRIS remain subject to the control and jurisdiction of the Court.

(4) Money from each case deposited in CRIS shall be "pooled" together with those on deposit with Treasury from other courts in CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at the Treasury of the United States, in an account in the name and to the credit of the Director of Administrative Office of the United States Courts. The pooled funds will be invested in accordance with the principals of the CRIS Investment Policy as approved by the Registry Monitoring Group.

(5) An account for each case will be established in the CRIS Liquidity Fund titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case based on the ratio each account's principal and earnings has to the aggregate principal and income total in the fund after the CRIS fee has been applied. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in the CRIS and made available to litigants and/or their counsel.

(6) For each interpleader case, an account shall be established in the CRIS Disputed Ownership Fund, titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and tax withholdings have been deducted from the fund. Reports showing the interest earned and the principal amounts contributed in each case will be available through the FEDInvest/CMS application for each court participating in the CRIS and made available to litigants and/or their counsel. On appointment of an administrator authorized to incur expenses on behalf of the DOF in a case, the case DOF funds should be transferred to another investment account as directed by court order.

(c) Fees and taxes.

(1) The custodian is authorized and directed by this Order to deduct the CRIS fee of an annualized 10 basis points on assets on deposit for all CRIS funds, excluding the case funds held in the DOF, for the management of investments in CRIS. According to the court's Miscellaneous Fee Schedule, the CRIS fee is accessed from interest earnings to pool before a pro rata distribution of earnings is made to court cases.

(2) The custodian is authorized and directed by this Order to deduct the DOF fee of an annualized 20 basis points on assets on deposit in the DOF for management of investments and tax administration. According to the court's Miscellaneous Fee Schedule, the DOF fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases. The custodian is further authorized and directed by this Order to withhold and pay federal taxes due on behalf of the DOF.

(d) Disbursements of registry funds.

(1) The order that disburses funds must state the name and taxpayer identification number for each party who is to receive funds, the mailing address of each party, and the amount each party is to receive. Form AO 213 must be completed and sent to the court's finance department. Funds will be disbursed only after the time for appeal of the related judgment or order has expired, or upon approval by the court of a written stipulation signed by all parties. Due to privacy protection of court filings under Fed. R. Bankr. P. 9037 and the court's privacy policy, a party's social security number may be sent to the court's finance department instead of being included in the disbursement order. The finance department's contact information is available on the contact information page on the court's website.

LR 8001. AUTHORIZATION TO HAVE APPEALS HEARD BY BANKRUPTCY APPELLATE PANEL.

In accordance with 28 U.S.C. § 158(b)(6), a bankruptcy appellate panel is authorized to hear and determine appeals from judgments, orders, and decrees entered by bankruptcy judges from the District of Nevada.

LR 8011. BRIEFS AND APPENDIX.

A party filing excerpts of record with the district court must file them as exhibits pursuant to the Local Rules of Practice for the United States District Court for the District of Nevada.

LR 8018. LOCAL RULES OF CIRCUIT, JUDICIAL COUNCIL, OR DISTRICT COURT.

Practice in bankruptcy appeals that may come before the district court will be governed by Part VIII of the Federal Rules of Bankruptcy Procedure, except in Rules that the district court adopts.

LR 9004. FORM AND RETENTION REQUIREMENTS.

(a) Form of papers.

(1) The papers filed with the bankruptcy court must be legibly printed on eight-and-one-half by eleven inch (8½" x 11") paper, with copies reproduced by any method resulting in clear copy. Unless the court orders otherwise, all printing and handwriting must be double-spaced and each printed line consecutively numbered in the left margin on each page.

(2) The format described above does not apply to:

(A) Exhibits, footnotes and quotations, the identification of an attorney, caption, title of the court and the name of the case; and,

(B) The title page, which must begin at least one-and-one-half inches (1½") from the top of the page.

(b) Print requirements. Printing that uses proportional fonts or equivalent (such as most computer fonts) must be at least twelve (12) points. Monospaced fonts (such as on a typewriter) may not have more than ten (10) characters per linear inch. All quotations longer than fifty (50) words must be indented. All pages of each pleading or other papers filed with the court (except exhibits) must be numbered consecutively. All pages of each pleading or other papers filed with the court (including exhibits) must be printed only on one (1) side of the paper.

(c) Signatures generally. All pleadings and non-evidentiary documents must be signed by the individual attorney for the party presenting them, or by the party involved if that party is appearing pro se. Affidavits, declarations and certifications must be signed by the affiant or declarant. The name of the person signing the document must be typed underneath the signature.

(1) Signatures on documents submitted electronically.

(A) The user log-in and password required to access the electronic case filing system must serve as the filing user's signature on all electronic documents filed with the court, pursuant to LR 5005. They serve as a signature for purposes of Fed. R. Bankr. P. 9011, the other Federal Rules of Bankruptcy Procedure, the Local Rules of this court, and any other purpose for which a signature is required in connection with proceedings before this court. Unless the electronically filed document has been scanned and shows the filing user's original signature or bears a software-generated electronic signature thereof, an "/s/" and the filing user's name must be typed in the space where the signature would otherwise appear.

(B) Signatures of persons other than the filing user may be

indicated by either:

(i) Submitting a scanned copy of the originally signed document, or;

(ii) Inserting an "/s/" and the signing party's name must be typed in the space where the signature would otherwise appear.

(iii) A claim filed through the Electronic Proof of Claim (EPOC) system or a certificate concerning a debtor's completion of the financial management course filed through the Electronic Financial Management Certificate (eFinCert) program must state the name and title, if any, of the filer and must contain an "/s/" with the name of the filer typed in the location where the signature would otherwise appear.

(C) The use of "/s/Name" or a software generated electronic signature on documents constitutes the filing user's representation that an originally signed copy of the document exists or that the electronic signature has been authorized and is in the filing user's possession at the time of filing.

(D) Original signed documents not utilizing electronic signature must be maintained in paper form by the filing user for the later of five (5) years or the maximum allowable time necessary to complete the appellate process, and upon request, the original document must be provided to other parties or to the court for review. The failure to do so may result in the imposition of sanctions on the court's own motion, or upon motion of the case trustee, the United States Trustee, the United States Attorney, or other party.

(E) In individual chapter 11 cases, the debtor must not use the "/s/Name," and is required to scan and file with the court an original signature(s) on the petition and any subsequent amendments to the petition.

(2) Documents directly faxed or emailed to the clerk or to chambers of the court will not be filed, lodged, received, returned, or acknowledged unless previously authorized by the court.

(d) Number of copies. *See* LR 1002(a).

(e) Motion exhibits.

(1) If required, chamber's copies of exhibits attached to papers must have indexing tabs. If exhibits are electronically filed, they must be separated by pages inserted and labeled with the exhibit numbers for movants and exhibit letters for respondents. Filers must reduce oversized exhibits to eight-and-one-half by eleven inches (8½" x 11") unless the reduction would destroy legibility or authenticity. An oversized exhibit that cannot be reduced must be filed separately with a captioned cover sheet identifying the exhibit(s) and the document(s) to which it refers. Electronically filed exhibits must be docketed by designating the exhibit numbers or letters by a single exhibit or group of exhibits.

(2) If affidavits or declarations are used, they must be filed at the same time as the paper they refer to, but as separately captioned documents.

(f) Trial exhibits. *See* LR 9017(d).

(g) Caption, title of court, name and number of case, description, and date and time of hearing.

(1) The top left corner of the first page of every paper presented for filing must show the name, Nevada or other state bar number, address, telephone number, fax number, and email address of the attorney and any associated attorney(s) appearing for the party filing the petition, or the name, address, and telephone number of a party appearing pro se.

(2) Below the identifying information described above, the remainder of the caption on the first page must look like this:

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:	)	Case No.: 15-00123-ABL [applicable case
	)	number]
	)	CHAPTER [applicable bankruptcy title]
	)	
Debtors,	)	MOTION TO DISMISS
	)	
	)	Hearing Date:
	)	Hearing Time:
	)	Estimated Time for hearing:
	)	
_____	)	

(h) 11 U.S.C. § 362 pleadings/cover sheet. A properly completed § 362 information cover sheet must be filed with a motion for relief from the automatic stay under 11 U.S.C. § 362 or opposition to such a motion, consistent with the requirements of LR 4001(a). Failure to comply with any of these provisions may result in sanctions, denial of the motion, or other adverse ruling.

LR 9006. ORDERS SHORTENING TIME.

(a) Affidavit or declaration in support of motion for order shortening time. Unless the court permits otherwise, every motion for an order shortening time and notice of hearing thereof must be filed as a single document and be accompanied by an affidavit or declaration containing the facts and circumstances as to why cause exists for an expedited hearing is required along

with a copy of the motion for which an expedited hearing is sought and an "Attorney Information Sheet For Proposed Order Shortening Time and Notice of Hearing," or similar statement indicating the following:

(1) Whether opposing counsel and other interested parties and persons were consulted regarding the proposed order shortening time;

(2) Whether opposing counsel or other persons consent to a hearing on shortened time;

(3) The date counsel or other persons were consulted;

(4) How the consultation was accomplished or, if counsel or other persons were not consulted, how the moving party attempted to consult with that person or persons;

(5) The estimated time for the hearing; and

(6) The date beyond which relief would no longer be necessary.

(b) Format of proposed order shortening time. Parties must include language in the proposed order shortening time and notice of hearing so that the following can be easily inserted by the judge:

a. The date and time for the hearing on the motion;

b. The date for filing any objections to the motion;

c. The date for filing any response to any objection; and,

d. The date by which service of the order shortening time will be completed.

(c) Deadlines where dates not specified. Where an order shortening time does not otherwise specify, any opposition must be filed no later than two (2) business days before the hearing, and any reply must be filed no later than one (1) business day before the hearing. Unless the court otherwise provides, where an order shortening time is entered less than three (3) business days before the hearing, a written opposition is not required and oppositions may be presented orally at the hearing.

(d) Submission of proposed order shortening time and notice of hearing. A proposed order shortening time and notice of hearing must be submitted electronically to the court's electronic order program in a format prescribed by the court that will allow the electronic entry of dates for hearing and deadlines and the signing of the order by the judge.

(e) Service of order shortening time. If the motion is granted, the notice of the entry

of the order and a copy of the motion to be heard must be served in the most expeditious manner possible (e.g., email, facsimile, or hand delivery) within one (1) business day after the order is entered, unless the court orders otherwise.

LR 9009. LOCAL FORMS.

In addition to the official forms prescribed by the Judicial Conference of the United States, the court may provide additional forms, copies of which are available from the clerk and on the court's website, the use of which may be designated by these rules or the court as either permissive or mandatory.

LR 9010. REPRESENTATION AND APPEARANCES.

Any corporation, partnership, limited liability company, trust, or other non-individual debtor must be represented by, an attorney.

LR 9014. MOTION PRACTICE IN ADVERSARY PROCEEDINGS AND CONTESTED MATTERS - BRIEFS AND MEMORANDA OF LAW.

(a) Hearings and Court calendars.

(1) Unless the court has otherwise provided in these local rules, all motions that are required to be set for hearing, whether by statute, rule, or court order, must be set so that at least twenty-eight (28) days' notice of the hearing of the motion is given.

(2) Any motion, excluding ex parte motions, that is not set for hearing will not be considered by the court until properly set for hearing and served.

(3) A party may request a hearing on less than twenty-eight (28) days' notice in accordance with LR 9006.

(4) A party who is entitled to have a hearing held within a timeframe specified by statute or rule, and who sets that hearing after the period has expired or fails to seek an order shortening time, is deemed to have waived the benefits of the statute or rule that requires the hearing to be held within that period.

(5) Unless the court directs otherwise, the attorney or a person acting pro se must set all hearings (including motions in adversary proceedings, objections and other matters for which a hearing is necessary) on the calendar of the judge to whom the case is assigned. . The court may set any matter for hearing whether or not a hearing is required by statute or rule.

(6) Each judge will maintain a motion calendar and may adopt specific court procedures, which are posted on the court's website. The times and dates of each judge's

calendar and respective procedures may be obtained from either the clerk or from the court's website.

(7) The judge may deem the first date set for the hearing to be a status and scheduling hearing if the judge determines that further evidence must be taken to resolve a material factual dispute or if additional briefing is warranted. Live testimony will not be presented at the first date set for hearing, unless for good cause found by the court in advance of the hearing or otherwise so ordered. The judge may order a further hearing at which oral evidence and exhibits will be received, or may, as appropriate, order that all evidence be presented by affidavit or declaration.

(b) Notice of hearing and service of motion and notice.

(1) The movant must obtain a hearing date, and the notice of hearing must be filed concurrently with the motion and must, in addition to the requirements of Fed. R. Bankr. P. 2002(c), include the following:

(A) The date, time, and place of the hearing;

(B) A brief description of the relief sought;

(C) A statement of the time for filing and serving objections or oppositions in accordance with LR 9014(d); and,

(D) This statement:

> "If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response on the person who sent you this notice.
>
> If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:
>
> - The court may *refuse to allow you to speak* at the scheduled hearing; and,
> - The court may *rule against you* without formally calling the matter at the hearing. "

(i) Individuals representing themselves are not exempt from this rule.

(ii) To ensure compliance with this rule, the court may deny any motion or request for an order that does not contain the above notice.

(E) If a hearing has been set by an order shortening time, it is

governed by LR 9006.

(F) The notice of hearing must be filed as a separate document from the associated motion or application, except as provided for in LR 9006.

(2) Service of the motion and notice of it must be made in accordance with these Rules and the Federal Rules of Bankruptcy Procedure.

(A) The proof of service must show the date and manner of service and the name of the person served. Proof of service may be by written acknowledgment of service or certificate of the person who made service. The court may decline to take action on any papers until proper proof of service is filed. The notice and accompanying proof of service must be filed not more than seven (7) days after the motion is filed.

(B) Failure to make the proof of service required by this rule does not affect the validity of the service. Unless material prejudice would result, the court may at any time allow the proof of service to be amended or supplied.

(c) Contents of motion; affidavits and declarations.

(1) The motion must state the facts on which it is based and must contain a legal memorandum. If factual issues are contested, the court will not grant the contested relief unless admissible evidence is offered in support of the relief requested.

(2) If affidavits or declarations are submitted, they must be filed separately, and they must reference the underlying motion or paper. Affidavits and declarations failing to comply substantially with all of the requirements of subsection (c) of this rule may be stricken in whole or in part on the request of an opposing party or on the court's initiative. Affidavits and declarations must be made under penalty of perjury and must:

(A) Identify the affiant or declarant, the party on whose behalf the affidavit or declaration is submitted, and the motion to which it pertains;

(B) Contain only nonhearsay factual evidentiary matter or expert opinion, conform as far as possible to the requirements of Fed. R. Civ. P. 56(e), and avoid mere general conclusions or arguments;

(C) Identify and authenticate documents and exhibits offered in support of the motion or opposition, unless the documents are already authenticated in the record or have been previously admitted into evidence by the court and are specifically referred to and identified in the motion or opposition; and,

(D) If an appraisal, include a statement of the qualifications of the appraiser, and either be made under penalty of perjury or be included by reference into an affidavit or declaration of the appraiser.

(d) Opposition, response, and reply.

(1) Except as set out in subsection (3) of this rule below, any opposition to a motion must be filed, and service of the opposition must be completed on the movant, no later than fourteen (14) days preceding the hearing date for the motion. The opposition must set forth all relevant facts and any relevant legal authority. An opposition must be supported by affidavits or declarations that conform to the provisions of subsection (c) of this rule.

(2) Except as set out in subsection (3) of this rule below, any reply memorandum must be filed and served no later than seven (7) days preceding the hearing date.

(3) Subsections (d)(1) and (2) of this rule do not apply to:

(A) Motions for summary judgment brought in any adversary proceeding;

(B) Motions for which an order shortening the time for the hearing date has been obtained; and,

(C) Motions or contested matters for which the court has set a separate briefing schedule either in open court or by separate order.

(4) For motions sought to be heard on shortened time, including when such motions are brought in an adversary proceeding, responses and replies will be due as set forth in the order granting the request that the motion be heard on shortened time or as provided in LR 9006.

(e) Limitation on length of briefs and points and authorities; requirement for table of authorities;

(1) Unless the court orders otherwise, prehearing and posthearing briefs and points and authorities in support of, or in response to, motions are limited to twenty (20) pages including the motion but excluding exhibits, addendums, tables of contents, tables of authorities, and the case caption. Reply briefs and points and authorities are limited to fifteen (15) pages, excluding exhibits, addenddums, tables of contents, tables of authorities, and the case caption. Where the court enters an order permitting a longer brief or points and authorities, the papers must include a table of contents and table of authorities.

(f) Chambers copies. Any party filing pleadings, motions, oppositions, replies or similar documents must comply with the particular Judge's chambers copies requirement, if any, provided on the court's website.

(g) Stipulations.

(1) Stipulations of attorneys relating to proceedings before the court must be in writing, signed by the parties to the stipulation, and served on all other parties who have appeared.

(2) Stipulations between the parties relating to proceedings before the court, except stipulations pursuant to Fed. R. Bankr. P. 7029, are not effective until approved by the court and entered on the court's docket. The party submitting the stipulation must submit a separate order approving the stipulation for consideration by the court, except that a proposed stipulation and order to substitute an attorney under LR 2014(b) may be presented in one document.

(3) A dispositive stipulation will be treated as a motion unless the stipulation is approved in writing by all attorneys who have appeared for the parties and any party appearing pro se.

(4) Whenever any written stipulation contains a provision for continuing a hearing or a provision for vacating a pending hearing, a separate notice of continuance of hearing or notice vacating hearing must be set forth clearly in the caption. Any notice of continuance of hearing must contain the previous hearing date and time and the new date and time. Any notice vacating hearing must contain the vacated hearing date and time.

(h) Compliance with LR 9021. In chapter 7 and 13 cases, LR 9021(b)(1) is waived if a proposed order is served with the motion and the motion is granted. The proposed order must be attached as an exhibit and may not be separately filed or submitted for the judge's signature prior to the hearing. If the proposed order is not served with the motion, or if the order has been modified by the court or otherwise, then LR 9021(b)(1) is applicable.

(i) Countermotions. Except as permitted by LR 7056, or as may otherwise be ordered by the Court, countermotions are not permitted. Parties seeking counter relief must file a separate motion and set it for hearing in normal course or seek it to be heard on shortened time via Local Rule 9006.

LR 9014.1. NEGATIVE NOTICE PROCEDURE.

(a) In chapter 7 or 13 cases, the following motions, objections, and other matters may be considered by the court without an actual hearing under the negative notice procedure described in this rule, if no party in interest requests a hearing:

(1) Motions to approve agreements relating to relief from the automatic stay, motions prohibiting or conditioning the use, sale, or lease of property, motions providing adequate protection, and motions for the use of cash collateral pursuant to Fed. R. Bankr. P. 4001(d);

(2) Motions to sell personal property, except for sales of all or substantially all

of the debtor's assets, under 11 U.S.C. § 363. A copy of the proposed order must be sent along with the negative notice;

(3) Motions to avoid liens on exempt property pursuant to 11 U.S.C. § 522(f);

(4) Notices of abandonment pursuant to Fed. R. Bankr. P. 6007(a);

(5) Motions to pay auctioneers' commissions and fees;

(6) The chapter 7 trustee's applications for court approval of the "Final Account and Report," after it has been submitted to the United States Trustee for review and filed on the trustee's behalf, if less than $1500;

(7) Motions to pay taxes pursuant to 11 U.S.C. § 503(b);

(8) Motions for order declaring lien satisfied pursuant to Fed. R. Bankr. P. 5009(d);

(9) Motions to extend the time to challenge a claim of exemption pursuant to Fed. R. Bankr. P. 4003(b);

(10) Motions to object to a chapter 7 debtor's discharge pursuant to Fed. R. Bankr. P. 4004(a), or to assert nondischargeability of debts pursuant to Fed. R. Bankr. P. 4007(b);

(11) Motions by debtors to sell or refinance homestead property;

(12) Motions to extend time to assume or reject an unexpired lease or an executory contract except as required by 11 U.S.C. § 365(d)(4);

(13) Motions by debtors to dismiss under 11 U.S.C. §1307(b); and

(14) Other motions, objections, and matters if permitted in advance by the court.

(b) Motions, objections, and other matters filed pursuant to this negative notice procedure must include a proposed order, and:

(1) Be served in the manner and on the parties as required by these rules and the Federal Rules of Bankruptcy Procedure or any order of the court. A proof of service must be filed in accordance with LR 2002.

(2) To the extent permitted under the Federal Rules of Bankruptcy Procedure, these rules, or any other order of the court, a filing user may use these negative notice procedures by serving motions, objections, and other papers by electronic means to any other filing user or party who consents to receive service by electronic means.

(3) A negative notice legend must be prominently displayed on the face of the first page of the paper. The negative notice legend must be in a form substantially as follows:

"NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING"

"Pursuant to LR 9014.1, the court will consider this motion, objection, or other matter without further notice of hearing unless a party in interest files an objection within twenty-one (21) days from the date of service of this paper. If you object to the relief requested in this paper, you may file your objection at the bankruptcy clerk's office located in Las Vegas at the United States Bankruptcy Court, 300 Las Vegas Blvd. South, Las Vegas, Nevada 89101, or in Reno at the United States Bankruptcy Court, 300 Booth Street, Reno, NV 89509, and serve a copy on the movant's attorney and any other appropriate persons.

It is the duty of the objecting party to timely set the objection for a hearing and properly notice all parties in interest. If you do not file an objection within the time permitted, an order granting the requested relief may be entered by the court without further notice or hearing."

(c) Objections to any motion filed under this Rule must be made within twenty-one (21) days from service of the motion. The objecting party must schedule a hearing on the motion, objection, or other matter upon notice to the movant's attorney, the objecting party or parties, and others as may be appropriate. The objecting party must not give less than twenty-eight (28) days' notice of the hearing. Replies must be filed and served no later than seven (7) days preceding the hearing date. Unless the court orders otherwise, the objecting party must schedule and notice a hearing on the objection. If a hearing on the objection is not timely set and noticed, the objection, unless otherwise ordered by the court, will be deemed withdrawn.

(d) In the event no party in interest files a timely objection, the court may consider the matter without further notice or hearing upon the submission by the movant of a proposed form of order granting the relief.

(e) The movant must submit the proposed order not later than fourteen (14) days after the expiration of the objection period. In additional to any other requirements, the movant must recite in a separate affidavit or declaration that:

(1) The motion, objection, or other matter was served upon all interested parties with the negative notice legend informing the parties of their opportunity to object within the appropriate number of days of the date of service; and

(2) No party filed an objection within the time permitted. In the event the movant fails to submit a proposed form of order within this time, the court may enter an order denying the matter without prejudice for lack of prosecution.

(f) Nothing in this Rule is intended to preclude the court from conducting a hearing on the motion, objection, or other matter even if no objection is filed within the time permitted in the negative notice legend.

LR 9014.2. CONTESTED MATTERS, CONSENT TO ENTRY OF FINAL ORDER OR JUDGMENT.

(a) In addition to the requirements of LR 9014, LR 9014.1, and Fed. R. Bankr. P. 9014(a), the moving party in a contested matter must include a statement that the pleader does or does not consent to the entry of final orders or judgment by the bankruptcy judge.

(b) The non-moving party must submit with its response a statement that the responding party does or does not consent to the entry of final orders or judgment by the bankruptcy judge.

(c) Should any party fail to consent to the entry of final orders or judgment by the bankruptcy judge, then the bankruptcy judge may require the parties to submit pleadings in support of or in opposition to the entry of final orders or judgment by the bankruptcy judge. Unless otherwise provided, Fed. R. Bankr. P. 9014 and LR 9014 will govern this procedure. The bankruptcy court may sua sponte determine and enter an order on whether the proceeding is subject to entry of final orders or judgment by the bankruptcy court, unless the district court withdraws the reference first.

LR 9015. JURY TRIALS.

(a) Designation to conduct jury trials. The bankruptcy judges of this district are designated to exercise all jurisdiction in civil jury cases under 28 U.S.C. § 157(e). Consent of the parties may be made in writing or orally on the record and, unless the court orders otherwise, must be given at least thirty (30) days before the date first set for trial.

(b) Demand for jury trial. Fed. R. Civ. P. 38 applies in adversary proceedings where there is a right to trial by jury.

(c) Form of demand. A demand for a jury trial must appear immediately following the title of the complaint or answer containing the demand, or in another document as may be permitted by Fed. R. Civ. P. 38(b). Any notation on an adversary proceeding cover sheet filed under LR 7003 concerning whether a jury trial is, or is not, demanded does not constitute a demand for a jury trial under these Local Rules.

(d) Procedure. In any proceeding in which a demand for jury trial is made, the court will, on a motion of one (1) of the parties or on the court's own motion, determine whether the demand was timely made and whether the demanding party has a right to a jury trial. Even if all the parties have consented to a jury trial, the court may, on its own motion, determine that there is no right to a jury trial in a proceeding.

(e) Consent and withdrawal. Upon the court’s determination that the demand was timely made and the party has a right to a jury trial, and if all parties have not filed a written consent or consented on the record to a jury trial in the bankruptcy court, the bankruptcy court will certify the matter to the district court. Upon certification, the district court will open a new

civil matter, and will assign a date for trial. Unless the assigned judge orders otherwise, all proceedings will continue in the bankruptcy court until the matter is ready for trial.

(f) Nonjury determination. If the court determines that a jury demand was not timely made, or the demanding party is not entitled to a jury trial, the proceeding will be heard as a nonjury proceeding before the court.

(g) Certification to United States District Court. If, on timely motion of a party or on the court's own motion, the court determines that a claim is a personal injury tort or wrongful death claim requiring trial by a district court judge, the proceeding will be certified to the district court in accordance with 28 U.S.C. § 157(b)(5).

LR 9016. SERVICE OF SUBPOENA.

(a) When attendance at an examination in accordance with Fed. R. Bankr. P. 2004, or when the production of documents is required in connection with such an examination, the subpoena may be served on a party who has appeared in the bankruptcy case through any method of service appropriate for service of a summons under Fed. R. Bankr. P. 7004. When a party is represented by an attorney, service on the attorney will constitute service on the party.

(b) When a party seeks documents, electronically stored information or tangible things from the debtor or others in a case under the Bankruptcy Code separately from a deposition or an examination, the attorney for the party may issue and serve a subpoena duces tecum using Official Form 2570 as long as the date set for production is more than 14 days from the date of service of the subpoena; otherwise, the attorney for the party must proceed under LR 2004(d) and obtain a court order in advance. The attorney for the party serving the subpoena duces tecum must file a notice of the subpoena duces tecum on the docket of the case concurrently with the issuance and service of the subpoena. Nothing in this local rule precludes a recipient of a subpoena from exercising rights under Federal Rule 45(d)(2) and (3).

LR 9017. USE OF ALTERNATE DIRECT TESTIMONY AND EXHIBITS AT TRIALS AND EVIDENTIARY HEARINGS.

(a) Purpose. The purpose of this procedure is to facilitate pretrial preparation and to streamline the introduction of direct testimony at trials of adversary proceedings and evidentiary hearings. This procedure is known as the "alternate direct testimony procedure." Attorneys are encouraged to use the alternate direct testimony procedure whenever possible.

(b) Stipulation for use. If all parties stipulate and the court approves, or if the court orders it, the alternate direct testimony procedure shall be used in all trials of adversary proceedings or evidentiary hearings parties may use other alternative direct testimony methods such as including designating relevant portions of deposition transcripts in accordance with LR 7032. In an adversary proceeding, the stipulation must be filed with the court no later than the time of the pretrial conference required by LR 7016 and 7026.

(c) Preparation of direct testimony and exhibits. Unless the court orders otherwise, each attorney must prepare a written declaration or affidavit of the direct testimony of each witness to be called, except hostile or adverse witnesses. The declaration or affidavit must be executed by the witness under penalty of perjury. Each statement of fact or opinion must be set forth in separate sequentially numbered paragraphs and must contain only matters that are admissible under the Federal Rules of Evidence. Declarations and affidavits must conform to the provisions of LR 9014(c).

(d) Submission of declarations, exhibits, and objections. Unless the court orders otherwise, copies of all declarations of witnesses and exhibits that are intended to be presented at trial or at the evidentiary hearing must be furnished to opposing counsel and lodged with the court as follows:

(1) The plaintiff or movant must submit to opposing counsel all declarations and exhibits in its case in chief not less than fourteen (14) business days before the trial or the hearing on the contested matter;

(2) The defendant or respondent must submit all declarations and exhibits in its case seven (7) business days before the trial or the evidentiary hearing;

(3) Five (5) business days prior to the trial or evidentiary hearing on a contested matter each party must lodge with the courtroom deputy clerk for the assigned judge (i): two (2) copies of all declarations or affidavits and exhibits that the party intends to present at the trial or hearing, which must be sequentially numbered with a bates or other numbering system, bound, tabbed and accompanied by a properly completed "Exhibit Log," that conforms to the local form found on the court's website; and (ii) one (1) copy of that party's written objections to the admission of any of the declarations or exhibits of an opposing party, and,

(e) Use of live testimony. Unless stipulated by the parties and approved by the court, the witness testifying by declaration or affidavit must be available for all cross-examination, rebuttal, and surrebuttal at the trial or evidentiary hearing. Notwithstanding the provisions of this Rule, the Court, in its discretion, may allow the live direct examination of any witness.

LR 9018. PROCEDURES FOR THE SEALED FILING OF HIGHLY SENSITIVE DOCUMENTS AND/OR SECRET, CONFIDENTIAL, SCANDALOUS, OR DEFAMATORY MATTER.

(a) Definitions.

(1) Highly Sensitive Document(s) ("HSD"): Any unclassified documents involving: foreign sovereign interests; criminal activity related to cybersecurity; intellectual property, or trade secrets; terrorism; investigation of public officials; information that could have a potentially negative impact on national security of foreign relations of the United States; and sensitive commercial information likely to be of interest to foreign powers.

(2) Secret, Confidential, Scandalous, or Defamatory Matter ("SCSDM"): Those documents defined in Fed. R. Bankr. P. 9018.

(b) Motion to file under seal. No document will be filed with the Court under seal in the absence of a court order authorizing a sealed filing. Any party in interest seeking to have purported HSD and/or document(s) believed to contain SCSDM filed under seal must electronically file an appropriate motion (but not the purported HSD and/or document(s) believed to contain SCSDM themselves), unless the electronic filing of such a motion is prohibited by law, or such a motion is exempt or excepted from the court's electronic filing requirements.

If the motion itself is claimed to be HSD and/or is believed to contain SCSDM, the movant must serve and electronically file a redacted version of the motion, clearly marked as HSD and/or as containing SCSDM, and simultaneously submit an unredacted paper copy of the motion to the Court for *in camera* review.

After the motion is filed, and as a predicate to the Court's decision as to whether a sealed filing is warranted, the movant must deliver a paper copy of the purported HSD and/or the document(s) believed to contain SCSDM to the assigned judge for *in camera* inspection. The paper copy submitted to the assigned judge for *in camera* inspection must clearly identify the portions that are designated as HSD, and/or the portions that are designated as containing SCSDM. The paper copy submitted to the assigned judge for *in camera* inspection must be accompanied by a captioned cover sheet complying with LR 9004, indicating that it is being submitted *in camera* pursuant to this rule. Counsel must provide an envelope large enough for the paper copy of the document(s) at issue to be sealed without being folded. A paper copy of a proposed order granting the motion to seal must be included with the paper copy of the document(s) submitted for *in camera* inspection by the Court.

(c) Order. Upon receiving the paper copy of the document(s) identified and submitted by the movant as HSD and/or containing SCSDM, the assigned judge will conduct an *in camera* inspection. After completing that *in camera* inspection, the assigned judge will enter an appropriate order directing that all or part of the document(s) be filed under seal, be made part of the official public file, or be permitted to be withdrawn. If the assigned judge completes the *in camera* inspection and concludes that some or all of the document(s) should be filed under seal because they are HSD and/or contain SCSDM, the court will enter an order accordingly. The court order authorizing the filing of such documents under seal will be filed electronically, unless prohibited by law.

(d) Filing of sealed documents. In cases where the assigned judge conducts the *in camera* inspection provided for under this rule, concludes that some or all of the document(s) are HSD and/or contain SCSDM, and orders them to be filed under seal, the clerk shall file such sealed documents only in paper form, or on a secure standalone computer system that is not connected to any network.

(e) Retention of sealed documents. After the underlying bankruptcy case or adversary proceeding is closed, the clerk must give the parties notice that all documents sealed under this

rule will be destroyed, unless the party that submitted the sealed document(s) obtains a court order directing that the sealed documents shall be returned to them.

LR 9019. SETTLEMENTS AND AGREED ORDERS; ALTERNATIVE DISPUTE RESOLUTION.

(a) Settlement conferences or other alternative dispute resolution.

(1) On its own initiative or at the request of any party in interest, the court may at any time order that a contested matter or adversary proceeding be set for settlement conference or other alternative method of dispute resolution.

(2) The court may, by separate order stay the contested matter or adversary proceeding in whole or in part for a specified time or until further order of the court to facilitate the settlement process. There is no stay or postponement of any calendared matter without prior order of the court.

(b) Notice to court of outcome of settlement conference or other alternative dispute resolution. At the conclusion of any settlement conference or other alternative dispute resolution, the plaintiff or moving party must promptly submit a report to the court stating whether the settlement conference resulted in a settlement or whether the parties failed to reach a settlement.

(c) Notice of compromise. Unless the court orders otherwise, when any party gives notice of a motion for the approval of a compromise, that party must either include in the notice a summary of the essential terms of the compromise or serve a copy of the compromise with the notice.

(d) Settlement motions. Motions to approve settlements, along with the Notice of Hearing and the resulting Order should be filed in both the main bankruptcy case and any related adversary proceeding.

LR 9021. ENTRY OF JUDGMENTS AND ORDERS.

(a) Preparation of entry of orders and judgments.

(1) Unless otherwise ordered, the attorney for the prevailing party must prepare all proposed findings of fact, conclusions of law, judgments, and orders (collectively, for purposes of this Rule, "Orders"), formatted in accordance with the court's electronic filing procedures described in LR 5005.

(2) All proposed Orders must accurately reflect the court's ruling, and provides only the relief prayed for in the underlying motion, unless the court ordered otherwise.

(3) Unless otherwise ordered, any proposed Order must be submitted to the

court promptly after the conclusion of the hearing, but in no event later than twenty-eight (28) days after the hearing is concluded.

(4) Unless otherwise ordered, if no proposed Order is submitted within twenty-eight (28) days after the conclusion of the hearing, any party in interest may submit a proposed Order in a manner that complies with this rule.

(5) Unless otherwise ordered, if no proposed Order is submitted within thirty-five (35)days of a hearing, the motion or other matter may be deemed withdrawn, without prejudice.

(6) If a proposed Order is submitted after thirty-five (35) days and the court signs said Order, that shall be conclusive proof that the court has otherwise ordered within the meaning of subsection (a)(5).

(b) Transmission; approval and disapproval; objections.

(1) Attorneys preparing proposed Orders must transmit them by hand delivery, facsimile, email, overnight delivery, or United States Mail to all attorneys or unrepresented parties who appeared at the hearing or filed and served objections.

(2) Unless the court orders otherwise, parties will have three (3) business days from receiving proposed orders to communicate their approval or disapproval to the transmitting attorney.

(A) If disapproved, the disapproving party will have five (5) business days from receipt of the proposed Order to serve and file with the court a detailed statement of objections with the proposed order and an alternate proposal for the order. The non-objecting party must not lodge the proposed order until the expiration of the time period set forth in this subsection.

(B) Any response to the objection must be filed within five (5) business days after the objection is filed.

(3) Approval indicates only that the proposed Order accurately reflects the ruling of the court and does not constitute agreement with the ruling or waive any rights of appeal.

(c) Certification language.

(1) Documents listed in subsection (a) above must be submitted to the court with the following certification from the submitting attorney :

In accordance with LR 9021, an attorney submitting this document certifies as follows (check one):

___ The court has waived the requirement set forth in LR 9021(b)(1).

___ No party appeared at the hearing or filed an objection to the motion.

___ I have delivered a copy of this proposed order to all attorneys who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

___ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

(2) No language other than "approved" or "disapproved" may appear above opposing attorney's signature; and,

(3) Unless the court orders otherwise, "opposing counsel" means any attorney who appeared at the hearing regarding the matter that is the subject of the order or who filed objections.

(4) Variation from the certification language indicated in subsection (c)(1) of this rule may be cause for returning the draft order unsigned by the court.

(d) Orders on applications or motions for which no hearing is held and no objections are received. Submission of such Orders must comply with the negative notice procedures set forth in LR 9014.1.

LR 9022. NOTICE OF JUDGMENT OR ORDER.

(a) Docketing by the clerk. Immediately upon the docketing of a judgment or order, the clerk must serve notice of the entry of the judgment or order on the local attorney for the prevailing party, via electronic means. Registered court electronic case filing users are deemed to have consented to service of the notice of the entry of orders or judgments via electronic means. If the attorney for the prevailing party is not a registered court electronic case filing user**,** the clerk must serve a copy of the judgment or order on the local attorney for the prevailing party in accordance with the Federal Rules of Bankruptcy Procedure.

(b) Filing of the Notice of Entry of Order. Counsel for the movant must serve a copy of the judgment or order on all parties that contested the relief requested in the order and on any other parties as the court may direct, and file a certificate of service in accordance with the local rules.

(c) Pro se movants and sua sponte orders. For any pro se movant or sua sponte order, the clerk's office must serve a copy of the judgment or order on all parties affected in accordance with the Federal Rules of Bankruptcy Procedure**.**

(d) Service of copy of order. The clerk is responsible only for giving notice that the judgment or order has been entered on the court's docket. Lack of notice of the entry does not affect the time to appeal or relieve or authorize the court to relieve a party for failure to appeal within the time allowed, except as permitted under Fed. R. Bankr. P. 8002.

LR 9027. REMOVAL, STATEMENT REGARDING CONSENT TO ENTRY OF ORDERS OR JUDGMENT.

(a) Pursuant to Fed. R. Bankr. P. 9027(a), a notice of removal must state whether the party seeking removal of the proceeding does or does not consent to the entry of final orders or judgment by the bankruptcy judge if it is determined that the bankruptcy judge, absent consent of the parties, cannot enter final orders or judgment consistent with Article III of the United States Constitution.

(b) If a statement is filed pursuant to Fed. R. Bankr. P. 9027(e)(3) by a party who filed a pleading in connection with a removed claim or cause of action, other than the party filing the notice of removal, the party must also state that the party does or does not consent to the entry of final orders or judgment by the bankruptcy judge if it is determined that the bankruptcy judge, absent consent of the parties, cannot enter final orders or judgment consistent with Article III of the United States Constitution.

LR 9033. REVIEW OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW.

(a) If a bankruptcy judge determines that a proceeding is not subject to entry of final orders or judgment by the bankruptcy court, and the bankruptcy court hears the proceeding, Fed. R. Bankr. P. 9033 shall apply.

(b) If a bankruptcy court enters a final order or judgment in a proceeding not subject to entry of final orders or judgment by the bankruptcy court, such order or judgment may be treated as proposed findings of fact and conclusions of law submitted by the bankruptcy court to the district court. In that event, Fed. R. Bankr. P. 9033 shall apply as if the proceeding can be decided by the bankruptcy court.

LR 9036. SERVICE ON DEBTORS WHO REQUEST DEBTOR ELECTRONIC BANKRUPTCY NOTICING (DEBN).

(a) Consent Limited to Service from the Bankruptcy Noticing Center. A debtor who requests delivery by email of notices via the Debtor Electronic Bankruptcy Noticing (DeBN) program only consents to delivery of court issued orders and notices delivered by electronic transmission by the Bankruptcy Noticing Center pursuant to Fed. R. Bankr. P. 9036.

(b) Notice and Service from All Other Parties. All other parties, including attorneys and trustees, must continue to serve debtors non-electronically using methods authorized under FRBP 7004 and 7005(b).

LR 9037. PRIVACY- REDACTIONS.

(a) Procedure to redact protected private information from transcripts. To promote electronic access to transcripts while also protecting personal privacy, the court has adopted procedures regarding the electronic availability of transcripts in accordance with the Judicial Conference of the United States' privacy policy and with Fed. R. Bankr. P. 9037. These procedures are available on the court's website.

(b) Procedure to redact protected private information from documents other than transcripts. If a document other than a transcript is filed that contains personal data identifiers pursuant to Fed. R. Bankr. P. 9037(a), a party seeking to redact that information from the publicly accessed electronic docket may file a Notice of Redaction, with the redacted document included as the attachment.

(c) Procedure to redact information other than personal data identifiers. Any request to redact information other than the personal identifiers described in Fed. R. Bankr. P. 9037(a) must be submitted to the court by motion.