



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

**MARCH 2021 PROPOSED REVISIONS TO THE
LOCAL RULES OF BANKRUPTCY PROCEDURE**

This file contains a bookmarked, redline version of the proposed revisions to the Local Rules of Bankruptcy Procedure (the “Local Rules”) approved by the United States District Court for the District of Connecticut on March 19, 2021.

The current Local Rules were effective as of September 4, 2018. The March 2021 proposed revisions to the current Local Rules appear in **red**.

The March 2021 proposed revisions to the Local Rules also include revisions to Appendix M, and the addition of two new appendices, Appendix O and Appendix P.

- Appendix O, Local Form Notice of Sale of Estate Property
- Appendix P, Local Rule 9083-6 Pro Bono Panel Procedures

Comments to the proposed revisions to Local Rules **must be made in writing** by sending an e-mail to LocalRules@ctb.uscourts.gov, or you may hand-deliver or mail your comments to the Clerk’s Office at the address below.

Pietro Cicolini, Clerk
U.S. Bankruptcy Court
ATTN: Local Rules Comments
915 Lafayette Boulevard
Bridgeport, CT 06604

Comments must be received no later than **4:00 PM on Friday, April 30, 2021**.



UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE

Revised as of: March 2021
Effective Date: _____

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PART I. COMMENCEMENT OF CASE; PROCEEDINGS RELATING TO PETITION AND ORDER FOR RELIEF

Local Bankr. R. 1001-1 Scope, Incorporation of District Court Rules, and Short Title.

(a) Scope of Rules and Short Title.

- (1)** These rules shall be known as the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the District of Connecticut. They shall be cited as D. Conn. Bankr. L. R., and referred to as the "Local Bankruptcy Rules," "Local Bankruptcy Rule ___" or "L. Bankr. R. ___," where the meaning is clear. The Local Rules of Bankruptcy Procedure govern the practice and procedure in the United States Bankruptcy Court for the District of Connecticut (the "Bankruptcy Court"), in all cases under Title 11 of the United States Code (the "Bankruptcy Code"). The Local Rules of Bankruptcy Procedure supplement, but do not replace the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Federal Rules of Bankruptcy Procedure, or the Local Rules of Civil Procedure of the United States District Court for the District of Connecticut.
- (2)** The Appendices to the Local Rules of Bankruptcy Procedure may be modified by the Bankruptcy Court without the necessity of a formal amendment to the Local Rules of Bankruptcy Procedure.
- (3)** These Local Rules of Bankruptcy Procedure shall be effective ~~September 4, 2018~~ _____ (the "Effective Date").
- (4)** Upon the Effective Date, the Local Rules of Bankruptcy Procedure effective ~~May 15, 1997, September 4, 2018~~, ~~the Standing Orders of the Bankruptcy Court~~ (but not Chambers Orders or Procedures) are hereby vacated and superseded.

(b) Incorporation of District Court Rules.

The [Local Rules of Civil Procedure of the United States District Court for the District of Connecticut](#) shall apply in all cases or proceedings in the Bankruptcy Court to the extent they are relevant and not inconsistent with the [Bankruptcy Code](#), the [Federal Rules of Bankruptcy Procedure](#), or these [Local Rules of Bankruptcy Procedure](#).

Local Bankr. R. 1001-2 Definitions.

In addition to the definitions found in Fed. R. Bankr. P. 9001, the following definitions apply to these Local Bankruptcy Rules:

- (a)** "Bankruptcy Rule(s)" means the [Federal Rules of Bankruptcy Procedure](#) currently in effect, and as thereafter amended.

- (b) “Bankruptcy Court” or “Court” means, in addition to the definition in Bankruptcy Rule 9001(4), the Bankruptcy Judges of the United States Bankruptcy Court for the District of Connecticut, as a collective body.
- (c) “Certificate of Service” or “Proof of Service” is a document identifying the pleading/document a party has served, the manner of service, the date of service, and the address where service was made. [See District Court Local Rule 5\(c\), Appendix A](#)
- (d) “Clerk” or “Clerk of Court” means Clerk of the Bankruptcy Court for the District of Connecticut and any Deputy Clerk acting under the direction of the Clerk of Court.
- (e) “Debtor” means debtor or debtors, and when referring to an individual or individuals, means an individual or individuals who are represented by an attorney or who are proceeding in a case as a [Pro Se Filer/Litigant](#).
- (f) “District Court Clerk” means Clerk of the United States District Court for the District of Connecticut.
- (g) “District Court Local Civil Rule(s)” means the [Local Rules of Civil Procedure of the United States District Court for the District of Connecticut](#).
- (h) “Local Bankruptcy Rules” means these Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for District of Connecticut.
- (i) “ECF No. ___” means the electronic case filing number for a pleading or document entered on the docket of a case or an adversary proceeding.
- (j) “FRBP” or “Fed. R. Bankr. P.” means the [Federal Rules of Bankruptcy Procedure](#).
- (k) “FRCP” or “Fed. R. Civ. P.” means the [Federal Rules of Civil Procedure](#).
- (l) ~~“Pro Se Filer/Litigant” means a self-represented individual.~~ refers to a natural person who is a case participant and is not represented by an attorney.
- (m) “Chapter 12 Trustee” means the individual appointed as a standing trustee in Chapter 12 cases filed in this District.
- (n) “Chapter 13 Trustee” means the individual appointed as a trustee/standing trustee for all Chapter 13 cases filed in this District.

Local Bankr. R. 1002-1 Commencement or Continuation of Case Without Counsel.

(a) Individual Filers.

Only an individual may file a voluntary bankruptcy petition or appear in Court without being represented by an attorney as a [Pro Se Filer/Litigant](#). All other entities, including

but not limited to corporations, limited liability companies, partnerships, and trusts, may not appear in Court or sign pleadings, including the petition, without being represented by an attorney. If a Debtor that is not an individual files a petition without an attorney, the Court may dismiss the case without notice, either *sua sponte*, or on motion of a party in interest after notice and an opportunity for a hearing.

If an agent on behalf of an individual, such as a court-appointed conservator, court-appointed guardian or the holder of an unexpired power of attorney or other authority pursuant to non-bankruptcy law files a pleading/document with the Court, the filer shall file evidence of such authority and shall attach such authority simultaneously with the pleading/documents filed on behalf of the individual. Failure to file such authority may result in a dismissal of the case or the striking of a pleading without notice, either *sua sponte*, or on motion of a party in interest after notice and an opportunity for a hearing.

(b) Responsibility of Individual *Pro Se* Filers/Litigants.

An individual proceeding on his or her own behalf is considered to be proceeding as a *Pro Se* Filer or *Pro Se* litigant. Individuals proceeding *pro se* must read and follow these Local Bankruptcy Rules, the Bankruptcy Code, the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, and the Local Rules of the United States District Court for the District of Connecticut. See [USDC Local Rule](#) and [Notice to *Pro Se* Filers/Litigants](#).

Local Bankr. R. 1002-2 Notice to Office of United States Trustee Regarding Filing of a Chapter 11 Petition.

Unless there are exigent circumstances, counsel for the Debtor are urged to contact the United States Trustee's Office for the District of Connecticut and the Clerk of Court at least two (2) business days prior to filing a voluntary petition for relief under Chapter 11 of the Bankruptcy Code, for the purpose of advising of the anticipated filing of the petition (without disclosing the identity of the Debtor) and the matters on which the Debtor intends to seek immediate relief.

Local Bankr. R. 1004-1 Business Entity Petition.

An authorized officer filing a petition on behalf of a business entity shall file with the petition or within five (5) business days thereafter, documentation evidencing the requisite authority or consent, as applicable, of that business entity to file the petition. Failure to file such documentation may result in a dismissal of the case without notice, either *sua sponte*, or on motion of a party in interest after notice and an opportunity for a hearing.

Local Bankr. R. 1006-1 Filing Fees - Required Filing Fee, Petition Filing Fee, Application to Pay Filing Fee in Installments, Application to Have the Chapter 7 Filing Fee Waived, and Manner of Payment.

(a) Filing fees for cases filed under Chapter 7, 9, 11, 12, and 13 of the Bankruptcy Code are prescribed by the Judicial Conference and may be found in 28 U.S.C. § 1930.

- (b)** Every Petition shall be accompanied by the required Filing Fee unless an Application to Pay the Filing Fee in Installments or an Application to Have the Chapter 7 Filing Fee Waived is simultaneously filed with the Petition. The failure to pay the required Filing Fee with the Petition, or to file with the Petition an Application to Pay the Filing Fee in Installments or an Application to Have the Chapter 7 Filing Fee Waived, shall result in the dismissal of the case, unless the Court orders otherwise. Applications to pay the filing fee in installments shall be made by completing and filing Official Form 103A pursuant to FRBP 1006(b). Such fee shall be paid in full within four (4) months of the filing, unless the Court orders otherwise. Applications to Have the Chapter 7 Filing Fee Waived shall be made by completing and filing Official Form 103B pursuant to FRBP 1006(c).
- (b)(c)** Filing fees associated with motions, applications, complaints, or any pleading that requires a filing fee as prescribed by the Judicial Conference, must be paid at the time the motion, application, complaint, or other pleading is filed. The failure to pay the required filing fee associated with motions, applications, complaints, or other pleadings will result in no action being taken by the Court on the motion, application, complaint, or other pleading.
- (e)(d)** Filing fees may be paid by cash, certified check, money order, check drawn on an attorney's account, an approved credit card, or through Pay.gov. The Clerk may refuse to accept personal checks, checks from an attorney filing their personal petition, and may also refuse to accept a check from any person who is known by the Clerk to have previously presented a form of payment that was subsequently refused. Checks shall be payable to "Clerk, U.S. Bankruptcy Court." A check is accepted subject to collection.

Local Bankr. R. 1007-1 Lists, Schedules, and Statements.

(a) Creditor List.

A Creditor List containing the name and address of each individual or entity included or to be included on Schedules D, E, F, G, and H shall be filed contemporaneously with every voluntary petition or within fourteen (14) days of the entry of an order for relief in an involuntary case. The Creditor List shall be submitted in accordance with the Court's Administrative Procedures for Electronic Filing, *see* [Appendix A](#), and shall include those agencies and offices of the United States required to receive notice pursuant to [FRBP 2002\(j\)](#). The Creditor List shall be filed by the Debtor or party responsible for filing the documents required by [11 U.S.C. § 521](#). The failure to file the Creditor List in compliance with this rule may result in dismissal of the case after notice of the deficiency and failure to cure deficiency, without further notice or hearing.

(b) Privacy Information.

(1) Redaction of Personal Identifiers. Unless otherwise ordered by the Court, all individuals and entities shall not include, and shall redact the following personal identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or in paper:

- (A) **Social Security Numbers.** If an individual's social security number must be included in a pleading or document, only the last four digits of that number should appear.
 - (B) **Names of Minor Children.** If a minor child is mentioned, only the initials of that child should appear.
 - (C) **Dates of Birth.** If an individual's date of birth is included in a pleading, only the birth year should appear.
 - (D) **Financial Account Numbers.** If financial account numbers are used, only the last four digits of these accounts should appear.
 - (E) **Employee Identification Number. If an Employee Identification Number is used, only the last four digits should appear.**
- (2) **Responsible Party.** The responsibility for redacting these personal identifiers rests solely with the filer. The Clerk's Office will not review filed documents for compliance with this rule.

(c) Schedules and Statements.

All Schedules and Statements required to be filed pursuant to [11 U.S.C. § 521](#) shall be filed in accordance with the time limits set forth in [FRBP 1007\(c\)](#). No motion for extension of time to file any or all Schedules and Statements required to be filed by [FRBP 1007](#) shall be granted unless cause is shown for the requested extension of time. Failure to timely file all Schedules and Statements may result in dismissal of the case after notice of the deficiency and a failure to cure the deficiency, without further notice or hearing.

Local Bankr. R. 1009-1 Amendments to Creditor Lists, Schedules, and Statements.

If any Creditor List, Schedule, or Statement is amended to add new parties, to make corrections or changes to mailing addresses, or to remove parties who have not yet filed a proof of claim, the Debtor shall, within seven (7) days of the filing of any amendment, file with the document (i) with respect to adding new creditors, an amendment to the Creditor List, Schedules and/or Statements, as applicable, which shall include as necessary the names, addresses of the parties to be added or corrected, and the amounts of such claims; (ii) with respect to removing parties from the Creditor List, Schedules, and/or Statements, a list clearly and conspicuously identifying the names of the creditor being removed and the fact that such creditor(s) is/are being removed. A Certificate of Service shall also be filed with each amendment, clearly identifying the amendment or correction to be made to the Creditor List. The Court may set a new bar date for the added creditor for filing a Proof of Claim, a complaint to determine dischargeability of a debt, and/or a complaint objecting to discharge.

Local Bankr. R. 1015-1 Joint Administration of Cases.

- (a) ~~Any Motion for Joint Administration shall be scheduled for a hearing. See Appendix N. order of joint administration may be entered, without notice and an opportunity for hearing, upon the filing of A Motion for Joint Administration pursuant to FRBP 1015, must be supported by an affidavit, declaration, or verification which establishes that the joint administration of two or more cases pending in this Court under the Bankruptcy Code is warranted. An Order granting of a Motion for Joint Administration entered in accordance with this Local Rule may be reconsidered for cause upon the motion of any party in interest at any time.~~
- (b) Upon entry of an ~~Order granting a Motion for Joint Administration of cases~~ Order granting a Motion for Joint Administration of cases, notice thereof shall be served by the Debtor on all creditors and other parties in interest.
- (c) Jointly administered cases shall be assigned to the Bankruptcy Judge to whom the first filed lead case was assigned.
- (d) All pleadings and other papers filed in jointly administered cases shall bear a combined caption with the legend "Jointly Administered." Except as provided in subsection (e) and (f) of this Rule, pleadings and other papers shall be docketed and placed in the case file of the lead case only.
- (e) Any proofs of claim filed in jointly administered cases shall be filed by the claimant in the claims register for the Debtor against which the claim is asserted.
- (f) Notwithstanding the joint administration of cases, each Debtor shall file its own Schedule of assets and liabilities in each case, unless an order for substantive consolidation has entered.
- (g) An ~~Order of joint administration~~ Order granting a Motion for Joint Administration under this Local Rule is for procedural purposes only and shall not be cause for substantive consolidation of the respective Debtors' estates.

Local Bankr. R. 1017-1 Contemporaneous Petitions.

Unless otherwise ordered by the Court, after notice and an opportunity for a hearing, or unless a Motion for Permission for Simultaneous Petitions is granted, no Debtor as defined by 11 U.S.C. § 109 or § 101(13) may maintain more than one petition under any Chapter or Chapters of the United States Bankruptcy Code at the same time. The second petition filed may be dismissed by the Court *sua sponte* or pursuant to motion upon notice and an opportunity for a hearing.

Local Bankr. R. 1019-1 Conversion of Case to Chapter 7 or 13; Documents Required to Be Filed.

- (a) **Conversion of Case to Chapter 7.** A Motion to Convert a Chapter 11 case to Chapter 7 filed by a Debtor, or a Motion to Convert a Chapter 11, 12, or 13 case to a Chapter 7 case filed by a party other than a Debtor, shall be set for hearing. See Appendix N. A Motion

to Convert a Chapter 13 case to Chapter 7 filed by a Debtor may be set for hearing. See Appendix M.

Within fourteen (14) days after the entry of an order converting a case to Chapter 7, the Debtor shall file a schedule of assets remaining in the Debtor's possession as of the date of conversion, a list of abandoned property, a list of property against which relief from the automatic stay was granted, a schedule of assets and a schedule of unpaid post-petition obligations or expenses. If the Debtor is an individual, a statement of current monthly income and a means test calculation shall also be timely filed on the [Official Forms](#). The schedules/statements shall be signed by the Debtor under penalty of perjury certifying that the schedules/statements and any attachments have been read by the Debtor and that they are true and correct to the best of the Debtor's knowledge, information, and belief.

- (b) **Conversion of Case to Chapter 13.** If a case is converted to a case under Chapter 13, a Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income shall be filed using the [Official Forms](#) and served on the Chapter 13 Trustee.

Local Bankr. R. ~~1073~~1022-1 Assignment and Reassignment of Cases within the District.

- (a) All cases shall be assigned by the Clerk to a Bankruptcy Judge as follows:
- (1) those cases in which the Debtor resides or has its principal place of business in Fairfield or Litchfield Counties shall be assigned to the Bridgeport Division;
 - (2) those cases in which the Debtor resides or has its principal place of business in Middlesex or New Haven Counties shall be assigned to the New Haven Division; and
 - (3) those cases in which the Debtor resides or has its principal place of business in Hartford, New London, Tolland or Windham Counties shall be assigned to the Hartford Division.
- (b) Upon motion to the judge to whom the case has been assigned, and after notice and an opportunity for a hearing, the Clerk shall reassign the case to another Division as ordered by that judge upon the findings that such reassignment would be in the best interests of the estate and parties in interest.

PART II. OFFICERS AND ADMINISTRATION; NOTICES; MEETINGS; EXAMINATIONS; ELECTIONS; ATTORNEYS AND ACCOUNTANTS

Local Bankr. R. 2002-1 Notice and Service to Creditors and Other Interested Parties.

(a) Notice and Service to Parties in Interest Who Have Requested Service.

In addition to the requirements of any other applicable rule governing service, *See Appendix A, and* unless otherwise ordered by the Court, a copy of all motions, pleadings, applications, petitions, and other papers filed in a case shall be timely served on any party in interest who has filed a written demand for such service and on any CM/ECF filer through the Court's CM/ECF system, and a Certificate of Service shall be filed evidencing that such service has been made. When filing the Creditor List in any case, the address of any business entity such as a corporation, partnership, or bank, shall also include in the full address an attention line to an Officer, President, Director, Manager, or General Agent of the business entity, though not necessarily by individual name.

(b) Debtor to Provide Notice and Service if Creditor List not filed.

If the Creditor List required by 11 U.S.C. § 521(a)(1)(A) and Local Bankr. R. 1007-1(a) has not been filed, and notice is required to be served by the Clerk or a party other than the Debtor, the Debtor shall serve the notice and file a Certificate of Service evidencing that such service has been made.

Local Bankr. R. 2002-2 Omnibus Hearing Calendar.

Upon motion or *sua sponte* order, for cause shown in cases under Chapter 7, 9, 11 ~~and 12~~, and 13, the Court may establish an omnibus hearing calendar with pre-set dates established for any and all matters related to that case in the interests of efficient and cost-effective case management.

Local Bankr. R. 2004-1 Rule 2004 Examinations.

- (a) Except for the provisions of FRCP 26 (a), (b), (d), (f) and (g), FRBP 7026 and D. Conn. L. Civ. R. 26(a)-(e) and 37 shall apply to examinations and the production of documents under FRBP 2004. Proportionality considerations apply to a request for the production of documents or electronically stored information in connection with a FRBP 2004 examination.
- (b) A party in interest seeking an examination pursuant to FRBP 2004(a) and the party to be examined (the "2004 Parties") may agree orally or in writing (a "2004 Agreement") on an examination taking place, the date, time, and place of such examination, and the production of documents pursuant to FRBP 2004(c) and FRBP 9016, without necessity of a motion or subpoena.

- (1) A notice of a 2004 Agreement shall be filed with the Court and served upon the following parties: (i) the Debtor; (ii) the trustee, if any; (iii) the United States Trustee; (iv) any official committee; (v) any party that has filed a notice of appearance in the case; and (vi) the proposed witness, examinee, or party producing documents (the “Notice Parties”). Such notice shall include at a minimum the identity of the individual or entity to be examined, the date, time, and place of the proposed examination, a list of the documents to be produced, and the date for production of documents.
- (2) Any party in interest shall file and serve upon the 2004 Parties and the Notice Parties an objection to the proposed examination or production of documents within seven (7) days after the filing of the notice of a 2004 Agreement.

 - (A) If no objection is filed and served within that time, the 2004 Agreement shall be deemed ordered, without requiring the entry of a 2004 order.
 - (B) If an objection is filed and served within seven (7) days after the filing of the notice of a 2004 Agreement, then, notwithstanding any requirements of the Contested Matter Procedure, *see* Local Bankr. R. 9014-1, (i) a notice of hearing on the objection shall be issued by the Clerk’s Office and (ii) the party in interest who filed the objection shall serve the notice of such hearing upon the 2004 Parties and the Notice Parties and shall file a Certificate of Service.
 - (C) Any objection to a 2004 Agreement shall be no more than five (5) pages and shall state the specific legal and factual basis for the objection.
 - (D) Failure to comply with the requirements of [D. Conn. L. Civ. R. 37](#) shall be grounds for overruling any objection to a 2004 Agreement.
- (3) A written 2004 Agreement between the 2004 Parties as to the date, time, and place of examination and/or documents to be produced is enforceable by a motion to compel or for sanctions without necessity of a Court order or authorized service of a subpoena.
- (c) A party in interest that files a motion under [FRBP 2004\(a\)](#) shall serve such motion upon the Notice Parties. The motion shall be accompanied by a proposed order, a notice, and a copy of any subpoena for the production of documents to be served pursuant to [FRBP 2004\(c\)](#) and [FRBP 9016](#).

 - (1) The notice shall include: (A) an objection deadline of seven (7) days, with such objection deadline set from the date the notice is filed with the Court, and (B) a statement that in the absence of a timely filed objection, the proposed order may enter without further notice and hearing.

- (2) Any objection or response to the motion shall be no more than five (5) pages and shall state the specific legal and factual bases for the objection, be filed no later than the response date, and be served upon the 2004 Parties and the Notice Parties. The Court shall schedule a hearing on the matter as soon as is practical.
- (3) The failure to file a response or objection pursuant to this Rule shall not prejudice the proposed examinee, witness, or party from whom documents are sought from filing a motion for protective order, to quash the subpoena, or to vacate an order entered pursuant to the motion after the seven (7) day period has passed.
- (4) The failure to comply with the requirements of [D. Conn. L. Civ. R. 37](#) shall be grounds for overruling any objection filed to a motion.

[See preferred forms of proposed orders.](#)

Local Bankr. R. 2014-1 Employment of Professionals.

(a) Statement Required by Rule 2016(b).

The statement required by FRBP 2016(b), [Form B2030](#), shall be filed with any application for employment of counsel for the Debtor or any application or motion seeking substitution of counsel for the Debtor. The Form B2030 shall indicate: (i) whether the filing fee has been paid simultaneously with the filing of the petition; (ii) the amount of the filing fee that has been paid simultaneously with the filing of the petition; and (iii) the source of the filing fee that has been paid simultaneously with the filing of the petition. A copy of an engagement or retainer agreement shall be filed with [Form B2030](#). The failure to fully complete and file [Form B2030](#) with any application or motion seeking employment or substitution of employment may result in denial of the application.

(b) Retroactive or *Nunc Pro Tunc* Employment.

- (1) If an application to employ a professional is filed within thirty (30) days after the commencement of services provided by that professional, the application shall be deemed contemporaneously filed unless the Court orders otherwise.
- (2) If an application to employ a professional is filed more than thirty (30) days after the commencement of services by the professional and the application seeks retroactive or *nunc pro tunc* relief, the application shall include:
 - (A) an affidavit setting forth the facts relating to the late filing of the application; and
 - (B) the legal authority the applicant relies on as to why the retroactive or *nunc pro tunc* relief sought is appropriate under applicable law.

(c) Contingency Fee Agreement.

Any application seeking approval of a contingent fee shall: (i) have annexed to it the engagement or retainer agreement; and (ii) sufficient information to confirm its enforceability under applicable non-bankruptcy laws and the applicable Rules of Professional Conduct, including the Connecticut Rules of Professional Conduct.

(e)(d) Maintenance of Retainer Funds.

Unless the Court orders otherwise, in a Chapter 9, 11, 12, and 13 case, any professional employed by a Debtor or a trustee shall deposit funds paid upon or in anticipation of the commencement of the case for professional services and expenses to be rendered after the petition date, regardless of the source of funds (i.e., whether received from the Debtor, an insider of the Debtor as defined in 11 U.S.C. § 101(31), or a third party), in a trust account, clients' funds account, escrow account, or IOLTA account consistent with Rule 1.15 of the Connecticut Rules of Professional Conduct.

(d)(e) Application of Retainer Funds.

Any funds required to be deposited into in a trust account, clients' funds account, escrow account, or IOLTA account consistent with Rule 1.15 of the Connecticut Rules of Professional Conduct shall not be applied to fees earned or expenses incurred by a professional after the petition date absent a prior court order authorizing such application.

Local Bankr. R. 2014-2 Retention of Ordinary Course Professionals.

Where appropriate, the Debtor in a Chapter 11 case in which a trustee has not been appointed, the Debtor in a Chapter 12 or 13 case, or a trustee appointed in a Chapter 7, 11, 12 or 13 case, upon motion and notice, may for good cause seek to hire and compensate certain professionals and advisors in the ordinary course of business, who serve in roles ancillary to the core administration of the estate, or in the ordinary course of the Debtor's business.

Local Bankr. R. 2015-1 Post-Confirmation Reports.

Within forty-five (45) days after the entry of an order confirming a plan in a Chapter 11 case and, until the entry of the final decree, every ninety (90) days thereafter, the debtor-in-possession, trustee, distributor, or plan proponent shall file a report with the Court and serve a copy upon any extant committee appointed in the case, and the United States Trustee, which report shall set forth the action taken and progress made in the consummation of the plan pursuant to 11 U.S.C. § 1106(a)(7).

Local Bankr. R. 2016-1 Compensation of Professionals.

Applications for allowance of compensation and reimbursement of expenses shall, at a minimum:

- (a) Include a [Fee Application Cover Sheet](#);
- (b) Comply with the [Court's Guidelines for Allowance of Compensation and Expense Reimbursement of Professionals \(Appendix D\)](#); and
- (c) Comply with any other applicable guidelines and Court orders.

[See preferred forms of proposed orders.](#)

Local Bankr. R. 2016-2 Compensation of Debtor's Counsel in Chapter 13 Cases.

- (a) **Prepetition Retainers.** The amount of any retainer received by the Debtor's counsel paid within one year before the filing of the petition in bankruptcy or agreed to be paid for services rendered or to be rendered in contemplation of or in connection with the bankruptcy case shall be included in the Disclosure of Compensation of Attorney for Debtor, [Form B2030](#).
- (b) Unless otherwise ordered by the Court, if the Debtor's counsel's total amount of fees prior to entry of a confirmation order is \$4,000.00 or less, the Disclosure of Compensation of Attorney for Debtor, [Form B2030](#) shall be sufficient and the filing of an itemized application for compensation shall be excused.
- (c) Nothing in this Rule shall be construed to limit the Court's discretion to review the amount of fees paid to or agreed to be paid to the Debtor's counsel, and to enter appropriate orders allowing, disallowing, disgorging, or reducing such fees.

Local Bankr. R. 2017-1 Committees in Chapter 9, 11, and 12 Cases.

Within five (5) days of the appointment of any committee, the United States Trustee shall file with the Court a list containing the names, addresses, and telephone numbers of persons serving on such committee. If after reasonable efforts a creditors' committee is not constituted, a statement to that effect stating the reasons for not appointing such a committee shall be filed by the United States Trustee with the Court. The United States Trustee shall facilitate the initial organizational meeting of any committee and appropriately advise it of its authority, duties and responsibilities.

PART III. CLAIMS AND DISTRIBUTION TO CREDITORS AND EQUITY INTEREST HOLDERS; PLANS

Local Bankr. R. 3001-1 Proofs of Claim: Secured Claims In Individual Debtor Case.

Proofs of claim filed for secured claims against a residence in individual Debtor cases, in addition to the requirements of FRBP 3001, 3002, and 3002.1 shall:

- (a) Be filed in compliance with the Instructions for the [Official Proof of Claim Form](#). For Chapter 13 cases, this rule applies in addition to the requirements of FRBP 3002 and FRBP 3002.1; and
- (b) Include as attachments Official Bankruptcy Forms [B410-A](#), [B410S-1](#) and [B410S-2](#), as applicable, in compliance with their instructions.

Local Bankr. R. 3003-1 Filing Proofs of Claim or Interest in a Chapter 9 or 11 Case, Notice to Disputed, Contingent, Unliquidated Creditors.

Unless otherwise ordered, the Debtor in a Chapter 11 case shall serve creditors whose claims are listed on the Schedules as disputed, contingent, or unliquidated with a notice of deadline for filing proofs of claim upon the earlier of forty-five (45) days prior to the proof of claim bar date or the initial confirmation hearing scheduled in the case. [See Order and Notice to Disputed, Contingent and Unliquidated Creditors \(Appendix K\)](#).

Local Bankr. R. 3007-1 Claim Objections.

- (a) **Contents of the Objection.** Every objection to a claim shall identify the proof of claim, if any, by claim number as set forth in the Claims Register, the claimant, the amount, the priority classification, and the filing date of the proof of claim. If the amount or classification of the claim is disputed, the objection shall state the amount of the claim, if any, that is not in dispute and the classification considered proper by the objecting party. The objection shall state with particularity the basis for the objection. The objecting party must attach the [Local Form 420B Notice of Objection to Claim Form](#) to every objection to a claim.
- (b) **Service.** The objecting party shall serve [the Local Form 420B Notice of Objection to Claim Form with](#) any claim objection and the notice of hearing upon the claimant at the address provided on the proof of claim, and if applicable, upon the claimant's attorney of record. The objecting party shall file a Certificate of Service with the objection.

[See preferred forms of proposed orders.](#)

Local Bankr. R. 3007-2 Omnibus Claim Objection Procedures.

If an omnibus claim objection is to be filed, the objecting party must attach the [Local Form 420B Notice of Objection to Claim Form](#) to the omnibus claim objection, and the following procedures shall be followed:

- (a) The objecting party shall object to no more than one hundred (100) proofs of claim in one pleading;
- (b) Copies of the claims need not be attached to the omnibus claim objection. However, the objecting party shall comply with Local Bankr. R. 3007-1(a) and notify each claimant that a copy of the claim may be obtained from the objecting party upon request; and,

- (c) The notice of hearing and objection shall be served in accordance with [FRBP 2002\(g\)](#) and [FRBP 7004](#).

Local Bankr. R. 3007-3 Estimation of Claims.

- (a) If a claim is objected to or is filed in an unliquidated amount, the objecting party, the claimant, the trustee, the Debtor in possession, or any plan proponent may file a motion requesting that the claim be estimated in accordance with 11 U.S.C. § 502(c). Unless the Court orders otherwise, filing a motion to estimate commences a contested matter and shall follow the Contested Matter Procedure set forth in Local Bankr. R. 9014-1.
- (b) The motion to estimate shall include those purposes (e.g., voting, allowance, etc.) for which estimation is sought, and an explanation of why estimation, as opposed to full trial of the claim objection, is appropriate. As soon as practicable following filing of the motion to estimate, the movant shall consult with the claimant and any objecting party to determine whether either opposes the motion.

Local Bankr. R. 3014-1 Time For Secured Creditor to Exercise Election under Bankruptcy Code Section 1111(b) in Subchapter V Case.

Unless the Court rules that Section 1125 applies, an election of the application of Section 1111(b) of the Code by a class of secured creditors in a Chapter 11 subchapter V case may be made at any time on or before seven (7) days after the filing of the Debtor's Initial Plan of Reorganization, or such later time as the Court may establish.

Local Bankr. R. 3015-1 Chapter 12 – Confirmation.

The Chapter 12 Procedures set forth in Appendix F must be followed in Chapter 12 cases.

Unless the Court orders otherwise, an objection to confirmation of a Chapter 12 Plan shall be filed no later than seven (7) days prior to the date set for the plan confirmation hearing. The hearing on the confirmation of a Chapter 12 Plan may be continued by the Court, or by a party filing a Motion to Continue Hearing, which may be granted upon cause shown.

Local Bankr. R. 3015-2 Chapter 13 - Confirmation.

- (a) All Chapter 13 Plans shall be filed using the Local Form Chapter 13 Plan in Appendix E. Unless the Court orders otherwise, an objection to confirmation of a Chapter 13 Plan shall be filed no later than seven (7) days prior to the date set for the plan confirmation hearing. The hearing on the confirmation of a Chapter 13 Plan may be continued by the Court, or by a party filing a Motion to Continue Hearing, which may be granted upon cause shown.
- (b) Unless the Court orders otherwise, the confirmation hearing will be held after the Proof of Claim Bar Date set in each case has passed. The Debtor's attorney, or the Debtor, if not

represented by counsel, must appear at the confirmation hearing unless specifically excused by Court order.

[See Local Form Wage Withholding/Employer Information Sheet](#)

Local Bankr. R. 3016-1 Chapter 11 - Plan.

(a) Extension of Exclusivity Period.

If the Debtor desires an extension of the exclusivity period for filing a Plan of Reorganization, the Debtor shall file a motion prior to the expiration of the exclusivity period requesting the extension that includes a statement of the reason(s) why a plan has not been filed and an appropriate timetable of the steps to be taken in order to file a plan.

(b) Small Business Cases.

If the Debtor desires an extension of the periods provided for filing or confirming a Plan of Reorganization in a small business case as provided in 11 U.S.C. § 1121(e)(3), then the Debtor shall file and serve a motion requesting the extension, as described in subsection (a), upon all parties in interest. The motion must be filed in advance of the expiration of the time periods provided in 11 U.S.C. § 1121(e) to provide at least fourteen (14) days' notice of the hearing as required by the Contested Matter Procedure provided for under these rules. Expedited or emergency hearings will be granted only in exceptional circumstances.

Local Bankr. R. 3017-1 Transmission and Notice of Plan and Disclosure Statement.

(a) Transmittal. Unless the Court orders otherwise, the proponent of a plan shall transmit all notices and other documents required by FRBP 3017(a).

(b) Disclaimer Other Than in Small Business Cases. Except in a case where the Debtor is a small business, before a proposed disclosure statement has been approved by the Court, the proposed disclosure statement shall have on its cover, in boldface type, the following or comparable language:

This is not a solicitation of acceptance or rejection of the plan. Acceptances or rejections may not be solicited until a disclosure statement has been approved by the Bankruptcy Court. This disclosure statement is being submitted for approval but has not been approved by the Court.

Local Bankr. R. 3017-1.1 Consideration of Disclosure Statement in a Small Business Case.

Disclaimer in Small Business Cases. In a case where the Debtor is a small business, if the Court conditionally approves a proposed disclosure statement, the conditionally approved

disclosure statement shall have on its cover, in boldface type, the following language, or words of similar import:

The Debtor in this case is a “small business” as defined in the Code. The Debtor has received conditional approval of this Disclosure Statement; the Court will consider final approval, and any timely filed objections thereto, at the time of or before the hearing on confirmation of the plan.

Local Bankr. R. 3017-2 Approval of Disclosure Statement in Small Business Cases.

(a) Procedure for Conditional Approval Under Federal Rule of Bankruptcy Procedure 3017.1.

A plan proponent in a small business case may seek conditional approval of a disclosure statement, subject to final approval after notice and hearing, by filing a motion with the Court contemporaneously with the filing of the proposed Plan of Reorganization. Such motion shall contain a Certificate of Service evidencing service upon the parties and shall be accompanied by a proposed order.

(b) Waiver.

A plan proponent in a small business case may seek to waive the requirement of a disclosure statement because the proposed Plan of Reorganization itself provides adequate information. Such waiver may be sought by motion to be filed contemporaneously with the proposed plan of reorganization.

Local Bankr. R. 3018-1 Certification of Acceptances and Rejections of Chapter 11 Plans.

Unless the Court orders otherwise, not less than two (2) business days prior to the hearing on confirmation, the proponent of a Chapter 11 plan, or other party who receives the ballots accepting or rejecting such plan, shall file with the Court a certification of the amount and number of allowed claims or interests in each class accepting or rejecting the plan. On the basis of the certification, the Court may find that the plan has been accepted or rejected.

[See Official Form B314—Ballot for Accepting or Rejecting Plan](#)

Local Bankr. R. 3020-1 Chapter 11 - Confirmation.

Unless the Court orders otherwise, an objection to confirmation of a Chapter 11 Plan of Reorganization shall be filed and served no later than four (4) days prior to the date set for a hearing on confirmation of the plan. [The hearing on the confirmation of a Chapter 11 Plan may be continued by the Court, or by a party filing a Motion to Continue Hearing, which may be granted upon cause shown.](#)

Local Bankr. R. 3022-1 Application for Final Decree.

Unless the Court orders otherwise, the date for filing an application for a final decree in a Chapter 11 case will be set by the Court at the confirmation hearing. The application for the final decree shall: (i) contain a breakdown of the disbursements, as applicable from the commencement of the case, for fees for the Debtor's attorney, other professional fees and expenses, any Chapter 11 trustee fees, and fees for the trustee's attorney; (ii) state the percentage of dividend paid and to be paid, or whether the future dividend percentage is not yet determinable; and (iii) state the steps taken to consummate the plan and whether the initial plan distribution is complete.

[See Director' Form 2710 - Final Decree](#)

PART IV. THE DEBTOR: DUTIES AND BENEFITS

Local Bankr. R. 4001-1 Automatic Stay; Relief from Stay Worksheet.

A [Motion for Relief from Stay Worksheet \(Appendix B\)](#) shall be completed and filed with all motions seeking relief under 11 U.S.C. § 362(d) with respect to [the enforcement of rights and remedies regarding](#) real property. [See Appendix B.](#)

Local Bankr. R. 4001-2 Continuation or Imposition of Automatic Stay.

- (a) **Motion and Hearing Required.** Any party that seeks a continuation or imposition of the automatic stay under 11 U.S.C. §§ 362(c)(3)(B) or (c)(4)(B) shall file a motion with the Court, on notice to all parties against whom the movant seeks to continue or impose the stay. The motion shall be filed with the petition or as soon as practicable thereafter.
- (b) **Content of Motion.** An affidavit or declaration of the movant shall be attached to the motion and shall:
 - (1) specifically allege the identity of the creditor(s) as to which the movant seeks to continue or impose the stay;
 - (2) identify, by case number, any and all prior bankruptcy filings by the Debtor;
 - (3) state whether the Debtor has had more than one previous case pending within the preceding year;
 - (4) state whether any previous case was dismissed within the preceding year after the Debtor failed to perform any of the acts set forth in 11 U.S.C. § 362(c)(3)(C)(i)(II);
 - (5) state whether there has been a substantial change in the financial or personal affairs of the Debtor and, if so, support the statement with specific factual allegations;
 - (6) state whether any creditor moved for relief from the automatic stay in a previous case and, if so, the disposition of that motion; and

- (7) allege specific facts entitling the movant to relief.

[See preferred forms of proposed orders.](#)

Local Bankr. R. 4001-3 Use of Cash Collateral and Debtor in Possession Financing.

In order to facilitate the expeditious hearing and review of motions seeking authority to use cash collateral and seeking approval of debtor in possession financing, a [checklist \(Appendix H\) for each motion pursuant to 11 U.S.C. § 363 and 11 U.S.C. § 364](#) shall be completed and attached to the motion and shall clearly and concisely disclose the following:

- (a) **Contents of Motion.** The following provisions, to the extent applicable, are added to the enumerated lists of material provisions set forth in FRBP 4001(b)(1)(B), (c)(1) and (d)(1)(B):
 - (1) pricing and economic terms, including letter of credit fees, commitment fees, any other fees, and the treatment of costs and expenses to the lender, any agent for the lender, and their respective professionals;
 - (2) any effect on existing liens of the granting of collateral or adequate protection provided to the lender and any priority or super priority provisions;
 - (3) any carve-outs, or subordinations, from liens or super priorities;
 - (4) any cross-collateralization provision that elevates pre-petition debt to administrative expense (or higher) status or that secures pre-petition debt with liens on post-petition assets (which liens the creditor would not otherwise have by virtue of the pre-petition security agreement or applicable law);
 - (5) any provision that applies the proceeds of post-petition financing to pay, in whole or in part, pre-petition debt or which otherwise has the effect of converting pre-petition debt to post-petition debt (i.e., any “roll-up” provision);
 - (6) any provisions that would affect the Court’s power to consider the equities of the case under 11 U.S.C. § 552(b)(1);
 - (7) any terms that provide that the use of cash collateral or the availability of credit will cease on (i) the filing of a challenge to the lender’s pre-petition lien or the lender’s pre-petition claim based on the lender’s pre-petition claim; (ii) entry of an order granting relief from the automatic stay other than an order granting relief from the stay with respect to material assets; (iii) the grant of a change of venue with respect to the case or any adversary proceeding; (iv) management changes or the departure, from the Debtor, of any identified employees; (v) the expiration of a specified time for filing a plan; or (vi) the making of a motion by a party in interest seeking any relief (as distinct from an order granting such relief);

- (8) any provision establishing a deadline for, or otherwise requiring, the sale of property of the estate or filing or confirming a plan;
 - (9) in jointly administered cases, terms that govern the joint liability of Debtors including any provision described in subdivision (e) of this rule; and
 - (10) any provision for the funding of non-debtor affiliates with cash collateral or proceeds of the loan, as applicable, and the approximate amount of such funding.
- (b) **Disclosure of Efforts to Obtain Financing and Good Faith.** A motion for authority to obtain credit pursuant to 11 U.S.C. § 364 shall describe in general terms the efforts of the trustee or debtor in possession to obtain financing, the basis upon which the debtor in possession or trustee determined that the proposed financing is on the best terms available, and material facts bearing on the issue of whether the extension of credit is being extended in good faith.
- (c) **Inadequacy of Notice After Event of Default.**
- (1) If the proposed order contains a provision that modifies or terminates the automatic stay or permits the lender to enforce remedies after an event of default, either the proposed order shall require at least seven (7) days' notice to the trustee or debtor in possession, the United States Trustee and each committee appointed under 11 U.S.C. §§ 1102 or 1114 (or the largest creditors if no committee has been appointed under 11 U.S.C. § 1102), before the modification or termination of the automatic stay or the enforcement of the lender's remedies, or the motion shall explain why such notice provision is not contained in the proposed order.
 - (2) If the proposed order contains a provision that terminates the use of cash collateral, either the proposed order shall require at least five (5) days' notice before the use of cash collateral ceases (provided that the use of cash collateral conforms to any budget in effect) or the motion shall explain why such notice provision is not contained in the proposed order.
- (d) **Joint Obligations.** In jointly-administered cases, if one or more Debtors will be liable for the repayment of indebtedness for funds advanced, used, or transferred to or for the benefit of another Debtor, the motion and the proposed order shall describe, with specificity, any provisions of the agreement or proposed order that would affect the nature and priority, if any, of any inter-debtor claims that would result if a Debtor were to repay debt incurred by or for the benefit of another Debtor.
- (e) **Investigation Period Relating to Waivers and Concessions as to Prepetition Debt.** If a motion seeks entry of an order in which the Debtor stipulates, acknowledges, or otherwise admits to the validity, enforceability, priority, or amount of a claim that arose before the commencement of the case, or of any lien securing the claim, either the proposed order shall include a provision that permits a committee appointed under 11 U.S.C. § 1102 and

other parties in interest to undertake an investigation of the facts relating thereto and proceedings relating to such determination, or the motion shall explain why the proposed order does not contain such a provision. The minimum time period for such committee or other party in interest to commence, or to file a motion to obtain authority to commence, any related proceedings as representative of the estate shall ordinarily be sixty (60) days from the date of entry of the order authorizing the use of cash collateral or the obtaining of credit, or such other period of time as the Court orders for cause shown prior to the expiration of such period.

(f) Content of Interim Orders. A motion that seeks entry of an emergency or interim order before a final hearing under FRBP 4001(b)(2) or (c)(2) shall describe the amount and purpose of funds sought to be used or borrowed on an emergency or interim basis and shall set forth facts to support a finding that immediate or irreparable harm will be caused to the estate if immediate relief is not granted before the final hearing.

(g) Provisions of the Proposed Order.

(1) Findings of Fact.

(A) A proposed emergency or interim order shall include a finding that immediate and irreparable loss or damage will be caused to the estate if immediate financing or authorization of use of cash collateral is not obtained and should state with respect to notice only that the hearing was held pursuant to FRBP 4001(b)(2) or (c)(2), that notice was given to certain parties in the manner described, and that the notice was, in the Debtor's belief, the best available under the circumstances.

(B) A proposed order may include factual findings as to notice and the adequacy thereof.

(C) To the extent that a proposed order incorporates by reference to, or refers to a specific section of, a pre-petition or post-petition loan agreement or other document, the proposed order shall also include a statement of such section's import.

(2) Cross-Collateralization and Rollups. Unless otherwise determined by the Court, a proposed order approving cross-collateralization or a rollup shall include language that reserves the right of the Court to unwind, in whole or in part, after notice and hearing, the post-petition protection provided to the pre-petition lender or the pay down of the pre-petition debt, whichever is applicable, in the event that there is a timely and successful challenge to the validity, enforceability, extent, perfection, or priority of the pre-petition lender's claims or liens, or a determination that the pre-petition debt was undersecured as of the petition date, and the cross-collateralization or rollup unduly advantaged the lender.

- (3) **Waivers, Consents, or Amendments with Respect to the Loan Agreement.** A proposed order may permit the parties to enter into waivers or consents with respect to the loan agreement or amendments thereof without the need for further Court approval provided that (i) the agreement as so modified is not materially different from that approved, (ii) notice of all amendments is filed with the Court, and (iii) notice of all amendments (other than those that are ministerial or technical and do not adversely affect the Debtor) are provided in advance to counsel for any committee appointed under 11 U.S.C. §§ 1102 or 1114, all parties requesting notice, and the United States Trustee.
- (4) **Conclusions of Law.** A proposed order may provide that the Debtor is authorized to enter into the loan or other agreement, but it shall not state that the Court has examined and approved the loan or other agreement, unless specifically authorized by the Court.
- (5) **Order to Control.** The proposed order shall state that to the extent that a loan or other credit agreement differs from the order, the Court Order shall control.
- (6) **Statutory Provisions Affected.** The proposed order shall specify those provisions of the Bankruptcy Code, Bankruptcy Rules, and Local Rules relied upon as authority for granting relief, and shall identify those sections that are, to the extent permitted by law, being limited or abridged.
- (7) **Conclusions of Law Regarding Notice.** A proposed order may contain conclusions of law with respect to the adequacy of notice under 11 U.S.C. §§ 363 and 364 and FRBP 4001.

Local Bankr. R. 4001-4 Loan Modifications.

- (a) The provisions of FRBP 4001(d) shall apply to any motion for authorization to enter into a loan modification. A Movant shall file a motion for approval of any loan modification with the consent of the other party to the agreement pursuant to FRBP 4001(d).
- (b) Any motion filed in accordance with FRBP 4001(d) shall identify the following, and in a Chapter 12 and 13 case, the proposed order shall include the following:
 - (1) The obligation to be modified including the date it was made, the parties to any agreement, the original principal amount, and the address of the property securing the obligation;
 - (2) The confirmation date, with the ECF number of the confirmation order, and any confirmed plan, with its ECF number;
 - (3) The date and number of any proof of claim the obligee filed, including the mechanism for any transfer of claim, with its ECF number;

- (4) The treatment of the obligation under any confirmed Chapter 13 Plan;
- (5) The treatment of the claim under the approved modification agreement; and
- (6) The effect of the modification on any other liens or encumbrances asserted against the collateral or creditors.

Local Bankr. R. 4002-1 Documents to Be Delivered to Trustee Prior to Section 341 Creditors' Meeting.

- (a) In Chapter 7 cases, no later than seven (7) days prior to the first scheduled meeting of creditors, the Debtor shall deliver to the trustee in a legible form the documents listed in [Appendix I](#) with the completed Domestic Support Obligation Disclosure and Personal Injury Information Forms, to the extent that they apply, and such other documents as the trustee reasonably requests and as he/she deems relevant to and in aid of the prompt administration of the case and the bankruptcy estate. The documents shall be delivered in the form reasonably requested by the trustee. If documents apply but are not available, the Debtor shall inform the trustee why the documents are not available. The Debtor shall use best efforts to provide copies of the documents that are unavailable to the trustee as soon as possible thereafter.
- (b) In Chapter 13 cases, no later than seven (7) days prior to the first scheduled meeting of creditors, the Debtor shall deliver to the trustee in a legible form the documents listed in [Appendix J](#) with the completed Domestic Support Obligation Disclosure and Personal Injury Information Forms, to the extent that they apply, and such other documents as the trustee reasonably requests and as he/she deems relevant to and in aid of the prompt administration of the case and the bankruptcy estate. The documents shall be delivered in the form reasonably requested by the trustee. If documents apply but are not available, the Debtor shall inform the trustee why the documents are not available. The Debtor shall use best efforts to provide copies of the documents that are unavailable to the trustee as soon as possible thereafter.
- (c) Unless the Court orders otherwise, copies of all payment advices or other evidence of payment received by an individual Debtor within sixty (60) days before the date of the filing of the petition from any employer of the Debtor:
 - (1) shall not be filed with the Court; and
 - (2) shall be provided to the Chapter 7 Trustee, Chapter 12 Trustee, or Chapter 13 Trustee, as the case may be, no later than seven (7) days prior to date of the initially scheduled Section 341 Creditors' Meeting.

Local Bankr. R. 4004-1 Entry of Discharge in Individual Chapter 11, Chapter 12, and Chapter 13 Cases.

- (a) In accordance with the applicable provisions of 11 U.S.C. §§ 1141, 1228, and 1328, an individual Debtor seeking the entry of a discharge in Chapter 11, Chapter 12, and Chapter 13 cases shall file a Certification and Application for Entry of Discharge (the “Application”), on forms approved for use by the Court.
- (b) The Application forms approved for use in Chapter 11, Chapter 12, and Chapter 13 cases are:
 - (1) [Chapter 11](#): Certification and Application for Entry of Discharge After Completion of Plan.
 - (2) [Chapter 11](#): Certification and Application for Entry of Discharge Before Completion of Plan Payment.
 - (3) [Chapter 12](#): Certification and Application for Entry of Discharge After Completion of Plan Payments.
 - (4) [Chapter 12](#): Certification and Application for Entry of Discharge Before Completion of Plan Payments – Hardship Discharge.
 - (5) [Chapter 13](#): Certification and Application for Entry of Discharge After Completion of Plan Payments.
 - (6) [Chapter 13](#): Certification and Application for Entry of Discharge Before Completion of Plan Payments – Hardship Discharge.
- (c) An Application filed in accordance with this Rule will be reviewed as soon as practicable after filing and will be approved or set for a hearing at the discretion of the Court.

PART V. COURTS AND CLERKS

Local Bankr. R. 5003-1 Clerk of Court - General Authority.

- (a) **Clerk of Court Authorized to Amend Form of Creditor List.** The Clerk of Court shall be authorized to change the form of the Creditor List required by Local Bankr. R. 1007-1(a) to meet requirements of any automated case management system employed by the Clerk. The Bankruptcy Clerk shall give appropriate notice to the bar of any such change in form.
- (b) **Clerk of Court Authorized to Refuse Certain Forms of Payment.** The Bankruptcy Clerk shall maintain a list of all attorneys and law firms whose checks or credit or debit cards have been dishonored. The Bankruptcy Clerk may refuse future check, credit or debit card payments from such attorneys or firms and require an alternative form of payment.

(c) Clerk of Court Authorized to Refund or Return Electronic Filing Fee Payments. The Clerk of the United States Bankruptcy Court for the District of Connecticut shall be authorized to establish policy and procedures for issuing refunds in accordance with the Guide to Judiciary Policy, Volume 4, Chapter 6, § 650. In addition, the Clerk is authorized to refund all duplicate or erroneous fees paid through Pay.gov directly or the Pay.gov electronic filing fee tool in CM/ECF under the following circumstances:

- (1) When the Clerk's Office discovers that a duplicate fee or an erroneous payment has been paid; or
- (2) When an attorney files a request for a refund and the Clerk's Office confirms that the fee was a duplicate or an erroneous payment.

CM/ECF Filers and Users seeking a refund shall submit a written application in the form of a letter. The letter shall include the name, address, telephone number, and e-mail address of the party requesting the refund. Supporting documentation shall be attached, including a copy of the electronic payment receipt and the Notice(s) of Electronic Filing generated from CM/ECF, if applicable. The letter and supporting documentation shall be mailed or e-mailed as follows:

Mailing Address:

United States Bankruptcy Court
Attn: Finance Department
450 Main Street, 7th Floor
Hartford, CT 06103

Email Address: finance@ctb.uscourts.gov

Upon verification of the information submitted by a CM/ECF Filer or User, the Finance Department shall process the refund to the same credit card from which the duplicate or erroneous payment was made and shall record the refund on the case or adversary proceeding docket. Refund checks will not be issued.

Local Bankr. R. 5005-1 Filing Papers - Requirements.

[D. Conn. L. Civ. R. 10](#) applies to pleadings and documents filed with the Bankruptcy Court.

Local Bankr. R. 5010-1 Reopening Cases.

(a) A ~~m~~Motion to ~~r~~Reopen a case pursuant to 11 U.S.C. § 350(b) and FRBP 5010 **is an exception to the Contested Matter Procedure, may be set for a hearing, and** shall state with specificity the reason for the reopening. See Appendix M. The Court, upon a finding of cause, may grant the motion, subject to appropriate limitations. A filing fee for a case reopened pursuant to 11 U.S.C. § 350(b) and FRBP 5010 shall be filed with the Motion unless the case is reopened to correct an administrative error, or on account of actions

relating to the Debtor's discharge, or to redact a document that has already been filed pursuant FRBP 9037, if the redaction is the only reason for reopening the case.

~~(a)(b)~~ Any substantive motion filed with the Motion to Reopen may not be acted upon unless and until the Motion to Reopen is granted. If the substantive motion is a Contested Matter in accordance with Local Rule 9014-1, the substantive motion shall not be acted on, and a Notice of Contested Matter Bar Date shall not be served, unless and until the Motion to Reopen is granted.

See preferred forms of proposed orders.

Local Bankr. R. 5011-1 Withdrawal of Reference.

A motion for withdrawal of the reference provided under 28 U.S.C. §§ 1334 and 157 shall be filed with the Clerk of the Bankruptcy Court. The Clerk of the Bankruptcy Court shall promptly transmit the motion to the Clerk of the United States District Court and notify the movant of the transmission. The movant shall notify all other parties of the transmission. Following transmission of the motion to the Clerk of the District Court, all further filings with respect to the motion shall be filed with the Clerk of the District Court.

Local Bankr. R. 5073-1 Photography, Broadcasting, Recording, and Televising.

Absent an order of the Court, no person may photograph, electronically record, televise, or broadcast a judicial proceeding. This rule shall not apply to ceremonial proceedings with permission of the Court or electronic recordings by an official Court reporter or other authorized Court personnel.

PART VI. COLLECTION AND LIQUIDATION OF THE ESTATE

Local Bankr. R. 6004-1 Sale of Estate Property – General.

(a) Notice of Proposed Sale of Estate Property. A party proposing to sell property of the estate by a public or private sale must complete, file, and serve the Local Form Notice of Sale of Estate Property (Appendix O) pursuant to FRBP 2002(a)(2), and must include information supporting the proposed consideration, the evidence of value of the property, and the efforts undertaken to obtain a higher and better purchase price for the sale of the property. Unless otherwise ordered by the Court upon a showing of good cause, a party proposing to sell real property must do so by public sale. A hearing on the Notice of Proposed Sale of Estate may be held in accordance with Appendix M.

~~(a) Unless property of the estate is to be sold free and clear of liens with liens attaching to the proceeds pursuant to 11 U.S.C. § 363(f), the notice of a proposed sale of property of the estate is sufficient if given pursuant to FRBP 2002(a)(2).~~

(a)(b) Motion to Sell Estate Property. If property of the estate is to be sold free and clear of liens with liens attaching to the proceeds pursuant to 11 U.S.C. § 363(f), in addition to **the Local Form Notice of Sale of Estate Property required by section (a)** of this rule, the moving party shall file a motion which names as a respondent all entities asserting a lien on or interest in the property to be sold, describes with particularity the nature of the lien or interest claimed, how it is perfected and whether or not the lien or interest is disputed by the movant. The motion and proposed order shall also detail what items will be paid at the time of consummation of the sale and what items will be paid pursuant to a future order of the Court. **A hearing on the Motion to Sell Estate Property shall be held in accordance with Appendix N.**

(b)(c) No trustee, appraiser, auctioneer, officer, director, stockholder, agent, employee, or relative of a trustee, appraiser, or auctioneer, shall directly or indirectly purchase any of the property of any bankruptcy estate in which such trustee, appraiser, or auctioneer is employed, retained or engaged.

(c)(d) Unless otherwise ordered by the Court: (i) a public sale shall be advertised at least fourteen (14) days before the sale, although the trustee may require further advertising; (ii) the property to be sold shall be open to public inspection for such reasonable period prior to the sale as the trustee may determine; and (iii) an auctioneer shall, before receiving bids, announce the terms of sale, including the statement that no sale is final without the approval of the trustee and the Bankruptcy Court if required by the order authorizing the auction. If the auction is conducted on the Internet/electronically, this announcement shall be posted

(d)(e) A purchaser at any public sale shall not be entitled to a refund on account of an immaterial discrepancy between the assets offered for sale by the auctioneer and the assets as listed in any inventory that is provided to bidders prior to the sale. Any property that, because of reclamation proceedings or for other reasons, is not included in the sale, shall be segregated and conspicuously marked "not included in sale," and such fact shall be announced by the auctioneer before the sale. Except upon prior approval of the Court, only items constituting assets of the estate being administered shall be sold at any sale held pursuant to provisions of the Bankruptcy Code, and such sales shall not be conducted in conjunction with any non- bankruptcy sale.

(e)(f) When the trustee acts as auctioneer, he or she shall receive no compensation in excess of the amount provided by the Bankruptcy Code and Rules.

(f)(g) Unless the Court orders otherwise, trustees must be in attendance throughout all in-person auction sales and attend all subsequent closings for the sale of property of the estate.

(g)(h) The sanctions that may be imposed for violation of this rule, include, but are not limited to, disgorgement, fines, and the disqualification of a person from future employment on behalf of bankruptcy estates.

(h)(i) Internet Auction Mechanisms.

- (1)** With prior Court approval, after appropriate notice as required by FRBP 2002(a), a Chapter 7 Trustee, Chapter 11 Trustee, Chapter 11 debtor-in-possession, Chapter 12 Trustee, and Chapter 13 Debtor (collectively, the "Movant"), may sell any property of the estate by public auction through the use of an automated Internet auction, listing or brokerage mechanism ("Internet Auction Mechanism").
- (2)** In any motion requesting such approval, the movant must:

 - (A)** Identify the name and uniform resource locator(s) (URL) of the proposed Internet Auction Mechanism;
 - (B)** State why the movant believes that use of the Internet Auction Mechanism is in the best interests of the estate;
 - (C)** Disclose whether the movant has or any party in interest is known to have any connections with the proposed Internet Auction Mechanism or any expected bidder;
 - (D)** Disclose all fees associated with use of the Internet Auction Mechanism;
 - (E)** Disclose whether use of the Internet Auction Mechanism is subject to rules, policies, procedures or terms or conditions and, if so summarize any such rules, policies, procedures or terms or conditions that are likely to result in any restrictions on bidding for the asset(s) proposed to be sold or limitations on the estate representative in offering asset(s) for sale with full or partial reserve or otherwise controlling the determination to sell each asset;
 - (F)** Identify the mechanism for payment to the estate;
 - (G)** Unless the Internet Auction Mechanism is maintained and operated by the auctioneer represent that, to the best knowledge of the movant, the Internet Auction Mechanism will not provide auction services or any other services beyond access to its automated on-line services and related customer support; and
 - (H)** Request authority to:

 - i. comply with any rules, policies, procedures, or terms or conditions of the Internet Auction Mechanism disclosed in the motion and enter into any required agreements in support thereof;
 - ii. consummate such sale(s); and
 - iii. pay any and all fees associated with use of the Internet Auction Mechanism, each without further order of the Court.

~~⊕(i)~~ Nothing in this Rule shall limit applicability of the requirements of Local Bankr. R 6005-1 with respect to any auctioneer hired by an estate representative to provide services beyond access to an Internet Auction Mechanism.

~~⊕(k)~~ Unless the Court orders otherwise, a listing placed on an Internet Auction Mechanism shall state the bankruptcy case name and number and that the sale procedure has been approved by the United States Bankruptcy Court for the District of Connecticut.

Local Bankr. R. 6004-2 Sales and Sale Procedures Motions.

(a) **Applicability of Rule.** Except as otherwise provided in these Local Rules or ordered by the Court, this rule applies to motions 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 (“Sale Procedures Motions”).

(b) **Sale Motions.** ~~Sale Motions shall be scheduled for a hearing in accordance with Appendix N.~~ Except as otherwise provided in these Local Rules, the Bankruptcy Code, the Bankruptcy Rules or an Order of the Court, all Sale Motions shall attach or include the following:

(1) If applicable, a copy of the proposed purchase agreement, or a form of such agreement substantially similar to the one the Debtor reasonably believes it will execute in connection with the proposed sale;~~;~~

(2) A copy of a proposed form of sale order;~~;~~

(3) A request, if necessary, for the appointment of a consumer privacy ombudsman under 11 U.S.C. § 332;~~;~~

~~(4) A description of the means by which the movant determined the fair market value of the property to be sold; and~~

~~(5) A Local Form Notice of Sale of Estate Property (Appendix O).~~

(c) **Provisions to be Highlighted.** The Sale Motion must highlight material terms, including but not limited to: (a) whether the proposed form of sale order and/or the underlying purchase agreement constitutes a sale or contains any provision of the type set forth below; (b) the location of any such provision in the proposed form of order or purchase agreement; and (c) the justification for the inclusion of the following material provisions:

(1) **Sale to Insider.** If the proposed sale is to an insider, as defined in 11 U.S.C. § 101(31), the Sale Motion must: (a) identify the insider; (b) describe the insider’s relationship to the Debtor; and (c) set forth any measures taken to ensure the fairness of the sale process and the proposed transaction.

- (2) **Agreements with Management.** 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: (a) the material terms of any such agreement; and (b) what measures have been taken to ensure the fairness of the sale and the proposed transaction in the light of any such agreements.
- (3) **Releases.** The Sale Motion must highlight any provisions pursuant to which an entity, individual or party is being released or claims against any entity are being waived or otherwise satisfied. The Sale Motion must also describe the consideration, if any, to the estate for any such release.
- (4) **Private Sale/No Competitive Bidding.** The Sale Motion must disclose whether an auction is contemplated, and highlight any provision in which the Debtor has agreed not to solicit competing offers for the property subject to the Sale Motion or to otherwise limit shopping of the property.
- (5) **Closing and Other Deadlines.** The Sale Motion must highlight any deadlines for the closing of the proposed sale or deadlines that are conditions to closing the proposed transaction.
- (6) **Good Faith Deposit.** 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 such deposit may be forfeited.
- (7) **Interim Arrangements with Proposed Buyer.** 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) of the Bankruptcy Code) and the terms of such agreements.
- (8) **Use of Proceeds.** 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 between or among various sellers/lenders or collateral.
- (9) **Tax Exemption.** The Sale Motion must highlight any provision seeking to have the sale declared exempt from taxes under 11 U.S.C. § 1146(a) of the Bankruptcy Code, the type of tax (e.g., recording tax, stamp tax, use tax, 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.
- (10) **Record Retention.** 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.

- (11) **Sale of Avoidance Actions.** The Sale Motion must highlight any provision pursuant to which the Debtor seeks to sell or otherwise limit its rights to pursue avoidance claims under Chapter 5 of the Bankruptcy Code.
 - (12) **Requested Findings and Order as to Successor Liability.** The Sale Motion and proposed Order should highlight any provisions relating to the proposed purchaser's responsibility as a successor.
 - (13) **Sale Free and Clear of Unexpired Leases.** 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.
 - (14) **Credit Bid.** The Sale Motion must highlight any provision by which the Debtor seeks to allow, disallow, or affect in any manner, credit bidding pursuant to 11 U.S.C. § 363(k).
 - (15) **Relief from Bankruptcy Rule 6004(h).** The Sale Motion must highlight any provision whereby the Debtor seeks relief from the fourteen-day stay imposed by FRBP 6004(h).
 - (16) **Carve-Outs and/or "Gifts."** The Sale Motion must highlight any provision by which the lender(s) or party-in-interest is allowing the distribution of its collateral for the benefit of others.
 - (17) **Residual Assets.** The Sale Motion must describe what residual assets, if any, will exist following the Sale Closing.
- (d) **Sale Procedures Motions.** A Sale Procedures Motion may be scheduled for a hearing in accordance with Appendix M. A ~~Debtor~~party in interest may file a Sale Procedures Motion seeking approval of an order (a "Sale Procedures Order") approving bidding and auction procedures either as part of the Sale Motion or by a separate motion filed in anticipation of an auction and a proposed sale. ~~The Court will only schedule a hearing to consider approval of bidding and sale procedures in accordance with the applicable Rules.~~ The Sale Procedures Motion should highlight the following provisions in any Sale Procedures Order:
- (1) **Provisions Governing Qualification of Bidders.** Any provision governing an entity becoming a qualified bidder, including but not limited to, an entity's obligation to:
 - (A) Deliver financial information by a stated deadline to the Debtor and other key parties (ordinarily excluding other bidders);
 - (B) Demonstrate its financial wherewithal to consummate a sale;

- (C) Maintain the confidentiality of information obtained from the Debtor or other parties or execute a non-disclosure agreement; and
 - (D) Make a non-binding expression of interest or execute a binding agreement.
- (2) **Provisions Governing Qualified Bids.** Any provision governing a bid being a qualified bid, including, but not limited to:
- (A) Any deadlines for submitting a bid and the ability of a bidder to modify a bid not deemed a qualified bid;
 - (B) Any requirements regarding the form of a bid, including whether a qualified bid must be (a) marked against the form of a “stalking horse” agreement or a template of the Debtor’s preferred sale terms, showing amendments and other modifications (including price and other terms), (b) for all of the same assets or may be for less than all of the assets proposed to be acquired by an initial or “stalking horse” bidder, or (c) remain open for a specified period of time;
 - (C) Any requirement that a bid include a good faith deposit, the amount of that deposit, and under what conditions the good faith deposit is not refundable; and
 - (D) Any other conditions a Debtor requires for a bid to be considered a qualified bid or to permit a qualified bidder to bid at an auction.
- (3) **Provisions Providing Bid Protections to “Stalking Horse” or Initial Bidder.** Any provisions providing an initial or “stalking horse” bidder a form of bid protection, including, but not limited to the following:
- (A) **No-Shop or No-Solicitation Provisions.** Any limitations on a Debtor’s ability or right to solicit higher or otherwise better bids;
 - (B) **Break-Up/Topping Fees and Expense Reimbursement.** Any agreement to provide or seek an order authorizing break-up or topping fees and/or expense reimbursement, and the terms and conditions under which any such fees or expense reimbursement would be paid;
 - (C) **Bidding Increments.** Any requirement regarding the amount of the initial overbid and any successive bidding increments; and
 - (D) **Treatment of Break-Up and Topping Fees and Expense Reimbursement at Auction.** Any requirement that the “stalking horse” bidder receive a “credit” equal to the break-up or topping fee and or expense reimbursement when bidding at the auction and in such case whether the

“stalking horse” is deemed to have waived any such fee and expense upon submitting a higher or otherwise better bid than its initial bid at the auction.

(4) **Modification of Bidding and Auction Procedures.** Any provision that would authorize a Debtor, without further order of the Court, to modify any procedures regarding bidding or conducting an auction.

~~(5)~~ **Closing with Alternative Backup Bidders.** Any provision that would authorize the Debtor to accept and close on alternative qualified bids received at an auction in the event that the bidder selected as the “successful bidder” at the conclusion of the auction fails to close the transaction within a specified period.

~~(5)(6)~~ **Request for Prior Approval of Sale Terms and Conditions; Notice and Service.** In connection with any Sales Procedures Motion, any party may seek prior approval from the Court of the form and content of any notice of the terms and conditions of the sale to be served on parties, including but not limited to, the scope or limitation of the parties to be served with such notice, the requisite platforms for advertising of the sale, a description of the property to be sold, the sale process, the terms of sale, the necessity of subsequent Court approval, and opportunities for inspection of the property.

(e) **Provisions Governing the Auction.** Unless otherwise ordered by the Court, the Sale Procedures Order shall:

- (1) Specify the date, time, and place at which the auction will be conducted, and the method for providing notice to parties of any changes thereto; and
- (2) Provide that each bidder participating at the auction will be required to certify in writing that it has not engaged and will not engage in any collusion with respect to the bidding or the sale.

(f) **Expedited Sale Disclosures.** In connection with any hearing to approve the sale of substantially all assets at any time before sixty (60) days after the filing of the petition, a motion for an order authorizing a sale procedure and hearing or the sale motion itself when regularly noticed, should include factual information on the following points:

- (1) **Creditors’ Committee.** If a creditors’ committee existed pre-petition, indicate the date and manner in which the committee was formed, as well as the identity of the members of the committee and the companies with which they are affiliated.
- (2) **Counsel for Committee.** If the pre-petition creditors’ committee retained counsel, indicate the date counsel was engaged and the selection process, as well as the identity of committee counsel.
- (3) **Sale Contingencies.** Statement of all contingencies to the sale agreement, together with a copy of the agreement.

- (4) **Creditor Contact List.** If no committee has been formed, a list of contact persons, together with available contact information for each of the twenty (20) largest unsecured creditors.
- (5) **Administrative Expenses.** Assuming the sale is approved, an itemization and an estimate of administrative expenses relating to the sale to be incurred before closing and the source of payment for those expenses.
- (6) **Deductions from Proceeds of Sale.** Itemize all deductions, including any applicable taxes, that are to be made from gross sale proceeds and include a brief description of the basis for any such deductions. If the amount of a deduction will not be fixed until the date of the closing, an estimate may be provided.
- (7) **Debt Structure of Debtor.** A brief description of the Debtor's debt structure, including the amount of the Debtor's secured debt, priority claims, and general unsecured claims.
- (8) **Need for Quick Sale.** An extensive description of why the assets of the estate must be sold on an expedited basis. Include a discussion of alternatives to the sale.
- (9) **Negotiating Background.** A description of the length of time spent in negotiating the sale, and which parties in interest were involved in the negotiation, along with a description of the details of any other offers to purchase, including, without limitation, the potential purchaser's plans in connection with the retention of the Debtor's employees.
- (10) **Marketing of Assets.** A description of the manner in which the assets were marketed for sale, including the period of time involved and the results achieved.
- (11) **Decision to Sell.** The date on which the Debtor accepted the offer to purchase the assets.
- (12) **Relationship of Buyer.** A statement identifying the buyer and setting forth all of the buyer's (including its officers, directors and shareholders) connections with the Debtor, creditors, any other party in interest, their respective attorneys, accountants, the United States Trustee or any person employed in the office of the United States Trustee.
- (13) **Post Sale Relationship with Debtor.** A statement setting forth any relationship or connection the Debtor (including its officers, directors, shareholders, and employees) will have with the buyer after the consummation of the sale, assuming it is approved by the Court.
- (14) **Relationship with Secured Creditors.** If the sale involves the payment of all or a portion of secured debt(s), a statement of all connections between Debtor's officers,

directors, employees, or other insiders and each secured creditor involved (for example, release of insider's guaranty).

- (15) **Insider Compensation.** Disclosure of current compensation received by officers, directors, key employees, or other insiders pending approval of the sale.
- (16) **Successor Liability.** Any sale requesting findings or the entry of relief regarding successor liability shall delineate the scope and form of notice and the relief requested.

(g) Service of Sale Motions and Sale Procedure Motions.

In addition to compliance with FRBP 2002(a)(2), Motions to Sell must be served by the Movant on all parties indicating interest in the purchase of the property, and, if the trustee was not represented by a broker, at least one trade publication or website organized for the purpose of permitting bankruptcy trustees to advertise the sale of estate property.

(h) Sales Motions by Debtors under Chapter 13.

If a motion for the sale free and clear of liens under § 363 by a Chapter 13 debtor proposes a sale which will satisfy a lien or liens the Chapter 13 Trustee is paying under the terms of a confirmed Chapter 13 Plan (the "Lien"), the motion shall seek an order:

- (1) Requiring the Chapter 13 Trustee to state on the docket the balance due on the Lien under the confirmed Chapter 13 Plan, with a calculation of the commission due on the portion of the Lien to be paid through the confirmed Chapter 13 Plan, within a reasonable period of time from the date of the order;
- (2) Requiring that the Debtor attach a closing statement to the statement required under FRBP 6004(f)(1);
- (3) Providing that the docketing of the closing statement and the statement under FRBP 6004(f)(1) shall contain a declaration by the Debtor and his or her closing attorney that the Lien was satisfied in full at closing;
- (4) Stating whether the Chapter 13 Trustee's commission due on the portion of the Lien paid through the confirmed Chapter 13 Plan will be paid at closing of title; and
- (5) Providing that the docketing of the closing statement and the statement under FRBP 6004(f)(1) shall relieve the Chapter 13 Trustee of any obligation to pay the Lien through the confirmed Chapter 13 Plan.

Local Bankr. R. 6004-3 Statement under FRBP 6004(f)(1).

- (a) Statements filed under FRBP 6004(f)(1) shall contain:

- (1) A closing statement setting forth the receipts and disbursements at closing; and
- (2) A declaration by the seller and its closing attorney that the distributions set forth in the closing statement were made in good funds.

Local Bankr. R. 6005-1 Employment of Auctioneers.

- (a) Unless otherwise ordered by the Court, the following shall apply to the employment of all auctioneers and the conduct of auctions.
- (b) The employment of an auctioneer shall be submitted to the Court for approval upon application setting forth:
 - (1) The need for an auctioneer's services;
 - (2) A description of the property to be sold, its estimated value, and the location thereof;
 - (3) How the auctioneer is to be paid, and, if payment is to be made from assets of the estate, whether the estate will have adequate funds with which to pay the auctioneer's fee;
 - (4) If the items to be auctioned constitute collateral, entirely or in part, whether or not the party claiming a security interest in such collateral has agreed to pay any or all of the auctioneer's expenses;
 - (5) To the extent additional compensation or reimbursement of assistants is sought, how many assistants will be required to help the auctioneer and why such assistance is required, a statement by the trustee in support of the number required and the expense to be incurred for each assistant, based upon an hourly fee; and
 - (6) A bond obtained for the purpose of the auction in an amount such as will exceed the estimated value of the property to be sold by at least twenty-five percent (25%), a copy of which shall be attached to the application to employ.
- (c) An auctioneer employed with Court approval shall not act until he or she gives in each estate, at his or her own expense, a surety bond in favor of the United States of America, to be approved by and in such sum as may be fixed by the Court, conditioned upon:
 - (1) The faithful and prompt accounting for all monies and property which may come into his or her possession as auctioneer;
 - (2) Compliance with all rules, orders, and decrees of the Court; and
 - (3) The faithful performance of his or her duties in all respects.

- (3) The faithful performance of his or her duties in all respects.
- (d) Said bond shall contain a provision that it may not be canceled or terminated without sixty (60) days' notice being given to the Clerk and the United States Trustee. In lieu of a bond in each case, an auctioneer may be permitted to file a blanket bond covering all cases in which he or she may act. Such blanket bond shall be in favor of the United States of America, shall be in the sum of one million dollars (\$1,000,000.00), and shall be conditioned for each estate on the same terms as bonds in separate estates.
- (e) **Compensation and Expenses.**
- (1) Any allowance of compensation and reimbursement of expenses to an auctioneer shall be paid only upon proper application and subject to the approval of the Court.
- (2) An auctioneer shall be reimbursed for reasonable and necessary expenses directly related to the sale, including printing, advertising, insurance, and bond costs. Where the auctioneer has a blanket bond, the auctioneer may be reimbursed a proportionate amount of the costs, based upon the value of the assets sold by the auctioneer in the particular estate. When directed by the trustee to transport goods, the auctioneer shall be reimbursed for expenditures related thereto. No travel expenses shall be allowed except as ordered by the Court. The auctioneer may be reimbursed for his or her expenses only if the application for reimbursement is supported by a sworn affidavit, setting forth the specific expenses incurred and the necessity for such. Vouchers, invoices, receipts, or other appropriate supporting documentation shall accompany the application. Where disbursements were made for advertising, copies of the actual advertisements shall be attached to the affidavit.
- (f) A person shall not at any time, directly or indirectly, designate or refer to himself or herself as "Official United States Auctioneer," or as "Official Bankruptcy Auctioneer," or use any similar title or designation which states expressly or by implication that such person is an officer of the United States District Court or Bankruptcy Court, or that such person holds any permanent designation by the Court as an auctioneer.
- (g) Every auctioneer acting hereunder shall at all times keep proper records of all transactions and shall submit a report of each sale which shall include the following information:
- (1) The time and place of sale;
- (2) The gross amount of the sale and when property is sold in lots, the items in each lot and the amount received for each lot, with the name of the purchaser, as well as any bulk bid;
- (3) An itemized statement of the expenditures, disbursements, and commissions allowable under this Rule, together with appropriate vouchers as described in paragraph (e)(2) above; and

- (4) Whenever articles are sold free and clear of liens, with the liens to attach to the proceeds, the articles and liens shall be itemized separately.
- (h) Except as otherwise ordered by the Court, a trustee shall not delegate any of his or her fiduciary responsibilities to an auctioneer.
- (i) The sanctions that may be imposed for violation of this Rule, include, but are not limited to, the disqualification of the person from future employment on behalf of bankruptcy estates.

Local Bankr. R. 6005-2 Employment of Appraisers.

- (a) In addition to Local Bankr. R. 2014-1.1, all applications for the appointment of an appraiser or a valuation expert (“appraiser”) shall be filed with the Court for approval. Said applications shall contain at a minimum the following information:
 - (1) A statement setting forth in what manner and by whom the costs of the appraisal will be paid, and if payment is to be made from assets of the estate, a statement that the estate has adequate funds with which to pay the appraisal fee;
 - (2) The name and address of the appraiser and the estimated maximum amount of the appraisal fee;
 - (3) A description of the item(s) to be appraised, their estimated value and the time required for the appraisal; and
 - (4) If the appraiser sought to be appointed will incur travel expenses in connection with the appraisal, an explanation as to why a local appraiser is unavailable or unsuitable.
- (b) All applications for allowance of appraiser's fees for services rendered or reimbursement of expenses which exceed one thousand dollars (\$1,000.00) or more, shall, in addition to the requirements set forth in the Bankruptcy Code and FRBP 2016(a), contain the following information:
 - (1) The date of the order of appointment;
 - (2) In concise form, a general narrative statement of the nature of the services provided; and
 - (3) A statement, based upon records prepared contemporaneously with the services rendered, indicating:
 - (A) The dates the services were rendered;
 - (B) The identity of the person or persons rendering such services; and

- (C) The total compensation sought by each person providing the services.

Local Bankr. R. 6070-1 Tax Returns and Tax Refunds in Chapter 12 and 13 Cases.

The Chapter 12 and Chapter 13 Trustees are authorized to endorse on behalf of any Chapter 12 or Chapter 13 Debtor for deposit to the Chapter 12 or Chapter 13 Trustee's trust fund account, any and all federal, state, or local income tax refunds payable to the Debtor.

PART VII. ADVERSARY PROCEEDINGS

Local Bankr. R. 7001-1 Adversary Proceedings - General.

An adversary complaint shall be filed in the division in which the related Debtor case is pending. Motions to proceed in forma pauperis shall be governed by D. Conn. L. Civ. R. 3(d).

Local Bankr. R. 7002-1 Adversary Proceeding Cover Sheet.

Unless filed electronically through the Court's CM/ECF system, Every adversary proceeding shall be accompanied by an adversary proceeding cover sheet, Director's Form B1040.

Local Bankr. R. 7005-1 Service of Pleadings and Other Papers by Electronic Means.

Parties are permitted to make service through the Bankruptcy Court's CM/ECF system, as permitted by FRCP 5(b)(2)(E) and D. Conn. L. Civ. R. 5. This rule is not applicable to the service of process of a summons and complaint, which must be served in accordance with FRBP 7004, or of a subpoena, which must be served in accordance with FRBP 9016.

Local Bankr. R. 7007-1 Motion Practice.

Motion practice in adversary proceedings follows the Local Rules for the District Court, including without limitation D. Conn. L. Civ. R. 7 and 56.

Local Bankr. R. 7007-2 Briefs.

(a) Length.

A brief shall not exceed twenty-five (25) pages (excluding the table of contents and table of authorities). A reply brief shall not exceed ten (10) pages. Permission to file a brief in excess of these page limitations will be granted only on motion, filed at least seven (7) days before the deadline for the filing, upon a showing of cause.

(b) Amicus Briefs.

An *amicus* brief may not be filed without leave of the Court. The brief shall specifically set forth the interest of the *amicus curiae* in the outcome of the litigation.

Local Bankr. R. 7012-1 Motions to Dismiss.

[D. Conn. L. Civ. R. 12](#) applies to motions to dismiss adversary proceedings, including the requirement that any represented party moving to dismiss a complaint of a self-represented party/[Pro Se Filer/Litigant](#) shall file and serve as a separate document a "Notice to Self-Represented Litigant Concerning Motion to Dismiss."

Local Bankr. R. 7016-1 Pretrial Procedures.

(a) Initial Pretrial Conference-Initial Pretrial Order/Initial Joint Pretrial Order.

Upon the filing of the complaint, a summons will be issued which will contain a date and time for the initial pretrial conference in the adversary proceeding. Unless otherwise ordered, an initial pretrial order/initial joint pretrial order shall be filed seven (7) days before the initial Pretrial Conference scheduled in the adversary proceeding. If the defendant(s) has/have not appeared seven (7) days prior to the initial pretrial conference, the plaintiff shall file the initial pretrial order. If the defendant(s) has/have appeared, the parties shall file an initial joint pretrial order. The initial pretrial order/initial joint pretrial order shall contain the following information:

- (1) a summary of the claims and defenses of each party;
- (2) a list of any additional matters that might aid in scheduling or the disposition of the case; and
- (3) the signature of each attorney.

(b) Conflict Between Orders and Local Rules.

If a conflict exists between any pretrial order, joint pretrial order, scheduling order, or other order entered by the Court in an adversary proceeding and these Local Bankruptcy Rules, the provisions of the order(s) of the Court shall control in the adversary proceeding.

Local Bankr. R. 7026-1 Discovery; Duty of Disclosure; Filing of Discovery.

~~[D. Conn. L. Civ. R. 26](#)~~[D. Conn. L. Civ. R. 5\(f\) and 26](#) applies to discovery in adversary proceedings.

Local Bankr. R. 7037-1 Discovery Disputes.

[D. Conn. L. Civ. R. 37](#) applies to discovery disputes.

Local Bankr. R. 7055-1 Default and Default Judgment.

(a) Request for Entry of Default by Bankruptcy Clerk.

Before the Clerk or Deputy Clerk is required to enter a default, the party requesting such entry shall file with the Court a written request for entry of default, submit a proposed form of entry of default, and file any other materials required by FRCP 55(a).

(b) Compliance with Service Members Civil Relief Act (50 U.S.C. § 3931).

The plaintiff shall file an affidavit in compliance with [50 U.S.C. § 3931](#) with any motion for default judgment against an individual.

(c) Order Scheduling Hearing on Default Judgment; Failure to Obtain Default Judgment.

A hearing on a Motion for Default Judgment may be scheduled by the Court. If a defendant has been in default for ninety (90) days or more, the Court may require the plaintiff to move for entry of a default judgment. If the plaintiff fails to do so within the prescribed time, the Court may dismiss the proceeding, without prejudice, as to that defendant.

Local Bankr. R. 7056-1 Summary Judgment.

[D. Conn. L. Civ. R. 56](#) applies to motions for summary judgment, including the requirement that any represented party moving for summary judgment against a self-represented party/*Pro Se* Filer/Litigant shall file and serve as a separate document a "Notice to Self-Represented Litigant Concerning Motion for Summary Judgment." [Parties shall file Local Rule 56\(a\)1 and 56\(a\)2 statements as required by D. Conn. L. Civ. R. 56. Parties are required to abide by the Summary Judgment Principles and Certification in D. Conn. L. Civ. R. 56\(c\), which remind counsel and self-represented parties of the standard for summary judgment and of their obligations with respect to motions for summary judgment, that a party moving for summary judgment bears a heavy burden, and that a party may obtain summary judgment as to a claim or defense only when there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law as to that claim or defense – or the part of that claim or defense – on which summary judgment is sought.](#)

Local Bankr. R. 7064-1 Seizure of Person or Property.

[D. Conn. L. Civ. R. 4\(c\)](#) applies to applications for pre and post judgment remedies.

Local Bankr. R. 7067-1 Registry Fund.

(a) Deposit.

The deposit of any money into the registry of the Court shall be as directed by written order of the Court. Funds so deposited shall be invested by the Clerk of the Court in accordance

with the terms of the order. All payments for deposit shall be made payable to “Clerk, U.S. Bankruptcy Court” and are accepted subject to collection.

(b) Withdrawal.

The withdrawal of funds in the registry shall be in accordance with a written order of the Court. The disbursement of accrued interest shall only be made if the order so provides. Any order for the distribution of less than all funds and accrued interest on deposit with the Court shall be denominated “Order for Partial Distribution from the Registry of the Court,” otherwise the order shall be treated as an Order for Final Distribution. Whenever an Order for Final Distribution from the registry of the Court does not provide for the distribution of all funds or interest on deposit, the Clerk of the Court shall pay such funds into the Treasury of the United States. This rule applies to both adversary proceedings and bankruptcy cases.

(c) Statement of Payee’s Name, Address, and Tax Identification Number.

All orders authorizing disbursement from the registry shall state the payee’s name, address, tax identification number, redacted to include only the last four (4) digits of the number, and the dollar amount to be paid. Prior to receiving any disbursement from the registry, each payee shall deliver to the Clerk of the Court an executed IRS Form W-9, or other applicable documents.

See Local Form Application for Payment of Unclaimed Funds.

PART IX. GENERAL PROVISIONS

Local Bankr. R. 9006-1 Computing and Extending Time.

D. Conn. L. Civ. R. 6 applies to the computation and extension of time under D. Conn. L. Bankr. R. 9006.

Local Bankr. R. 9010-1 Appearances.

~~An attorney entering an appearance in a case under the Bankruptcy Code, or any matter commenced by a complaint or motion, shall first file an appearance with the Court and serve the same upon the Debtor or the debtor in possession, any trustee, any committee and its counsel, the United States Trustee, appearing counsel, and parties requesting notice, and, if an adversary proceeding, any party to such proceeding.~~

(a) When an initial filing is deemed to be a Notice of Appearance.

Any Debtor and its counsel or any plaintiff and its counsel that files a Bankruptcy Petition or files a complaint or motion commencing an Adversary Proceeding shall be deemed as having entered an appearance and shall not be required to file a separate Notice of Appearance.

(b) When a Notice of Appearance is required to be filed.

(1) Attorney appearance. An attorney entering an appearance in a case under the Bankruptcy Code, or in any matter commenced by a complaint or motion, shall first file a Notice of Appearance with the Court and serve the same upon the Debtor or the debtor-in-possession, any trustee, any committee and its counsel, the United States Trustee, appearing counsel, and parties requesting notice, and, if in an adversary proceeding, any party to such proceeding. The appearance should contain all of the information with the attorney's signature as set forth in Appendix A, Section 10(c)(i). See:

(A) Connecticut Local Form: Notice of Appearance (BK), or

(B) Connecticut Local Form: Notice of Appearance (AP).

(2) Non-party witness appearance. For purposes of this Rule, the representation of a non-party witness at deposition or trial does not ordinarily constitute "entering a case," but any counsel who wishes to address the Court on behalf of any party or non-party shall file a Notice of Appearance.

(4)(3) Pro Se Filer/Litigant appearance. Any self-represented party other than the Debtor or Joint-Debtor in a Bankruptcy Case or the plaintiff(s) in an Adversary Proceeding shall also file an appearance using the Court's Local Forms. See:

**(A) Connecticut Local Form: Notice of Pro Se Filer/Litigant Appearance (BK),
or**

(B) Connecticut Local Form: Notice of Pro Se Filer/Litigant Appearance (AP).

Local Bankr. R. 9013-1 Form of Pleading of Certain Contested Matters.

Motions for relief, including Motions for Continuances, shall conform to FRBP 9013. A Request for Continuance of Initial Hearing shall only be filed with a motion or application that is a Contested Matter in accordance with FRBP 9014 and Local Rule 9014-1.

Motions seeking relief under the following sections of the Bankruptcy Code shall comply with the requirements of FRBP 7010:

| | |
|--------------------|--|
| Section 362(d) | Relief from the automatic stay; |
| Section 363(c) | Use of cash collateral; |
| Section 363(f) | Sale free and clear of interests in property; |
| Section 364(d) | Obtain or incur debt secured by a senior or equal lien; |
| Section 365(a)-(f) | Assumption or rejection of executory contracts and unexpired leases; |
| Section 506 | Determination of secured status; and |
| Section 522(f) | Avoidance of fixing of liens. |

See preferred forms of proposed orders.

Local Bankr. R. 9013-2 Motions Filed with Petition in Chapter 11 Cases.

- (a) Any motion or application in which the Debtor requests a hearing (a “First Day Hearing”) or the entry of an order with less than seven (7) days' notice and prior to the earlier of the creditors' committee formation meeting or the Section 341 meeting of creditors shall be governed by this Local Rule. Requests for relief under this Local Rule shall be confined to matters required to avoid irreparable harm to the assets of the estate and to maintain ongoing business operations and such other matters as the Court may deem appropriate.
- (b) Within forty-eight (48) hours of the entry of an order entered under this Local Rule (“First Day Order”), the Debtor shall serve copies of all motions and applications filed with the Court as to which a First Day Order has been entered, as well as all First Day Orders, on all other parties entitled to notice of such applications and motions under applicable rules, and such other entities as the Court may direct.

Local Bankr. R. 9014-1 Contested Matters and the Contested Matter Procedure.

- (a) The Federal Rules of Bankruptcy Procedure govern all Contested Matters filed with the Court. Unless ~~an application or motion,~~ application, or pleading does not follow the Contested Matter Procedure or is an exception to the Contested Matter Procedure as set forth in sections (m) and (n) of this Local Rule, the ~~application or motion,~~ application, or pleading should follow the Contested Matter Procedure.
- (b) Unless otherwise provided by applicable statute or rule, or unless the Court orders otherwise, this Local Bankr. R. 9014-1 shall be referred to as the “Contested Matter Procedure” and shall govern all Contested Matters as defined by Federal Rule of Bankruptcy Procedure 9014.
- (c) A Certificate of Service demonstrating that service has been made upon all parties entitled thereto by applicable Rule or Court order shall be filed with all documents referred to in this Contested Matter Procedure.
- (d) **Commencement of Contested Matter.** All Contested Matters shall contain a PROPOSED ORDER and a NOTICE. A list of the Court’s preferred forms of proposed orders for common motions is set forth here: The NOTICE shall include:
 - (1) A response deadline of fourteen (14) days or twenty-one (21) days, as applicable. See, FRBP 2002(a) and 9014. The response deadline shall be set from the date the NOTICE was filed with the Court (the “Response Date”); and
 - (2) A statement that in the absence of a timely filed response, the proposed order may enter without further notice and hearing.

(e) **Response to Contested Matter.**

Any response to the Contested Matter shall be no more than ten (10) pages, shall state the specific legal and factual bases therefore, be filed no later than the Response Date, and be served upon the party who filed the Contested Matter and all parties originally served with the Contested Matter.

(f) **Notice of Hearing.**

Upon the timely filing of a response, a NOTICE OF HEARING shall be sent by the Clerk's Office to the party who filed the Contested Matter. The party who filed the Contested Matter shall then serve the NOTICE OF HEARING on all parties ~~to whom service of the Contested Matter was initially made~~ entitled to service.

(g) **Reply.**

Any Reply to the response shall be no more than five (5) pages and shall be filed no later than three (3) days before the scheduled hearing on the Contested Matter.

(h) **Initial Hearing.** The first hearing scheduled in a Contested Matter (the "Initial Hearing"), will not be an evidentiary hearing at which witnesses may testify or documents will be admitted into evidence unless:

- (1) The Court gives notice to the parties that such hearing will be an evidentiary hearing;
- (2) The Motion or Application requests emergency relief, ~~and is made at the commencement of the case;~~

(i) **Procedures for Initial ~~non-evidentiary~~ Hearing.** ~~Unless~~ the Court rules on the Motion during the Initial Hearing, the Court will conduct a status/scheduling conference to address the Contested Matter, which, unless otherwise ordered, will include stipulations concerning admissibility of documentary or other evidence, stipulations of fact, the filing and/or service of witness and exhibit lists with proposed exhibits, and the scheduling of an evidentiary hearing.

(j) **Continuances: Request for Continuance of Initial Hearing.**

- (1) At least seven (7) days before the scheduled Initial Hearing, a request by a party in interest for a continuance of the Initial Hearing, must be made by filing a [Request for Continuance of Initial Hearing form](#).
- (2) ~~If the~~ A Request for a Continuance of the Initial Hearing form can only be used in Contested Matters and not for Motions or Applications that do not follow the Court's Contested Matter Procedure as set forth in Appendix M, or for Exceptions to the Contested Matter Procedure as set forth in Appendix N.

~~(2)~~(3) If the Request for Continuance of Initial Hearing is granted, a NOTICE OF FINAL HEARING, which states the date and time thereof, shall be sent by the Clerk's Office to the party who filed the matter. The party who filed the matter shall then serve the NOTICE OF FINAL HEARING on all parties on whom service ~~was originally made~~ is required.

~~(3)~~(4) If the Request for a Continuance of Initial Hearing is not granted, the Contested Matter will be heard as scheduled.

(k) Continuances: Motion for Continuance of Final Hearing.

(1) At least three (3) business days before the date set for the Final Hearing, a Motion for Continuance of the Final Hearing shall be made by motion and served upon all parties on whom service was originally made. The motion shall state in detail the reasons for the requested continuance and state whether any prior continuance has been granted.

(2) If the Motion for a Continuance of the Final Hearings granted, a Notice of Continued Final Hearing, which states the date and time thereof, shall be sent by the Clerk's Office to the party who filed the Contested Matter. The party who filed the Contested Matter shall then serve the Notice of Continued Final Hearing on all parties on whom service was originally made.

(3) Unless the motion for continuance is granted by the Court at least one (1) business day before the Final Hearing, the Contested Matter will be heard as scheduled.

(l) Extension of Time Due to Continuance of Hearing.

Unless an order granting a continuance states otherwise, a continuance of the hearing on the Contested Matter automatically extends the time for filing and serving reply documents in accordance with the procedure governing the filing of a Reply as set forth in paragraph 9014- 1(f).

(m) Motions/~~or~~ Applications/Pleadings that do not follow Contested Matter Procedure and *may* be scheduled for a hearing.

All Motions/~~or~~ Applications/Pleadings that do not follow the Court's Contested Matter Procedure and *may* be scheduled for a hearing are set forth in Appendix M.

(n) Exceptions to the Contested Matter Procedure.

Exceptions to the Contested Matter Procedure and ~~shall~~*will* be set for a hearing are set forth in Appendix N.

Local Bankr. R. 9019-1 Motions to Compromise.

(a) Filing.

- (1) A motion to compromise a dispute under FRBP 9019 shall be filed in the bankruptcy case.
- ~~(2)~~ A motion to compromise an adversary proceeding shall be filed in the main bankruptcy case and in the adversary proceeding. It shall bear the style of the main bankruptcy case and the adversary proceeding.
- ~~(2)(3)~~ Unless otherwise ordered by the Court, a motion to compromise shall identify any proposed releases to be granted by the parties to the settlement agreement and shall have attached to it the applicable settlement documents.

(b) Notice.

- (1) Motions to compromise adversary proceedings are also governed by Local Bankr. R. 7007-1.
- (2) Motions to compromise and motions that contemplate a dismissal of an objection to discharge under 11 U.S.C. § 727 shall identify the cause of action and any consideration paid or agreed to be paid and shall be served on all creditors and parties in interest.
 - (A) The Clerk shall issue a notice of hearing for any such motion that includes the information that creditors and parties in interest may seek to intervene in the adversary proceeding if they choose. The movant’s counsel shall serve the notice, the motion and the proposed order on all creditors in the Debtor’s case, and shall file a Certificate of Service in the adversary proceeding.

Local Bankr. R. 9019-2 Alternative Dispute Resolution.

(a) Referral of a Case or Proceeding to Mediation.

The Court, either *sua sponte* or upon the motion of any party, may order parties to participate in mediation and other forms of non-binding alternative dispute resolution (“ADR”) and may order the parties to allocate expenses in such proportion as the Court finds appropriate. The Court may also stay proceedings and discovery during the pendency of an ADR process.

(b) Other ADR Methods.

Upon motion and agreement of the parties, the Court may submit a case or proceeding to binding arbitration, early neutral evaluation, or mini-trial.

Local Bankr. R. 9027-1 Removal.

(a) Filing.

A removed claim or cause of action related to a bankruptcy case shall be filed in the Bankruptcy Court as an adversary proceeding and assigned directly to a Bankruptcy Judge. The filing shall contain a completed Adversary Proceeding Cover Sheet.

(b) Filing Fee.

The adversary proceeding filing fee is due upon the filing of the notice of removal. A fee is not required if the party removing the case is the Debtor, or child support creditor. If the party removing the case is the trustee or Debtor in possession, a motion to defer filing fee may be filed along with a proposed order.

(c) Attachments.

A notice of removal shall include a copy of the docket sheet, and shall be accompanied by a copy of all pleadings from the Court from which the claim or cause of action is removed. The plaintiff(s) and defendant(s) shall be identical to the plaintiff(s) and defendant(s) in the Court from which the claim or cause of action is removed.

(d) Compliance with FRBP 7008 and FRBP 7012(b).

If a complaint or an answer in an adversary proceeding fails to comply with FRBP 7008 and FRBP 7012(b), the filing party shall file an amended complaint and/or amended answer addressing entry of final orders within five (5) days after the filing of the notice of removal.

Local Bankr. R. 9036-1 Notice by Electronic Transmission.

Subject to applicable rule or statute, parties are authorized to serve notices through the Court's CM/ECF system. However, neither service of process for a summons and complaint in an adversary proceeding as required by FRBP 7004 or service of a subpoena as required by FRBP 9016 may be made by electronic transmission.

Local Bankr. R. 9070-1 Exhibits.

Unless the Court orders otherwise, all parties are required to comply with the procedure for filing proposed exhibits using the CM/ECF system in accordance with Appendix A.

Local Bankr. R. 9077-1 Sealed Documents.

[D. Conn. L. Civ. R. 5\(e\)](#) applies to proceedings before the Bankruptcy Court-, [including D. Conn. L. Civ. R. 5\(e\)\(4\)](#). [See Appendix A](#).

Local Bankr. R. 9083-1 Attorneys - Admission to Practice.

[D. Conn. L. Civ. R. 83.1](#) applies to motions for admission of attorneys *pro hac vice*.

Local Bankr. R. 9083-2 Attorneys - Discipline and Disbarment.

[D. Conn. L. Civ. R. 83.2](#) applies to suspension or disbarment of counsel by the Court.

Local Bankr. R. 9083-3 Attorneys - Requirement of Local Counsel.

[D. Conn. L. Civ. R. 83.1\(c\)](#) applies to motions for admission of attorneys *pro hac vice*, and the requirement to maintain a local office.

Local Bankr. R. 9083-4 Attorneys - Withdrawals.

[D. Conn. L. Civ. R. 7\(e\)](#) applies to motions for withdrawal of an appearance.

Local Bankr. R. 9083-5 Change of Contact Information or Name.

(a) Attorneys.

When an attorney who is a registered user of CM/ECF changes the attorney's business address, e-mail address, telephone number, facsimile number, or name, the attorney must modify this information in CM/ECF, following the procedures set forth in the [Administrative Procedures for Electronic Case Filing Manual \(Appendix A\)](#), within three (3) business days of any change.

(b) Non-Attorneys.

Any individual or entity filing a proof of claim, or participating in a bankruptcy case *pro se* must file notice of any modification to its mailing address within seven (7) days of any change. [See Local Form: Change of Mailing Address for Debtor, Creditor or Other Party in Interest](#).

Local Bankr. R. 9083-6 Establishment of Pro Bono Panel and Referral of Pro Bono Counsel.

(a) Establishment of Pro Bono Panel.

[In accordance with the provisions of this Local Rule and the procedures set forth in Appendix P to these Local Rules, a pro bono panel \("Panel" or "Pro Bono Panel"\) is established to represent qualified individuals in chapter 7 bankruptcy cases, contested](#)

matters, and adversary proceedings when such individuals have demonstrated a lack of adequate resources to retain counsel by any other means and such conditional referral is warranted under the circumstances.

(a)(b) Relationship Between Service Under this Local Rule and D. Conn. L. Civ. R. 83.10.

Service by an attorney under Local Rule 9083-6(a) shall be deemed to be the service required by the attorney under D. Conn. L. Civ. R. 83.10.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE

APPENDIX A

Administrative Procedures for Electronic Case Filing

1. SCOPE OF ELECTRONIC FILING

a. Short Title.

The Administrative Procedures for Electronic Case Filing may be abbreviated and referred to as the "Administrative Procedures" or if addressed individually, as "CM/ECF Procedure # " and are available in their current version on the Court's website: www.ctb.uscourts.gov.

b. Definitions.

- i. Case Management/Electronic Case Files ("CM/ECF") is the Court's electronic case management system that allows case documents, such as pleadings, motions, and petitions, to be electronically filed with the Court online.
- ii. CM/ECF Filer refers to any entity with an approved CM/ECF login and password and does not include a *Pro se* Filer/Litigant.
- iii. CM/ECF User refers to a person or entity with an approved CM/ECF login and password, registered for limited use of the ECF system in compliance with CM/ECF Procedure number 2(b) below.
- iv. Conventional Filing refers to documents filed in paper format.
- v. Notice of Electronic Filing ("NEF") - At the conclusion of a electronic filing transaction, CM/ECF generates a NEF. The NEF provides a record of service of an electronically filed document by parties, or of service of electronically filed notices, judgments and orders of the Court, upon attorneys in the case and the Court. The NEF displays the recipient's names, primary e-mail addresses, and secondary e-mail addresses (if any).
- vi. Pro se Filer/Litigant refers to a natural person who is a case participant and is not represented by an attorney.

c. Electronic Case Filing through CM/ECF.

The Court will only accept documents filed in electronic format in compliance with these Administrative Procedures, unless otherwise authorized by order of the Court, and as excepted in paragraph (d) below. Failure to file electronically, except as authorized in subsections (d) and (e) below, will result in the issuance of a deficiency notice and the document not being processed. Failure to comply with the deficiency notice may result with the dismissal or striking of the non-compliant document. Persistent non-compliance with these procedures may result in referral for disciplinary action.

d. Conventional Filing Authorized.

The following documents may be filed conventionally:

- i. documents filed by *Pro se* Filer/Litigant;

- ii. proofs of claim;
- iii. other limited documents or filings, as ordered by the Court.

e. Exemption from Electronic Filing.

Exemption from electronic filing is available only upon motion granted for cause shown in exceptional circumstances, and attorneys seeking an exemption must follow the instructions in Section 15 of these Administrative Procedures.

2. REGISTRATION AND TRAINING

a. Required Registration Procedure for CM/ECF Filers.

i. Eligibility for Registration as a CM/ECF Filer.

The following persons or entities are eligible to register as CM/ECF Filers in the Court's CM/ECF system: (a) attorneys admitted to practice in the United States Bankruptcy Court for the District of Connecticut, including those admitted *pro hac vice*; (b) case trustees; (c) United States Trustees and Assistant United States Trustees; (d) United States Attorneys and Assistant United States Attorneys; and (e) other parties the Court determines appropriate. In order to register as a CM/ECF Filer, a party must complete a Filer Registration form ([ECF Form 1](#)) or *Pro Hac Vice* Registration form ([ECF Form 1a](#)). Registration will be made in a form prescribed by the Clerk of Court and requires the Filing CM/ECF User's name, bar number, address, telephone number, e-mail address and, in the case of an attorney, a declaration that the attorney is admitted to practice in this Court or is seeking admission to practice before this Court. Members of a CM/ECF Filer's staff are encouraged to participate in the on-line CM/ECF training tutorial.

ii. Training for CM/ECF Filers.

CM/ECF Filers will be required to successfully complete the Court's On-line Test for CM/ECF Filers in order to be assigned a CM/ECF Filer login and password, unless the CM/ECF Filer specifies that he/she has a current login and password from another CM/ECF court. CM/ECF Filers may train through the Court's on-line CM/ECF Training System. On-line training may be accessed at any time. If the on-line test is not satisfactorily completed, the Clerk of Court may require the CM/ECF Filer to participate in further training.

CM/ECF Filers with a current and valid CM/ECF registration and login issued by another United States Circuit Court of Appeals, United States District Court, or United States Bankruptcy Court will be issued a United States Bankruptcy Court for the District of Connecticut CM/ECF Filer login and password upon completion of the first two pages of the registration form.

iii. Submission of Registration Forms.

The signed Filer Registration Form or *Pro Hac Vice* Registration Form and on-line test, if applicable, may be submitted either via e-mail at CTB_ECF_HELP@ctb.uscourts.gov or by regular mail to:

United States Bankruptcy Court
450 Main Street, 7th Floor
Hartford, CT 06103
ATTN: CM/ECF Registration Desk

Attorneys who are acting as trustees must separately register as a trustee and will receive a different login and password for use as a trustee.

iv. Changes to a CM/ECF Filer's E-mail address and Other Contact Information.

CM/ECF Filers shall immediately notify the Court of any changes in the CM/ECF Filer's e-mail address or their contact information by sending an e-mail to CTB_ECF_HELP@ctb.uscourts.gov. Failure to provide immediate notice of a change of a CM/ECF Filer's e-mail address may result in a finding that service upon the e-mail address of record is sufficient.

b. Required Registration Procedure for CM/ECF Users.

i. Eligibility to Register as CM/ECF User.

Except as provided in CM/ECF Procedure 1(d) ("Conventional Filing Authorized"), the following persons or entities are eligible to register as CM/ECF Users in the Court's CM/ECF system:

Any entity, including entities who file proofs of claim and/or requests for notice, but is not appearing as a party in interest in a case.

In order to register as a CM/ECF User, an entity must complete a Limited CM/ECF User Registration Form ([ECF Form 2](#)). CM/ECF Users shall consult the Court's CM/ECF on-line training found at www.ctb.uscourts.gov for instructional material on how to file proofs of claim, requests for notice, and other events available to CM/ECF Users.

ii. Training for CM/ECF Users.

CM/ECF Users will be required to successfully complete the Court's On-line Test for CM/ECF Users in order to be assigned a CM/ECF User login and password, unless the CM/ECF Users specifies that they have a current login and password from another CM/ECF court. CM/ECF Users may train through the Court's on-line CM/ECF Training System. On-line training may be accessed at any time. If the on-line test is not satisfactorily completed, the Clerk of Court may require the CM/ECF User to participate in further training.

CM/ECF Users with a current and valid CM/ECF registration and login issued by another United States Circuit Court of Appeals, United States District Court, or United States Bankruptcy Court will be issued a United States Bankruptcy Court for the District of Connecticut CM/ECF User login and password upon completion of the first two pages of the registration form.

The signed User registration form ([ECF Form 2](#)) and a completed on-line test, if applicable, should be either e-mailed to CTB_ECF_HELP@ctb.uscourts.gov or sent via first-class mail to:

United States Bankruptcy Court
450 Main Street, 7th Floor
Hartford, CT 06103
ATTN: CM/ECF Registration Desk

iii. Changes to a CM/ECF User's E-mail address and Other Contact Information.

CM/ECF Users shall immediately notify the Court of any changes in the CM/ECF User's e-mail address by sending an e-mail to CTB_ECF_HELP@ctb.uscourts.gov.

c. Suspension or Revocation of Use.

The Court may, for cause, enter an order suspending or revoking a CM/ECF Filer's or CM/ECF User's access to the Court's CM/ECF system. Further, the Clerk of Court, upon information

received, which indicates potential risk or harm to the Court's CM/ECF system may, without prior notice, temporarily suspend participation in the Court's CM/ECF system by any CM/ECF Filer or CM/ECF User, and shall provide prompt notification of such action to the CM/ECF Filer or CM/ECF User. In the event of suspension or revocation, the CM/ECF Filer or CM/ECF User will be required to correct any condition that led to the suspension or revocation, and may be required to complete training in order to restore their access to the Court's CM/ECF system.

3. LOGINS, PASSWORDS, AND SECURITY

a. Login and Password.

Once the Filer Registration Form, the *Pro Hac Vice* Registration Form, or the Limited User Registration Form and on-line test are reviewed for accuracy, the Court will send an e-mail message notifying the CM/ECF Filer or CM/ECF User of the assigned login and password. The e-mail message ensures that the CM/ECF Filer or CM/ECF User has a properly functioning e-mail address which will be used by the Court's CM/ECF system.

b. Login and Password Security.

Every CM/ECF Filer or CM/ECF User is required to protect the security of the assigned login and password. If there is any reason to believe the security of the assigned login and password may have been compromised, the CM/ECF Filer or CM/ECF User must immediately notify the Court's Information Technology Department by e-mail to [CTB ECF HELP@ctb.uscourts.gov](mailto:CTB_ECF_HELP@ctb.uscourts.gov). A CM/ECF Filer or CM/ECF User may be subject to court sanctions or other consequences for failure to take required action in connection with the security of the assigned password. Members of a CM/ECF Filer's or CM/ECF User's staff are encouraged to participate in on-line CM/ECF training, but will not receive a separate login and password. CM/ECF Filers or CM/ECF Users are responsible for the entries made by any person using that CM/ECF Filer's or CM/ECF User's password and login.

CM/ECF Filer and CM/ECF User accounts shall not be shared with other CM/ECF Filers and CM/ECF Users. A filer of document must use his/her own CM/ECF account to electronically file his/her filing.

See Section 10(b) below regarding the applicability of Fed. R. Bankr. P. 9011 to documents filed electronically by an attorney.

4. ELECTRONIC NOTICE AND SERVICE

a. Request, waiver, and consent.

Registration as a CM/ECF Filer constitutes waiver of the right to personal service or first-class mail service, except for service of a Summons and Complaint in accordance with Fed. R. Civ. P. 4 and Fed. R. Bankr. P. 7004 and service of Subpoena in accordance with Fed. R. Civ. P. 45 and Fed. R. Bank. P. 9016. Nothing in these Administrative Procedures for Electronic Filing relieves any party of any applicable requirement of personal service in Fed. R. Civ. P. 4, Fed. R. Bankr. P. 7004, Fed. R. Bankr. P. 9014, and Fed. R. Bankr. P. 9036.

Registration as a CM/ECF Filer also constitutes a written request for, and consent to, electronic service via receipt of a NEF from the Court's CM/ECF system of all documents filed on the docket of a bankruptcy case or adversary proceeding, including, but not limited to, Notices, Motions, Judgments, and Orders.

In accordance with the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, Local Rules of Civil Procedure of the United States District Court for the District of Connecticut, and the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the District of Connecticut, the NEF that is automatically generated by the Court's CM/ECF

system constitutes service on CM/ECF Filers of the document filed on the docket of a bankruptcy case or adversary proceeding.

Parties who are not CM/ECF Filers must be provided service of any pleading or other document electronically filed in accordance with the Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure, the Local Rules of Civil Procedure of the United States District Court for the District of Connecticut, and the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the District of Connecticut.

b. Request, waiver, and consent to electronic service of all documents filed in a bankruptcy case or adversary proceeding by a *Pro Se* Filer/Litigant.

Requests made by a *Pro Se* Filer/Litigant to receive service of all documents filed in a bankruptcy case or adversary proceeding via the Court's CM/ECF system through e-mail address provided by a *Pro Se* Filer/Litigant constitutes waiver of the right to receive service of all documents by first-class mail except as provided in the **Note** below.

Requests also constitute a written request for, and consent to, electronic service of all documents filed on the docket of a bankruptcy case or adversary proceeding, including, but not limited to, Notices, Motions, Judgments, and Orders via receipt of a NEF from the Court's CM/ECF system.

Except as provided in the **Note** below, the NEF that is automatically generated by the Court's CM/ECF system constitutes service of the document filed on the docket of the bankruptcy case or adversary proceeding on the *Pro Se* Filer/Litigant in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, the Local Rules of Civil Procedure of the United States District Court for the District of Connecticut, and the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the District of Connecticut.

NOTE: Nothing in these Administrative Procedures relieves any party of the burden of personal service required by Fed. R. Civ. P. 4, Fed. R. Bankr. P. 7004, and Fed. R. Bankr. P. 9014. Service of a Summons and Complaint must be made in accordance with Federal Rule of Bankruptcy Procedure 7004 and service of a Subpoena must be made in accordance with Federal Rule of Civil Procedure 45, made applicable to all cases under the Bankruptcy Code by Federal Rule of Bankruptcy Procedure 9016. Such service is not waived because a *Pro Se* Filer/Litigant receives electronic service via e-mail of any other documents filed in a bankruptcy case or adversary proceeding.

c. Certificates of Service.

Except as provided in D. Conn. L. Civ. R. 5(c), D. Conn. Bankr. L. R. 1001-1(b), and D. Conn. Bankr. L. R. 7005-1, the Federal Rules of Civil Procedure and the Federal Rules of Bankruptcy Procedure continue to govern the filing and content of a certificate of service. A certificate of service must be included with all documents filed electronically. The party serving a document filed electronically must specify how service was made on each party, which may include electronic service through a NEF generated by the Court's CM/ECF system served on CM/ECF Filers, CM/ECF Users, appearing parties, and *Pro Se* Filer/Litigants who have consented to and been approved to receive electronic service in accordance with Section 4(b) of these Administrative Procedures For Electronic Filing.

d. Federal Rule of Bankruptcy Procedure 9006(f) - Additional Time After Service by Mail or Under Fed. R. Civ. P. 5(b)(2)(D) or (F).

When there is a right or requirement to do some act or undertake some proceeding within a prescribed period after service, the additional three days provided by Fed. R. Bankr. P. 9006(f) shall apply.

5. CONSEQUENCES OF ELECTRONIC FILING

a. Filing and Entry on the Docket.

In accordance with these Administrative Procedures for Electronic Filing, once a document is filed electronically on the Court's CM/ECF system, the document shall be considered filed for all purposes as required by the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, and the Local Rules of Bankruptcy Procedure of this Court and entered on the docket of the bankruptcy case or adversary proceeding in accordance with Fed. R. Bankr. P. 5003.

b. Official Record.

When a document is filed through the Court's CM/ECF system, the official record is the electronically submitted document as it appears on the docket of the bankruptcy case or adversary proceeding, and the filing party is bound by the document as filed. A document filed through the Court's CM/ECF system is deemed filed on the date and at the time stated on the NEF.

Documents filed pursuant to these procedures as a conventional paper filing will be time stamped and converted to electronic format and stored in the Court's CM/ECF system and the electronic version will become the official record.

c. Deadline for Filing a Document--Filing Date and Time.

Filing a document electronically does not alter any filing deadline for that document. To be considered timely filed on a specific day, a filing must be completed before midnight of prevailing local time for the United States Bankruptcy Court for the District of Connecticut, unless otherwise ordered.

d. Appropriate Use of CM/ECF Events for Electronically Filing Documents.

A CM/ECF Filer or CM/ECF User shall use the appropriate CM/ECF event to electronically file documents by selecting among the categories/events provided through the Court's CM/ECF system.

e. Corrections to Docket Entries.

In the event a docket entry in a bankruptcy case or adversary proceeding must be corrected, the Clerk's Office will correct the docket entry and CM/ECF Filers entered in that case will receive notification of the corrected docket entry via a NEF.

f. Payments of Required Fees.

i. Fees to be paid when electronically filing a document.

All fees required to be paid in accordance with 28 USC § 1930, Bankruptcy Fees, with the exception of those listed in section below, must be paid simultaneously with the electronically filed document using www.Pay.gov.

ii. Fees to be paid by mail or at the Clerk's Office.

The following fees must be paid by mail, or in person at the Clerk's Office:

1. Sanctions
2. Treasury (small dividends)
3. Treasury (registry funds)
4. Any replacement check for a filing fee

5. Inter-district Index fee
6. All fees required to be paid simultaneously with a conventionally filed document, such as the required filing fee for a conventionally filed petition to commence a bankruptcy case.

6. **JUDGMENTS AND ORDERS**

a. **Entry of Judgments and Orders.**

The Clerk of Court shall enter all judgments and orders in the Court's CM/ECF system, which shall constitute entry on the docket of the bankruptcy case or adversary proceeding in accordance with Fed. R. Bankr. P. 5003 and 9021. The electronic signature of the Court on a judgment or order entered on the docket of a bankruptcy case or adversary proceeding shall have the same force and effect as if it was manually signed and docketed.

b. **Filing Proposed Orders.**

Unless otherwise ordered by the Court, a proposed order shall be filed with all motions or applications which shall be docketed as one event and one document. The submission requirements may change from time to time, and CM/ECF Filers should consult these procedures and the Court's website for any amendments: www.ctb.uscourts.gov.

c. **Notice of Judgments or Orders to CM/ECF Filers and to CM/ECF Users as the Court Shall Direct.**

Immediately upon the entry of a judgment or order in a bankruptcy case or adversary proceeding, the Clerk's Office shall electronically transmit a NEF to all CM/ECF Filers, CM/ECF Users, appearing parties, and *Pro Se* Filer/Litigants who have consented to and been approved to receive electronic service in accordance with Section 4(b) of these Administrative Procedures for Electronic Filing. Electronic transmission of the NEF of a judgment or order constitutes the notice required by Fed. R. Bankr. P. 9022 and service shall be deemed complete upon transmission.

d. **Notice of Judgments or Orders to Others.**

Immediately upon the entry of a judgment or order in a bankruptcy case or adversary proceeding, the Clerk's Office or such others as the Court shall direct, shall give notice to parties in interest required to be served with such judgment or order who are not CM/ECF Filers, CM/ECF Users, appearing parties, and *Pro Se* Filer/Litigants who have consented to and been approved to receive electronic service in accordance with Section 4(b) of these Administrative Procedures for Electronic Filing.

7. **FILING FORMAT REQUIREMENTS**

- a. **Definitions.** "Electronically Generated Text" is electronic text generated by converting or printing to Portable Document Format (PDF) from the original word processing file, so that the text of the document may be electronically searched and copied. "Scanned Material" is an electronic image of text or other material in PDF format produced by a scanning or imaging process.
- b. **PDF Requirements.** All primary documents transmitted via the CM/ECF system shall be in Electronically Generated text, so that the text of the document may be searched and copied, except as provided in subsection (c) below. Primary documents include, but are not limited to: motions, complaints, memoranda of law, objections, responses, and legal briefs.
- c. **Supporting Documents or Exhibits.** All supporting documents and exhibits not available as Electronically Generated Text (i.e., those that must be scanned) shall be uploaded to the CM/ECF system as scanned material in PDF format. Unless otherwise ordered, all exhibits for evidentiary hearings shall be electronically filed on the docket of the bankruptcy case or adversary proceeding in PDF format in accordance with D. Conn. Bankr. L. R. 9070-1.

When filing multiple supporting documents and exhibits, do not file them in one omnibus file.

When filing supporting document(s) to an entry on the docket of a bankruptcy case or adversary proceeding, all supporting documents shall be filed individually, as “attachments” to the “main document”.

When filing exhibit(s) on the docket of a bankruptcy case or adversary proceeding, an exhibit list index shall be the “main document” and all exhibit(s) shall be filed individually as “attachments” to the “main document”.

Any exhibit or evidence that cannot be scanned or placed in PDF format (i.e., tangible object like hardware or sample product), shall be photographed or imaged. The photograph or image shall be converted to PDF and electronically filed on the docket of the case. The original object shall be made available to the Court or filed with the Clerk’s Office, as appropriate or as ordered by the Court.

- d. **Size Limitations Per Transmission.** Each transmission to the CM/ECF system shall not exceed twenty (20) megabytes total file size. Files which exceed twenty (20) megabytes shall be broken into smaller files and transmitted to the CM/ECF system as attachments to the main document.

8. FILING OF DOCUMENTS UNDER SEAL

CM/ECF Filers and CM/ECF Users shall comply with D. Conn. L. Civ. R. 5(e) and D. Conn. L. Bankr. R. 9077-1 in proceedings before this Court.

9. RETENTION REQUIREMENTS

- a. **Retention of Original Signatures.** Petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents that must contain original signatures or that require verification under Fed. R. Bankr. P. 1008 or an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically by CM/ECF Filers and CM/ECF Users. The documents containing the original signature must be retained by the CM/ECF Filer or CM/ECF User who files such a pleading, document, or other matter for five (5) years after the closing of the case or proceeding. This retention does not affect or replace any other retention period required by other applicable laws or rules. Paper documents containing original signatures or verification received by the Court from a *Pro se* Filer/Litigant, or as otherwise ordered by the Court, will be retained and/or disposed of by the Court pursuant to procedures as established by the Director of the Administrative Office of the United States Courts.
- b. **Production of Original Documents.** CM/ECF Filers, CM/ECF Users, appearing parties, and *Pro Se* Filer/Litigants who have consented to and been approved to receive electronic service in accordance with Section 4(b) of these Administrative Procedures For Electronic Filing must provide original documents for review at the direction of the Court or upon an order of the Court granting a motion by a party in interest.
- c. **Sanctions.** Failure to maintain original documents for the period specified in this Section shall subject the CM/ECF Filer or CM/ECF User to sanctions.

10. SIGNATURES

- a. **Electronic Filing Constitutes Signature.** Except as provided in Section 9 and subject to subsection (c) below, the transmission by a CM/ECF Filer or CM/ECF User through the Court’s CM/ECF system of any document constitutes any required signature of that CM/ECF Filer or CM/ECF User on such document. The CM/ECF Filer or CM/ECF User need not manually sign a transmitted document, but must sign in the form set forth in subsection (c) below. The transmission is the equivalent of a signed paper for all purposes, including, without limitation, the

Federal Rules of Bankruptcy Procedure, including Fed. R. Bankr. P. 9011, the Bankruptcy Code, and the Local Bankruptcy Rules of this Court.

b. Electronic Filing Constitutes Certification. The transmission by a CM/ECF Filer or CM/ECF User of any document constitutes certification by the CM/ECF Filer or CM/ECF User that all persons indicated on such document have signed the document and have executed an original prior to electronic filing with the Court.

c. Form of Electronic Signatures.

i. Required Information for CM/ECF Filers and CM/ECF Users. A document transmitted via the Court's CM/ECF system shall include a signature block setting forth: (a) the name of the CM/ECF Filer or CM/ECF User; (b) a complete mailing address; (c) telephone number; (d) e-mail address; (e) the CM/ECF Filer's Connecticut's Federal Court bar registration number and firm affiliation, if applicable; and (f) a signature line on which is typed "/s/ Name" where the CM/ECF Filer's or CM/ECF User's signature would otherwise appear in a signed document.

An example of a signature block in compliance with this subsection is:

/S/ Roger Sherman
Roger Sherman
Founding Fathers Law, LLC
123 Main Street
Anywhere, ZZ 12345
(000) 000-0000
e-mail@emailaddress.com
Federal Bar No.: ct00000 (Connecticut)

ii. Required Information for Other Entities. A document transmitted via the Court's CM/ECF system requiring or containing signatures of entities who are not CM/ECF Filers or CM/ECF Users, such as appearing parties or *Pro Se* Filer/Litigants who have consented to and been approved to receive electronic service in accordance with Section 4(b) of these Administrative Procedures For Electronic Filing, shall either (a) show an image of such signature as it appears in the original signed document, or (b) bear the name of the signatory preceded by "/s/ Name" typed in the space where the signature would otherwise appear in a signed document, accompanied by the signature block information recited in Subsection (c)(i) above. When an original signature is required, or has been executed, it must be maintained in accordance with Section 9(a) above.

iii. Multiple Attorney/Party Signatures. A document requiring or containing signatures of more than one entity or counsel shall contain the signature information recited in Subsections (c)(i) and/or (c)(ii) above.

11. TECHNICAL FAILURE

A CM/ECF Filer or CM/ECF User whose electronic filing of a document is untimely as a result of technical failure may through motion seek appropriate redress from the Court. CM/ECF Filers and CM/ECF Users are responsible for consulting the Court's website to determine any scheduled system unavailability due to maintenance. Technical difficulties should be reported to the Court's CM/ECF Help desk immediately at CTB_ECF_HELP@ctb.uscourts.gov. Conventional filings may be authorized by the Clerk's Office in the event of recurrent or persistent CM/ECF system failure or other technical failure, if time is of the essence.

12. PUBLIC ACCESS

- a. **Public Access at the Court.** The public may view all documents in the Court's CM/ECF System at no charge at any divisional office of the Court during the Clerk's Office's regular business hours of 9:00 a.m. to 4:00 p.m., Monday through Friday. The Clerk's Office divisional offices are located in Hartford, New Haven, and Bridgeport.
- b. **Internet Access.** Internet access to the Court's CM/ECF system is limited to Public Access to Court Electronic Records ("PACER") system subscribers. CM/ECF Filers and CM/ECF Users may take advantage of the "one free look" provided with the NEF to download documents referenced in each Notice of Electronic Filing. In accordance with the Bankruptcy Fees established by to 28 U.S.C. § 1930, CM/ECF User fees are charged for accessing certain detailed case information. Information regarding subscribing to PACER is available on the Court's web site at www.ctb.uscourts.gov and at the Clerk's Offices. The one free look is available for fifteen (15) days from the date the document was entered on the docket.
- c. **Copies and Certified Copies.** Copies and certified copies of electronically filed documents may be purchased at the Clerk's Office. The fee for copying and certification will be in accordance with 28 U.S.C. § 1930 and Judicial Conference Policy. Current fees are posted on the Court's website at : www.ctb.uscourts.gov.

13. PRIVACY

CM/ECF Filers, CM/ECF Users, appearing parties, and *Pro Se* Filer/Litigants who have consented to and been approved to receive electronic service in accordance with Section 4(b) of these Administrative Procedures for Electronic Filing shall comply with Fed. R. Bankr. P. 9037 and D. Conn. L. Bankr. R. 1007-1 (b) in proceedings before the Court.

NOTE: In compliance with the E-Government Act of 2002, a party wishing to file a document containing personal data identifiers may file an un-redacted document under seal, in accordance with D. Conn. L. Civ. R. 5(e) and D. Conn. Bankr. L. R. 9077-1. The sealed document shall be retained by the Court as part of the record. The Court may, however, still require the party to file a redacted copy for the public file. The responsibility for redacting personal identifiers rests solely with counsel and the parties. The Clerk will not review documents for compliance with this procedure.

14. REGISTRATION FORMS

When completing any of the following forms and accompanying test, please return them via e-mail at CTB_ECF_HELP@ctb.uscourts.gov. We will contact you regarding your registration and password after review of the submitted information.

- [ECF Form No 1](#) Filer Registration Form
- [ECF Form No 1a](#) *Pro Hac Vice* Registration Form
- [ECF Form No 2](#) User Registration Form

15. MOTION FOR EXEMPTION FROM ELECTRONIC FILING OVERVIEW AND PROCEDURES

OVERVIEW

All documents filed in a bankruptcy case or adversary proceeding must be filed electronically, unless otherwise ordered by the Court upon motion granted for cause shown. The Court will not refuse any document for filing, but attorneys who file documents conventionally without obtaining an exemption order risk dismissal or striking of the document and may be subject to sanctions.

No blanket exemptions will be granted to attorneys. Exemption from Electronic Filing must be sought on a case by case basis. A Motion for Exemption should be submitted to the Court. The motion should be submitted in paper with the first paper document submitted for filing. Documents submitted without a motion will not be refused for filing but may result in the striking or dismissal of the document.

- a. ***Pro Se* Filer/Litigant.**

Parties who are not attorneys are not subject to mandatory electronic filing in a bankruptcy case or adversary proceeding.

b. Not-yet-trained exemption.

An attorney must take the necessary online courses to become familiar on how to file documents electronically through the Court's CM/ECF system and certify that he/she has done so the motion for exemption.

c. Trained-but-no-login exemption.

An attorney who has completed CM/ECF training but who has not yet obtained a login and password may be granted an exemption for 15 days to complete their preparation for CM/ECF filing.

d. Other-circumstances exemption.

In addition to the exemptions listed above, the Court may grant exemptions from mandatory electronic filing if exceptional circumstances justify such relief. The exceptional circumstances in support of the motion for exemption from electronic filing should be described in detail in the motion. Exemptions for exceptional circumstances will be made on a case by case basis, and orders granting the exemption will apply only in the particular bankruptcy case or adversary proceeding in which the order was entered.

e. Out-of-district attorneys.

The Court's mandatory electronic filing requirements and the exemptions thereto apply to all attorneys, whether or not located in the district, and whether or not admitted to practice in the District.

f. Sanctions.

Any attorney who files documents in paper form, who fails to submit a motion for exemption, or who continues to file documents in paper form after a motion for exemption has been denied or after an exemption has expired, may risk the striking of the document without notice or a hearing, or dismissal of the case, and ultimately be subject to disciplinary action.

Revisions:

August 1, 2020 – See Clerk's Announcement 2020-05

December 7, 2020 – See Clerk's Announcement 2020-08

January 20, 2021 – See Clerk's Announcement 2021-01

**United States Bankruptcy Court
District of Connecticut**

**Local Rules of Bankruptcy Procedure
Appendix B**

Connecticut Local Form Relief from Stay Worksheet-
Real Estate

RELIEF FROM STAY WORKSHEET-REAL ESTATE

Movant believes it is not necessary to complete the information in the worksheet because:

I _____

(Name and Title)

(Name of Organization/Corporation/ Moving Party) (hereinafter, "Movant") hereby declare (or certify, verify, or state) as follows:

BACKGROUND INFORMATION

- 1. Real property address which is the subject of this motion:

- 2. _____
- 3. Date of Mortgage: _____
- 4. Post-Petition payment address: _____
- 5. The manner in which the movant perfected its interest in the property:

- 6. All other material liens and encumbrances on the property:

DEBT/VALUE REPRESENTATIONS

- 7. Total pre-petition and post-petition indebtedness of Debtor(s) to Movant at the time of filing the motion: \$ _____
- 8. Movant's estimated market value of the real property: \$ _____
- 9. Source of estimated valuation: _____

STATUS OF DEBT AS OF THE PETITION DATE

- 10. Total pre-petition indebtedness of Debtor(s) to Movant as of petition filing date:
 - A. Amount of principal: \$ _____
 - B. Amount of interest: \$ _____
 - C. Amount of escrow (taxes and insurance): \$ _____
 - D. Amount of forced placed insurance expended by Movant: \$ _____
 - E. Amount of Attorney's fees billed to Debtor(s) pre-petition: \$ _____
 - F. Amount of pre-petition late fees, if any, billed to Debtor(s): \$ _____

11. Contractual interest rate as of the date of the petition: _____
(If interest rate is (or was) adjustable, please list the rate(s) and dates(s) the rate(s) was/were in effect on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here:)

12. Only with regard to a post-petition default, explain any additional pre-petition fees, charges or amounts charged to Debtor's/Debtor's account and not listed above:

(If additional space is needed, please list the amounts on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here:)

AMOUNT OF ALLEGED POST -PETITION DEFAULT (AS OF)

13. Date last payment was received: _____ (mm/dd/yyyy)

14. Alleged total number of payments post-petition from filing of petition through payment due on (mm/dd/yyyy): _____

15. List all post-petition payments alleged to be in default:

SCHEDULE OF PAYMENTS THAT WERE DUE:

| Date Payment Due | Payment Amount Due Post Petition |
|------------------|----------------------------------|
| | \$ |
| Totals: | \$ 0.00 |

SCHEDULE OF PAYMENTS RECEIVED:

| Date | Amount Received | Amount Applied to Principal and Interest | Amount Applied to Escrow | Late Fee Charged (if any) | Amount Applied to Legal Fees or Costs (specify) |
|---------|-----------------|--|--------------------------|---------------------------|---|
| | \$ | \$ | \$ | \$ | \$ |
| Totals: | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |

16. Amount of Movant's Attorney's fees billed to Debtor for the preparation, filing and prosecution of this motion: \$ _____

17. Amount of Movant's filing fee for this motion: \$ _____

18. Only to the extent the movant is seeking payment in the motion, the amount of other Attorney's fees billed to Debtor post-petition:

\$ _____

19. Only to the extent the movant is seeking payment in the motion, the amount of Movant's post-petition inspection fees:

\$ _____

Only to the extent the movant is seeking payment in the motion, the amount of Movant's post-petition appraisal/broker's price opinion:

\$ _____

20. Only to the extent the movant is seeking payment in the motion, the amount of forced placed insurance or insurance provided by the Movant post-petition:
\$ _____
21. Only to the extent the movant is seeking payment in the motion, the amount of the sum held in suspense by Movant in connection with this contract, if applicable:
\$ _____
22. Only to the extent the movant is seeking payment in the motion, the amount of other post-petition advances or charges: i.e., taxes, insurance incurred by Debtor, etc.:
\$ _____
23. Amount and date of post-petition payments offered by the Debtor and refused by the Movant:

| | |
|----------|-------------|
| \$ _____ | Date: _____ |
|----------|-------------|

REQUIRED ATTACHMENTS TO MOTION

The following exhibits are attached to the motion in support of the relief requested.

1. Copies of documents that indicate Movant's interest in the subject property. For purposes of example only, a complete and legible copy of the promissory note or other debt instrument together with a complete and legible copy of the mortgage and any assignments in the chain from the original mortgagee to the current moving party.
2. Copies of documents establishing proof of standing to bring this Motion.
3. Copies of documents establishing that Movant's interest in the real property was perfected. For the purposes of example only, a complete and legible copy of mortgage containing the applicable recording information.

CERTIFICATION AND DECLARATION FOR BUSINESS RECORDS

I certify that the information provided in this worksheet and/or exhibits attached to this worksheet is derived from records that were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters, were kept in the course of the regularly conducted activity; and were made by the regularly conducted activity as a regular practice.

I further certify that copies of any transactional documents attached to this worksheet as required by paragraphs 1, 2, and 3, immediately above, are true and accurate copies of the original documents, I further certify that the original documents are in movant's possession, except as follows:

I/we declare (or certify, swear, affirm, verify or state) that the foregoing is true and correct.

Executed on _____ [date]

[signature]

[title]

[lender]

Subscribed and sworn to before me this _____

Notary Public: [name]

My commision expires: _____

APPENDIX C
Fillable form

FEE APPLICATION COVER SHEET

Interim/Final Fee Application of: _____

Time Period: _____

Bankruptcy Petition Filed: _____

Date of Entry of Retention Order: _____

| Amount Requested | | Reductions | |
|-------------------------|----------|--------------------------|----------|
| Fees | \$ _____ | Voluntary Fee Reductions | \$ _____ |
| Expenses | \$ _____ | Expenses | \$ _____ |
| TOTAL | \$ _____ | | |

| Retainer Request: | Expense Detail: | Expense Detail: |
|--------------------------------------|------------------------|---|
| Retainer Received \$ _____ | Copies: \$ _____ | Copies – per page cost and total \$ _____ |
| Prior award applied \$ _____ | Travel: \$ _____ | |
| Balance before this request \$ _____ | Other: | |

Hours and Rates:

Hours/Rates per professional:

1. _____
2. _____
3. _____

APPENDIX D

GUIDELINES FOR COMPENSATION AND EXPENSE REIMBURSEMENTS OF PROFESSIONALS

In order to provide professionals with clear and concise procedures for compensation and reimbursement of expenses, applications for compensation and reimbursement of expenses filed shall conform substantially to the following requirements:

A. Contents of Applications for Compensation and Reimbursement of Expenses.

All applications should include sufficient detail to demonstrate compliance with the standards set forth in 11 U.S.C. § 330. The fee application should also contain sufficient information about the case and the applicant to facilitate a review without searching for relevant information in other documents. The following will facilitate review of the application.

- 1. Information about the Applicant and the Application. The following information should be provided in every fee application:**
 - a. Date the bankruptcy petition was filed, date of the order approving employment, identity of the party represented, date services commenced, and whether the applicant is seeking compensation under a provision of 11 U.S.C. other than § 330.
 - b. Terms and conditions of employment and compensation, source of compensation, existence and terms controlling use of a retainer, and any budgetary or other limitations on fees.
 - c. Names and hourly rates of all applicant's professionals and paraprofessionals who billed time, explanation of any changes in hourly rates from those previously charged, and statement of whether the compensation is based on the customary compensation charged by comparably skilled practitioners in cases other than cases under title 11.
 - d. Whether the application is interim or final, and the dates of previous orders on interim compensation or reimbursement of expenses along with the amounts requested and the amounts allowed or disallowed, amounts of all previous payments, and amount of any allowed fees and expenses remaining unpaid .
 - e. Whether the party on whose behalf the applicant is employed has been given the opportunity to review the application and whether that party has approved the requested amount.

- f. When an application is filed more than once every 120 days after the order for relief or after a prior application to the Court, the date and terms of the order allowing leave to file at shortened intervals.
- g. Time period of the services or expenses covered by the application.

2. Case Status. The following information should be provided to the extent that it is known to or can be reasonably ascertained by the applicant:

- a. In a Chapter 7 case, a summary of the administration of the case including all moneys received and disbursed in the case, when the case is expected to close, and, if applicant is seeking an interim award, whether it is feasible to make an interim distribution to creditors without prejudicing the rights of any creditor holding a claim of equal or higher priority.
- b. In a Chapter 11 case, whether a plan and disclosure statement have been filed and, if not yet filed, when the plan and disclosure statement are expected to be filed; whether all quarterly fees have been paid to the United States Trustee; and whether all monthly operating reports have been filed.
- c. In a Chapter 12 or 13 case, where the Debtor's attorney is the applicant, whether the application complies with § 330(a)(4)(B); whether the application is in accordance with the 2016(b) statement that was filed at the beginning of the case; and whether approval of the application would have an effect on the Debtor's plan.
- d. In every case, the amount of cash on hand or on deposit, the amount and nature of accrued unpaid administrative expenses, and the amount of unencumbered funds in the estate.
- e. In every case, any material changes in the status of the case that occur after the filing of the fee application should be raised, orally or in writing, at the hearing on the application or, if a hearing is not required, prior to the expiration of the time period for objection.

3. Fee Application Cover Sheet. All applications should include a cover sheet (see Appendix C) or a summary that provides a synopsis of the following information:

- a. Total compensation and expenses requested and any amount(s) previously requested.
- b. Total compensation and expenses previously awarded by the court;

- c. Name and applicable billing rate for each person who billed time during the period , and date of bar admission for each attorney;
- d. Total hours billed and total amount of billing for each person who billed time during billing period; and
- e. Computation of blended hourly rate for persons who billed time during period, excluding paralegal or other paraprofessional time.

4. Reimbursement for Actual, Necessary Expenses. The following factors are relevant to a determination that an expense is proper:

- a. Whether the expense is reasonable and economical.
- b. Whether the requested expenses are customarily charged to non-bankruptcy clients of the applicant.
- c. Whether applicant has provided a detailed itemization of all expenses including the date incurred, description of expense (type of travel, type of fare, rate, destination), method of computation, and, where relevant, name of the person incurring the expense and purpose of the expense. Itemized expenses should be identified by their nature (long distance telephone, copy costs, messengers, computer research, airline travel, etc.) and by the month incurred. Unusual items require more detailed explanations and should be allocated, where practicable, to specific projects.
- d. Whether applicant has prorated expenses where appropriate between the estate and other cases (travel expenses applicable to more than one case) and has adequately explained the basis for any such proration.
- e. Whether expenses incurred by the applicant to third parties are limited to the actual amounts billed to, or paid by, the applicant on behalf of the estate.

B. Confidentiality Requests

If an applicant believes that there is a need to omit any information or description of services as privileged or confidential, the applicant must first get the approval of the court; provided, however, that if such a request is granted, the court may require that any application also contain a set of unredacted time records for in camera inspection.

C. Voluntary Reduction of Fees or Disbursements

If an applicant is not requesting all of the fees or disbursements to which it might be entitled based on the applicable hourly rates multiplied by the hours expended or based on the court order authorizing retention, the voluntary reduction must be identified in the application, including the amount of the reduction taken. If the voluntary reduction pertains to services which continue to appear in the detailed description of services rendered or to disbursements that continue to be listed, the entries for which no compensation or reimbursement is sought must be identified.

D. Provisions Regarding Disbursements

1. No Enhanced Charges for Disbursements. Except to the extent that disbursements are prohibited by these Amended Guidelines, the disbursements sought must be billed at rates, and in accordance with, practices customarily employed by the applicant and generally accepted by the applicant's clients.
2. Photocopies. Photocopies shall be reimbursable at the lesser of \$0.20 per page or cost.

APPENDIX E

LOCAL FORM CHAPTER 13 PLAN AND INSTRUCTIONS

**United States Bankruptcy Court
District of Connecticut**

Filing Instructions for the Local Form Chapter 13 Plan

The Local Form Chapter 13 Plan is a fillable PDF document that contains active programming elements. Once the PDF fillable document is completed with all necessary information, it must be converted to a PDF format that eliminates the active programming elements so that it can be filed on the Court's electronic case filing system, known as CM/ECF.

Converting The Fillable PDF Document to a PDF Format That May Be Filed (Mandatory)

The fillable PDF document can be converted to a PDF format that eliminates the active programming elements so that it is acceptable to use for uploading to CM/ECF in at least two ways:

1. The user can "print to PDF" by following these steps:
 - Open completed form
 - Click on the PRINT button on the form.
 - Printer dialogue box opens – select "Adobe PDF" as the printer.
 - Click on print button – this will create a non-editable form ready to be filed on CM/ECF. You will be asked to name the document for saving in your local directory.
 - *Note that it is recommended that users create a different name for the PDF document to be filed so that the fillable PDF format document is retained for future editing if necessary.*

2. The user can physically print the PDF form and then scan the paper copy into a PDF document to use for filing by following these steps:
 - Open completed form.
 - Click on the PRINT button on the form.
 - Printer dialogue box opens – select your printer.
 - Scan the paper document and save as a PDF document for filing on CM/ECF.

Saving the Fillable PDF Document for Further Editing (Recommended)

It is recommended that users first save the fillable PDF document to a local directory on their computer. Once that is done, the form should retain information that is input so that it populates to the form when opened later. If a user anticipates that a Chapter 13 Plan may be modified in the future, it will be important to save a copy of the Chapter 13 Plan as a fillable PDF document (i.e., keep a copy in PDF fillable format even though you will need to print it to file the original version of the form to file it as described above).

To save the fillable PDF document to a local directory, follow these steps:

- From the Adobe Menu Bar Select "File"
- Then, select "Save" or "Save As" and type a name for the document
- Save to your local directory on your computer

Revised 12/8/2017

UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT

| Fill in this information to identify your case: | | | |
|---|--|--|--|
| Debtor 1* | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |
| | First Name | Middle Name | Last Name |
| | Social Security Number: XXX - XX - <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> | | |
| | (Enter only last 4 digits) | | |
| Debtor 2* | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |
| Spouse, if filing | First Name | Middle Name | Last Name |
| | Social Security Number: XXX - XX - <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> | | |
| | (Enter only last 4 digits) | | |
| Case number <small>(If known)</small> | <input style="width: 95%;" type="text"/> | | |
| *For purposes of this Chapter 13 Plan, "Debtor" means "Debtors" where applicable. | | | |

CHAPTER 13 PLAN

- Original Plan
- Amended Plan (Indicate 1st, 2nd, etc.) ECF No. of prior plan
- Modified Plan (Indicate 1st, 2nd, etc.) ECF No. of prior plan

Amended Plan: Only complete this section if this is an amended plan before confirmation.

Sections of the Plan that have been amended (list):

| | Plan Section(s) | Amendment(s) (Describe) |
|--|--|--|
| | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |
| | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |
| | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |

If your plan amendment affects all creditors of a certain class (secured, priority or unsecured non-priority) check each class of creditors affected. If the changes above affect only individual creditors, list each below.

All Creditors (check all that apply):

- secured
- priority
- unsecured, non-priority
- The amendment affects individual creditors. List each below.

| | Creditor Name(s) | Proof of Claim Number | Type of Claim |
|--|--|--|--|
| | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |
| | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |
| | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |

Modified Plan: Only complete this section if this is a modified plan after confirmation.

Sections of the Plan that have been modified (list):

| Plan Section(s) | Modification(s) (Describe) |
|-----------------|----------------------------|
| | |
| | |
| | |

If your plan modification affects all creditors of a certain class (secured, priority or unsecured non-priority) check each class of creditors affected. If the changes above affect only individual creditors, list each below.

All Creditors (check all that apply):

- secured
- priority
- unsecured, non-priority
- The modification affects individual creditors. List each below.

| Creditor Name(s) | Proof of Claim Number | Type of Claim |
|------------------|-----------------------|---------------|
| | | |
| | | |
| | | |

I. NOTICES

To Debtors: Plans that do not comply with local rules and judicial rulings may not be confirmable. All plans, amended plans and modified plans shall be served upon all creditors by the Debtor and a certificate of service shall be filed with the Clerk.

"Collateral" as used in this Chapter 13 Plan means the property securing a claim.

If the Debtor intends to determine the secured status of a claim pursuant to 11 U.S.C. § 506, or if the Debtor intends to avoid the fixing of a lien that impairs the Debtor's exemption pursuant to 11 U.S.C. § 522(f), then the Debtor must do two things: (1) indicate the Debtor's intention in this Chapter 13 Plan in the space below; and (2) file a separate motion pursuant to 11 U.S.C. § 506 or 11 U.S.C. § 522(f) following the Contested Matter Procedure or local rules adopted after December 1, 2017. If a separate motion is not filed then the Debtor will not be entitled to relief pursuant to 11 U.S.C. § 506 or 11 U.S.C. § 522(f).

The Debtor must check the appropriate box (Included or Not Included) in the chart below. If an item is checked as "Not Included," or if both boxes are checked, the provision will be ineffective if later set out in this Chapter 13 Plan.

| | | |
|---|-----------------------------------|---------------------------------------|
| The valuation of a secured claim pursuant to 11 U.S.C. § 506, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor. | <input type="checkbox"/> Included | <input type="checkbox"/> Not Included |
| Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest pursuant to 11 U.S.C. § 522(f), set out in Section 3.3. | <input type="checkbox"/> Included | <input type="checkbox"/> Not Included |
| Assumption or rejection of executory contracts or unexpired leases pursuant to 11 U.S.C. § 365, set out in Section VI. | <input type="checkbox"/> Included | <input type="checkbox"/> Not Included |

To Creditors: Your rights may be affected by this Chapter 13 Plan. **You must file a timely proof of claim in order to be paid.** See Fed.R.Bankr.P. 3002. Your claim may be modified or eliminated. You should read this Chapter 13 Plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the Chapter 13 Plan's treatment of your claim or any provision of this Chapter 13 Plan, you or your attorney must file an objection to confirmation **no later than 7 days before the date set for confirmation of the Chapter 13 Plan**, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this Chapter 13 Plan without further notice if no objection to confirmation is filed. See Fed.R.Bankr.P. 3015.

This Chapter 13 Plan does not allow claims. The fact that your claim is classified in this Chapter 13 Plan does not mean that you will receive payment.

To All Parties: The Chapter 13 Plan contains no non-standard provisions other than those set out in Section VII. The Debtor must check one box in the chart below indicating whether any non-standard provision is Included or Not Included in Section VII of this Chapter 13 Plan.

| | | |
|--|-----------------------------------|---------------------------------------|
| Non-standard provisions, set out in Section VII. | <input type="checkbox"/> Included | <input type="checkbox"/> Not Included |
|--|-----------------------------------|---------------------------------------|

II. PLAN PAYMENTS AND LENGTH OF PLAN

The Debtor shall submit all or such portion of future earnings or other future income of the Debtor to the supervision and control of the Chapter 13 Standing Trustee as is necessary for the execution of this Chapter 13 Plan as required by 11 U.S.C. § 1322(a)(1). Payments by the Debtor will be made as set forth in this Section II.

2.1 Payments to Chapter 13 Standing Trustee.

The Debtor will make payments to the Chapter 13 Standing Trustee as follows:

| |
|---|
| \$ <input type="text"/> per <input type="text"/> for <input type="text"/> months. |
| \$ <input type="text"/> per <input type="text"/> for <input type="text"/> months. |
| \$ <input type="text"/> per <input type="text"/> for <input type="text"/> months. |
| If fewer than 60 months of payments are specified, additional monthly payments may be made to the extent necessary to make the payments to creditors specified in this Chapter 13 Plan. |

2.2 Source of Payments to the Chapter 13 Standing Trustee.

Check all that apply.

The Debtor will make payments pursuant to a payroll deduction order.

Fill in employer information for payroll deduction:

Employer Name:

Employer Address:

Employee Identification No:

(Note: Redact SSN so only last 4 digits appear)

The Debtor will make payments directly to the Chapter 13 Standing Trustee at the following address (include case number on payment):

Roberta Napolitano, Chapter 13 Standing Trustee

PO Box 610

Memphis, TN 38101-0610

2.3 Income Tax Refunds.

Check one.

The Debtor will retain any income tax refunds received during the plan term. Note the Chapter 13 Standing Trustee may reduce the Debtor's deduction for payment of taxes in calculating disposable income if this option is selected.

The Debtor will supply the Chapter 13 Standing Trustee with a copy of each income tax return filed during the plan term within 14 days after filing the return and will turn over to the Chapter 13 Standing Trustee all income tax refunds received during the Chapter 13 Plan term.

The Debtor will treat income tax refunds as follows:

2.4 Additional Payments.

Check one.

None. If "None" is checked, the rest of this subpart need not be completed or reproduced.

The Debtor will make additional payment(s) to the Chapter 13 Standing Trustee from other sources, as specified below. Describe the source, estimated amount, and date of each anticipated payment.

| | | | | | |
|---------|----------------------|--------------------|----------------------|-------|----------------------|
| Source: | <input type="text"/> | Est. Amount \$: | <input type="text"/> | Date: | <input type="text"/> |
|---------|----------------------|--------------------|----------------------|-------|----------------------|

| | | | | | |
|---------|----------------------|--------------------|----------------------|-------|----------------------|
| Source: | <input type="text"/> | Est. Amount \$: | <input type="text"/> | Date: | <input type="text"/> |
|---------|----------------------|--------------------|----------------------|-------|----------------------|

| | | | | | |
|---------|----------------------|--------------------|----------------------|-------|----------------------|
| Source: | <input type="text"/> | Est. Amount \$: | <input type="text"/> | Date: | <input type="text"/> |
|---------|----------------------|--------------------|----------------------|-------|----------------------|

2.5 Estimated Total Payments.

The estimated total payments to be made by the Debtor under this Chapter 13 Plan to the Chapter 13 Standing Trustee is:

\$

2.6 Order of Payments to Creditors by the Chapter 13 Standing Trustee

Payments by the Chapter 13 Standing Trustee to classes of claims shall be made in the following order:

The Chapter 13 Standing Trustee shall make payments from the funds received from the Debtor pursuant to this Chapter 13 Plan until satisfaction of all costs of administration, all claims entitled to priority under 11 U.S.C. § 507, the present value of all allowed secured claims, and payments to unsecured creditors as provided in this Chapter 13 Plan.

III.

TREATMENT OF SECURED CLAIMS

3.1 Secured Claims That Will Not Be Modified.

Secured claims that will not be subject to a valuation motion pursuant to 11 U.S.C. § 506, or to avoidance pursuant to 11 U.S.C. § 522(f), shall be described in this section. Check all that apply.

- None.** *If "None" is checked, the rest of this subpart need not be completed or reproduced.*
- There are secured claims treated in this Chapter 13 Plan that are not going to be modified.
- Arrears payments (Cure) will be disbursed by the Chapter 13 Standing Trustee and regular payments (Maintain) will be disbursed by the Debtor, as specified below.

1. Creditor:

Last 4 Digits of Account No.:

Check one of the following:

Arrearage on Petition Date:

Balance on Arrearage Date:

Interest Rate on Balance:

Regular Payment (Maintain) by Debtor:* /month

Real Property

Principal Residence

Other (describe)

Address of Collateral:

Check below regarding real property taxes and insurance:

Mortgage payments include escrow for:

Real estate taxes

Homeowners Insurance

Debtor pays directly for:

Real estate taxes

Homeowners Insurance

Personal Property/Vehicle

Description of Collateral (include first digit and last four digits of VIN# for any vehicle): -

*Note: Amounts set forth in this section are estimates subject to reasonable adjustment.

2. Creditor:

Last 4 Digits of Account No.:

Check one of the following:

Arrearage on Petition Date:

Balance on Arrearage Date:

Interest Rate on Balance:

Regular Payment (Maintain) by Debtor:* /month

Real Property

Principal Residence

Other (describe)

Address of Collateral:

Check below regarding real property taxes and insurance:

Mortgage payments include escrow for:

Real estate taxes

Homeowners Insurance

Debtor pays directly for:

Real estate taxes

Homeowners Insurance

Personal Property/Vehicle

Description of Collateral (include first digit and last four digits of VIN# for any vehicle): -

*Note: Amounts set forth in this section are estimates subject to reasonable adjustment.

3. Creditor:

Last 4 Digits of Account No.:

Check one of the following:

Arrearage on Petition Date:

Balance on Arrearage Date:

Interest Rate on Balance:

Regular Payment (Maintain) by Debtor:* /month

Real Property

Principal Residence

Other (describe)

Check below regarding real property taxes and insurance:

Mortgage payments include escrow for:

Real estate taxes

Homeowners Insurance

Address of Collateral:

Debtor pays directly for:

Real estate taxes

Homeowners Insurance

Personal Property/Vehicle

Description of Collateral (include first digit and last four digits of VIN# for any vehicle):

 -

*Note: Amounts set forth in this section are estimates subject to reasonable adjustment.

Unless otherwise ordered by the Court, the amounts listed on a proof of claim filed before the filing deadline under Fed.R.Bankr.P. 3002(c) control over any contrary amounts listed above as to the current installment payment and arrearage. In the absence of a contrary, timely filed proof of claim, the amounts stated above are controlling. If relief from the automatic stay is ordered as to any item of Collateral listed in this Section, then, unless otherwise ordered by the Court, all payments under this paragraph by the Chapter 13 Standing Trustee as to that Collateral will cease, and all secured claims based on that Collateral will no longer be treated by this Chapter 13 Plan.

The Debtor shall pay current real property taxes, personal property taxes, and insurance for property (Collateral) to be retained prior to and after confirmation of any Chapter 13 Plan.

3.2. Secured Claims Subject to Valuation Motion.

None. *If "None" is checked, the rest of this subpart need not be completed or reproduced.*

The Debtor intends to seek an order of the Bankruptcy Court valuing a claim pursuant to 11 U.S.C. § 506.

Secured Claims that are Subject to a Separate Motion or Adversary Proceeding Based on Valuation.

Valuations under 11 U.S.C. § 506 may be sought to determine how a secured creditor's claim will be treated in a chapter 13 plan. This Chapter 13 Plan does not value claims. To value a claim pursuant 11 U.S.C. § 506, the Debtor must file and serve a separate motion pursuant to Fed.R.Bankr.P. 3012, 7004 and 9014(b). Any other form of relief sought by a debtor, including a determination of the extent, validity, and/or priority of a secured creditor's lien, must be determined in an adversary proceeding pursuant to Fed.R.Bankr.P. 7001.

The information provided below is for information purposes only, and the Debtor's valuation stated herein is subject to change, without the need to modify this Chapter 13 Plan, based on the resolution of any motion or adversary proceeding on valuation. The amount of the creditor's claim in excess of the valuation determined by the Court for the Collateral shall be treated with other general unsecured claims and paid *pro rata* provided that the creditor timely files a proof of claim.

The Debtor intends to file a motion requesting that the Court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the Debtor states that the value of the secured claim should be as set out below. For secured claims of governmental units, unless otherwise ordered by the Court, the value of a secured claim listed in a proof of claim controls over any contrary amount listed below. For each listed claim, the value of the secured claim as determined by the Court will be paid in full with interest at the rate stated below, upon an order of the Court on the Debtor's Motion.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Section V of this Chapter 13 Plan. If the amount of a creditor's secured

claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Section V of this Chapter 13 Plan. Unless otherwise ordered by the Court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below will retain the lien on the Collateral of the Debtor or the estate(s) until the earlier of:

- (a) payment of the underlying debt determined under nonbankruptcy law, or
- (b) discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate.

1. Real Property: NONE

| | | |
|---|--|--|
| <p>1. Creditor:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Real Property</p> <p><input type="checkbox"/> Principal Residence</p> <p><input type="checkbox"/> Other (describe)</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Address of Collateral:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <p>Creditor's Total Claim Amount:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Value of Collateral:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Secured Portion of Creditor's Lien:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Unsecured Portion of Creditor's claim*:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Interest Rate: <input style="width: 50px;" type="text"/></p> <p>Check below regarding real property taxes and insurance:</p> <p><input type="checkbox"/> Mortgage payments include escrow for:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Real estate taxes</p> <p style="padding-left: 20px;"><input type="checkbox"/> Homeowners Insurance</p> <p><input type="checkbox"/> Debtor pays directly for:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Real estate taxes</p> <p style="padding-left: 20px;"><input type="checkbox"/> Homeowners Insurance</p> <p>*Unsecured portion will be treated in Section IV or V, as appropriate.</p> | <p style="text-align: center;"><u>Proposed Secured Claim Amount</u></p> <p>Total Secured Claim to be treated in this Chapter 13 Plan:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>If claim is for taxes, list principal amount of tax:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |
| <p>2. Creditor:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>Real Property</p> <p><input type="checkbox"/> Principal Residence</p> <p><input type="checkbox"/> Other (describe)</p> | <p>Creditor's Total Claim Amount:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Value of Collateral:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>Secured Portion of Creditor's Lien:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <p style="text-align: center;"><u>Proposed Secured Claim Amount</u></p> <p>Total Secured Claim to be treated in this Chapter 13 Plan:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>If claim is for taxes, list principal amount of tax:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |

| | | |
|---|---|--|
| <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Address of Collateral:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> | <p>Unsecured Portion of Creditor's claim*:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Interest Rate: <input style="width: 80px;" type="text"/></p> <p>Check below regarding real property taxes and insurance:</p> <p><input type="checkbox"/> Mortgage payments include escrow for:</p> <p style="margin-left: 20px;"><input type="checkbox"/> Real estate taxes</p> <p style="margin-left: 20px;"><input type="checkbox"/> Homeowners Insurance</p> <p><input type="checkbox"/> Debtor pays directly for:</p> <p style="margin-left: 20px;"><input type="checkbox"/> Real estate taxes</p> <p style="margin-left: 20px;"><input type="checkbox"/> Homeowners Insurance</p> <p>*Unsecured portion will be treated in Section IV or V, as appropriate.</p> | |
| <p>3. Creditor:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Last 4 Digits of Account No.: <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/></p> <p>Real Property</p> <p><input type="checkbox"/> Principal Residence</p> <p><input type="checkbox"/> Other (describe)</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Address of Collateral:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> | <p>Creditor's Total Claim Amount:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Value of Collateral:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Secured Portion of Creditor's Lien:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Unsecured Portion of Creditor's claim*:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>Interest Rate: <input style="width: 80px;" type="text"/></p> <p>Check below regarding real property taxes and insurance:</p> <p><input type="checkbox"/> Mortgage payments include escrow for:</p> <p style="margin-left: 20px;"><input type="checkbox"/> Real estate taxes</p> <p style="margin-left: 20px;"><input type="checkbox"/> Homeowners Insurance</p> <p><input type="checkbox"/> Debtor pays directly for:</p> <p style="margin-left: 20px;"><input type="checkbox"/> Real estate taxes</p> <p style="margin-left: 20px;"><input type="checkbox"/> Homeowners Insurance</p> <p>*Unsecured portion will be treated in Section IV or V, as appropriate.</p> | <p style="text-align: center;"><u>Proposed Secured Claim Amount</u></p> <p>Total Secured Claim to be treated in this Chapter 13 Plan:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> <p>If claim is for taxes, list principal amount of tax:</p> <div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 5px;"></div> |

2. Vehicles: NONE

| | | |
|---|--|--|
| <p>1. Creditor:</p> <input type="text"/> Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Check one below: <input type="checkbox"/> Claim incurred 910 days or more pre-petition <input type="checkbox"/> Claim incurred less than 910 days pre-petition | <p>Value of Collateral:</p> <input type="text"/> Value of Creditor's Lien: <input type="text"/> Interest Rate: <input type="text"/> Description of Collateral (include first digit and last four digits of VIN# for any vehicle): <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | <p style="text-align: center;">Payment</p> Total Secured Claim to be treated in this Chapter 13 Plan: <input type="text"/> If claim is for taxes, list principal amount of tax: <input type="text"/> |
| <p>2. Creditor:</p> <input type="text"/> Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Check one below: <input type="checkbox"/> Claim incurred 910 days or more pre-petition <input type="checkbox"/> Claim incurred less than 910 days pre-petition | <p>Value of Collateral:</p> <input type="text"/> Value of Creditor's Lien: <input type="text"/> Interest Rate: <input type="text"/> Description of Collateral (include first digit and last four digits of VIN# for any vehicle): <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | <p style="text-align: center;">Payment</p> Total Secured Claim to be treated in this Chapter 13 Plan: <input type="text"/> If claim is for taxes, list principal amount of tax: <input type="text"/> |
| <p>3. Creditor:</p> <input type="text"/> Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Check one below: <input type="checkbox"/> Claim incurred 910 days or more pre-petition <input type="checkbox"/> Claim incurred less than 910 days pre-petition | <p>Value of Collateral:</p> <input type="text"/> Value of Creditor's Lien: <input type="text"/> Interest Rate: <input type="text"/> Description of Collateral (include first digit and last four digits of VIN# for any vehicle): <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | <p style="text-align: center;">Payment</p> Total Secured Claim to be treated in this Chapter 13 Plan: <input type="text"/> If claim is for taxes, list principal amount of tax: <input type="text"/> |

3. Personal Property: NONE

| | | |
|--|--|--|
| <p>1. Creditor:</p> <input type="text"/> Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Check one below: <input type="checkbox"/> Claim incurred one (1) year or more pre-petition. <input type="checkbox"/> Claim incurred less than one (1) year post-petition. | <p>Value of Collateral:</p> <input type="text"/> Value of Creditor's Lien: <input type="text"/> Interest Rate: <input type="text"/> Description of Collateral: <input type="text"/> | <p style="text-align: center;">Payment</p> Total Secured Claim to be treated in this Chapter 13 Plan: <input type="text"/> If claim is for taxes, list principal amount of tax: <input type="text"/> |
| <p>2. Creditor:</p> <input type="text"/> Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Check one below: <input type="checkbox"/> Claim incurred one (1) year or more pre-petition. <input type="checkbox"/> Claim incurred less than one (1) year post-petition. | <p>Value of Collateral:</p> <input type="text"/> Value of Creditor's Lien: <input type="text"/> Interest Rate: <input type="text"/> Description of Collateral: <input type="text"/> | <p style="text-align: center;">Payment</p> Total Secured Claim to be treated in this Chapter 13 Plan: <input type="text"/> If claim is for taxes, list principal amount of tax: <input type="text"/> |
| <p>3. Creditor:</p> <input type="text"/> Last 4 Digits of Account No.: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Check one below: <input type="checkbox"/> Claim incurred one (1) year or more pre-petition. <input type="checkbox"/> Claim incurred less than one (1) year post-petition. | <p>Value of Collateral:</p> <input type="text"/> Value of Creditor's Lien: <input type="text"/> Interest Rate: <input type="text"/> Description of Collateral: <input type="text"/> | <p style="text-align: center;">Payment</p> Total Secured Claim to be treated in this Chapter 13 Plan: <input type="text"/> If claim is for taxes, list principal amount of tax: <input type="text"/> |

3.3 Secured Claims Subject To Avoidance (11 U.S.C. § 522(f)).

- None.** *If "None" is checked, the rest of this subpart need not be completed or reproduced.*
- The Debtor is seeking to avoid the fixing of judicial liens pursuant to 11 U.S.C. § 522(f). Judicial liens or nonpossessory, nonpurchase money security interests securing the claims may be avoided to the extent that they impair the exemptions under 11 U.S.C. § 522(f) as listed below. A separate motion must be filed and served pursuant to Fed.R.Bankr.P. 7004 and applicable local rules.

To avoid liens pursuant to 11 U.S.C. § 522(f), the Debtor must file and serve a separate motion on the affected creditor(s) pursuant to Fed.R.Bankr.P. 3012, 7004 and 9014(b). The Debtor may at a later date seek to avoid a judicial lien held by a creditor not listed below. The details below are provided for informational purposes only, and are subject to change, without the need to modify this Chapter 13 Plan, based on the resolution of the Debtor's motion to avoid lien. The amount of the creditor's avoided lien, if any, shall be treated with other general unsecured claims and paid *pro rata* provided that the creditor timely files a proof of claim. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Section IV or V as applicable, to the extent allowed. The amount, if any, of the judicial lien or security interest that is not avoided will be

paid in full as a secured claim under this Chapter 13 Plan. *See*, 11 U.S.C. § 522(f) and Fed.R.Bankr.P. 4003(d). The Debtor discloses the intention to avoid liens held by the following creditors.

| | |
|---|---|
| <p>1. Creditor: <input style="width: 90%;" type="text"/></p> <p>Last 4 Digits of Account No.: <input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/></p> <p>Total Amount of Creditor's Claim: <input style="width: 80%;" type="text"/></p> | <p>Collateral: <input style="width: 90%;" type="text"/></p> <p>Basis for exemption: <input style="width: 90%;" type="text"/></p> <p>Amount of exemption that could be claimed: <input style="width: 80%;" type="text"/></p> <p>Amount of Claim to be treated as unsecured claim: <input style="width: 80%;" type="text"/></p> |
| <p>2. Creditor: <input style="width: 90%;" type="text"/></p> <p>Last 4 Digits of Account No.: <input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/></p> <p>Total Amount of Creditor's Claim: <input style="width: 80%;" type="text"/></p> | <p>Collateral: <input style="width: 90%;" type="text"/></p> <p>Basis for exemption: <input style="width: 90%;" type="text"/></p> <p>Amount of exemption that could be claimed: <input style="width: 80%;" type="text"/></p> <p>Amount of Claim to be treated as unsecured claim: <input style="width: 80%;" type="text"/></p> |
| <p>3. Creditor: <input style="width: 90%;" type="text"/></p> <p>Last 4 Digits of Account No.: <input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/><input style="width: 20px;" type="text"/></p> <p>Total Amount of Creditor's Claim: <input style="width: 80%;" type="text"/></p> | <p>Collateral: <input style="width: 90%;" type="text"/></p> <p>Basis for exemption: <input style="width: 90%;" type="text"/></p> <p>Amount of exemption that could be claimed: <input style="width: 80%;" type="text"/></p> <p>Amount of Claim to be treated as unsecured claim: <input style="width: 80%;" type="text"/></p> |

3.4 Surrender of Collateral.

- None.** *If "None" is checked, the rest of this subpart need not be completed or reproduced.*
- The Debtor elects to surrender to each creditor listed below the Collateral identified.
- Upon the entry of an order confirming this Chapter 13 Plan, pursuant to 11 U.S.C. § 1327(b) and Fed.R.Bankr.P. 3015(g)(2), the Debtor requests that the stay of an act against property of the estate provided in 11 U.S.C. §§ 362(a) and 1301(a) be terminated as to the Collateral surrendered to each creditor listed below pursuant to this Chapter 13 Plan.

| <u>Name of Creditor</u> | <u>Last 4 Digits of Account No.</u> | <u>Description of Collateral (Address, Vehicle, etc.)</u> |
|---|---|---|
| 1. <input style="width: 90%;" type="text"/> | <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> | <input style="width: 90%;" type="text"/> |

| | Name of Creditor | Last 4 Digits of Account No. | Description of Collateral (Address, Vehicle, etc.) |
|----|----------------------|---|--|
| 2. | <input type="text"/> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | <input type="text"/> |
| 3. | <input type="text"/> | <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | <input type="text"/> |

IV. TREATMENT OF FEES AND PRIORITY CLAIMS [as defined in 11 U.S.C. § 507 and 11 U.S.C. § 1322(a)(4)]

4.1 Applicability Of Post-Petition Interest.

The Chapter 13 Standing Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in Section 4.4, will be paid in full without post-petition interest. If the court determines the Debtor is solvent or is to be treated as solvent under this Chapter 13 Plan, the Court may order post-petition interest be paid on claims.

If this Chapter 13 Plan proposes to pay post-petition interest on priority claims because the Debtor is being treated as if he or she were solvent, then interest shall be paid, if applicable, as follows: 18% interest per annum to creditors holding priority and general unsecured, municipal tax claims; 12% interest per annum to the State of Connecticut Department of Revenue Service's priority and general unsecured state tax claims; and, _____% interest per annum to the Internal Revenue Service's priority and general unsecured federal tax claims.

4.2 Trustee's Fees.

The Chapter 13 Standing Trustee's fees are governed by statute and may change during the course of the case but are estimated to be 10% of plan payments.

4.3 Administrative Attorney's Fees. PRO BONO

| | | | |
|----------------------|----------------------|-----------------------------|----------------------|
| Total Fees: | Total Expenses: | Paid Prior to Confirmation: | Balance Due: |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

Total Allowance Sought: (Fees and Expenses)

Payable [Check one] Through this Chapter 13 Plan
 Outside of this Chapter 13 Plan

Payable [Check one] Through this Chapter 13 Plan
 Outside of this Chapter 13 Plan

Payable [Check one] Through this Chapter 13 Plan
 Outside of this Chapter 13 Plan

Attorneys shall file applications for allowance of compensation and reimbursement of expenses pursuant to 11 U.S.C. § 330 if the total allowance sought exceeds \$4,000.00 before confirmation of this Chapter 13 Plan. The Court will consider allowance of compensation and reimbursement of expenses without such an application if the total allowance sought equals or is less than \$4,000.00.

4.4 Domestic Support Obligation(s).

None. *If "None" is checked, the rest of this subpart need not be completed or reproduced.*

The allowed priority claims listed below are based on domestic support obligations, including domestic support obligations that have been assigned to or are owed to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4).

There are domestic support obligations.

If this Chapter 13 Plan proposes less than full payment of a domestic support obligation then payments in this section shall be for a term of 60 months. *See*, 11 U.S.C. § 1322(a)(4). If the Debtor has domestic support obligations, use only the initials of minor children and do not list confidential information.

| |
|--|
| 1. Name of Creditor: <input type="text"/> |
| Proof of Claim Number: <input type="text"/> |
| <input type="checkbox"/> Current and paid outside of this Chapter 13 Plan. |
| <input type="checkbox"/> Not Current, and to be paid under this Plan as follows: |

| |
|--|
| 2. Name of Creditor: <input type="text"/> |
| Proof of Claim Number: <input type="text"/> |
| <input type="checkbox"/> Current and paid outside of this Chapter 13 Plan. |
| <input type="checkbox"/> Not Current, and to be paid under this Plan as follows: |

| |
|--|
| 3. Name of Creditor: <input type="text"/> |
| Proof of Claim Number: <input type="text"/> |
| <input type="checkbox"/> Current and paid outside of this Chapter 13 Plan. |
| <input type="checkbox"/> Not Current, and to be paid under this Plan as follows: |

4.5 Priority Claims.

None. *If "None" is checked, the rest of this subpart need not be completed or reproduced.*

This Chapter 13 Plan may provide for less than full payment of all claims entitled to priority under 11 U.S.C. § 507(a)(1)(b) only if the Chapter 13 Plan provides that all of the Debtor's projected disposable income for a 5-year period beginning on the date that the first payment is due under this Chapter 13 Plan will be applied to make payments under the Chapter 13 Plan. This Chapter 13 Plan treats claims entitled to priority pursuant to 11 U.S.C. § 507 and 11 U.S.C. § 1322(a)(4), as follows:

| |
|--|
| 1. Name of Creditor: <input type="text"/> |
| Proof of Claim Number: <input type="text"/> |
| Total Due: <input type="text"/> |
| Amount of Principal Due: <input type="text"/> |
| Amount of Interest Due: <input type="text"/> |
| Interest to be Paid Through Chapter 13 Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No Interest Rate: <input type="text"/> |

| | | | |
|--|---|-----------------------------|--|
| 2. Name of Creditor: | <input style="width: 100%;" type="text"/> | | |
| Proof of Claim Number: | <input style="width: 100%;" type="text"/> | | |
| Total Due: | <input style="width: 100%;" type="text"/> | | |
| Amount of Principal Due: | <input style="width: 100%;" type="text"/> | | |
| Amount of Interest Due: | <input style="width: 100%;" type="text"/> | | |
| Interest to be Paid Through Chapter 13 Plan? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | Interest Rate: <input style="width: 100%;" type="text"/> |

| | | | |
|--|---|-----------------------------|--|
| 3. Name of Creditor: | <input style="width: 100%;" type="text"/> | | |
| Proof of Claim Number: | <input style="width: 100%;" type="text"/> | | |
| Total Due: | <input style="width: 100%;" type="text"/> | | |
| Amount of Principal Due: | <input style="width: 100%;" type="text"/> | | |
| Amount of Interest Due: | <input style="width: 100%;" type="text"/> | | |
| Interest to be Paid Through Chapter 13 Plan? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | Interest Rate: <input style="width: 100%;" type="text"/> |

V. TREATMENT OF UNSECURED NON-PRIORITY CREDITORS

5.1. Unsecured Non-Priority Claims, Dividend To Be Paid.

None. *If "None" is checked, the rest of this subpart need not be completed or reproduced.*

Through this Chapter 13 Plan the Debtor proposes to pay the general unsecured creditors holding claims totaling:

a dividend of over a period of months.

If the Debtor is being treated as solvent under this Chapter 13 Plan (so that unsecured creditors receive 100% of their claims plus interest), the interest rate to be paid to unsecured, non-tax claims is

% per annum.

VI. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

None. *If "None" is checked, the rest of this section need not be completed or reproduced.*

The Debtor is seeking to assume or reject executory contracts or unexpired leases in this Plan pursuant to 11 U.S.C. § 365. The details of the executory contract and/or unexpired lease the Debtor is seeking to assume and/or reject is set forth below.

Assumed Contracts or Leases. The Debtor shall make current installment payments or lease payments as specified below, subject to any contrary Court order or rule. Arrearage payments will be disbursed by the Chapter 13 Standing Trustee pursuant to the confirmation order.

| Name of Creditor | Description of Leased Property or Executory Contract | Current Installment Payment | Amount of Arrearage to be Paid | Treatment of Arrearage (Refer to Other Plan Section if Applicable) |
|--|--|--|--|--|
| <input type="text"/> Proof of Claim Number: <input type="text"/> | <input type="text"/> | \$ <input type="text"/> To be paid by Debtor. | \$ <input type="text"/> To be disbursed by Trustee. | <input type="text"/> |
| <input type="text"/> Proof of Claim Number: <input type="text"/> | <input type="text"/> | \$ <input type="text"/> To be paid by Debtor. | \$ <input type="text"/> To be disbursed by Trustee. | <input type="text"/> |
| <input type="text"/> Proof of Claim Number: <input type="text"/> | <input type="text"/> | \$ <input type="text"/> To be paid by Debtor. | \$ <input type="text"/> To be disbursed by Trustee. | <input type="text"/> |

Rejected Contracts or Leases

| Name of Creditor | Description of Leased Property or Executory Contract | Estimated Claim to Be Treated in Section V |
|----------------------|--|--|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Notice of Proof of Claim Bar Date:

The counter-party to a rejected contract or rejected lease shall file a proof of claim within thirty (30) days after entry of an order confirming this Chapter 13 Plan.

VII

NON-STANDARD PLAN PROVISIONS

None. *If "None" is checked, the rest of this section need not be completed or reproduced.*

Non-standard provisions must be set forth below, or in an attachment. A non-standard provision is a provision not otherwise included in the Local Form Chapter 13 Plan or deviating from it. Non-standard provisions set out elsewhere in this Chapter 13 Plan are void.

**PURSUANT TO 11 U.S.C. § 1327(b), PROPERTY OF THE ESTATE WILL VEST
IN THE DEBTOR UPON ENTRY OF AN ORDER CONFIRMING THIS CHAPTER 13 PLAN.**

I declare that the information set forth in the foregoing Chapter 13 Plan is true and correct and is sworn to under penalty of perjury. **By signing and filing this document each Debtor certifies that the wording and order of the provisions in this Chapter 13 Plan are identical to those contained in the Connecticut Local Form Chapter 13 Plan and that this Chapter 13 Plan contains no non-standard provisions other than those set out in Section VII.**

(Debtor Signature)

(Joint Debtor Signature)

Debtor (Type Name)

Date

Joint Debtor (Type Name)

Date

Attorney with permission to
sign on Debtor's behalf

Date

[Note: Each attorney signature on this document is subject to Fed.R.Bankr.P. 9011.]

Note: An original document with the Debtor's inked signature must be maintained by Debtor's attorney.

APPENDIX F

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF CONNECTICUT

CHAPTER 12 OPERATING ORDER

Having filed a petition for relief for a family farmer or family fisherman under Chapter 12 of the Bankruptcy Code, the Debtor and the Debtor's counsel are hereby directed to conform to the following rules, regulations, and procedures:

1. 11 U.S.C. §521 requires the Debtor to cooperate with the Chapter 12 Trustee appointed in this case. The Debtor is also required to furnish information required by the Chapter 12 Trustee in supervising the, administration of this case, including regular reports of operations of the Debtor's farming/fishing enterprise. The Debtor and the Debtor's attorney of record are required to give the Chapter 12 Trustee and such others as directed, notice of all motions and other pleadings filed in this case, as specified in the Federal Rules of Bankruptcy Procedure.
2. The Debtor shall provide the Chapter 12 Trustee with the following financial and informational reports, with a copy to the Office of the U.S. Trustee, 150 Court Street, Room 302, New Haven, CT 06510:
 - a. Summary of Operations for Chapter 12 Case. The attached form report is an information report showing the Debtor's, results from last year's operation, and estimates or projections for the current or next crop year. This report should be completed and filed with the Clerk of the Court within __days of the filing of the Chapter 12 Petition in Bankruptcy. **[Form to be attached.]**
 - b. Monthly Cash Receipts and Disbursements Statement. The attached form is to be completed and filed with the Clerk of the Court no later than the 15th day following the end of each month and report all of the Debtor's receipts or income, in cash, by check, or by any other means, received during the month. The receipts should be itemized by kind, quantity, and dollar amount, for example: "Sold 2,000 bushels of corn - \$2,000", "Sold 10 beef cattle - \$4000", "Sold 5 tons of hay - \$275." Likewise, all expenses paid in cash or by check should be itemized. All cash received must be deposited in the Debtor-in-possession's bank account and all payments for expenses should be made by check to extent feasible. If cash is paid by the Debtor, a written receipt must be obtained and kept in a file or envelope. Household or family living expenses need not be itemized, but a lump-sum of funds used or spent for household or family living expenses should be shown. Operating expenses should be itemized under appropriate headings such as fuel, feed, veterinary expenses, repairs, etc. A copy of this report must be timely served upon the Chapter 12 Trustee and the Office of the United States Trustee. **[Form to be attached.]**

- c. Tax Deposit Statement. If the Debtor is a family farm/fishing corporation or if the Debtor has employees for which the Debtor is legally required to withhold income taxes or pay social security taxes, the Debtor must complete the tax deposit statement attached to this Order and timely provide evidence to the Chapter 12 Trustee of the full and timely payment of such taxes. **[Tax deposit statement to be attached.]**
 - d. Insurance Statement. Within 14 days after the filing of the petition or Order of Conversion to this Chapter 12, the Debtor shall provide the Chapter 12 Trustee with a verified statement or written evidence from the Debtor's insurance carrier or broker that the Debtor has fire, casualty and extended coverage on the Debtor's buildings and the equipment, motor vehicle insurance on all vehicles operated on public highways, and workers compensation insurance; if applicable. If no such insurance is currently in effect, the Debtor must explain why it is not in force. The Debtor shall immediately notify the Chapter 12 Trustee and the Office of the United States Trustee of any lapse, cancellations, of proposed cancellation of any such insurance coverage.
3. Commencing on the day the Chapter 12 petition was filed, the Debtor shall commence keeping books and records for the new separate taxable entity. The Debtor shall do the following:
 - a. The books and records of the Debtor shall be closed as of the date of filing the bankruptcy petition, and a new set of books and records must be kept, thereafter, for the Debtor-in-possession under Chapter 12
 - b. All the Debtor's bank accounts shall be closed immediately upon the filing of the Chapter 12 petition, and new bank accounts opened. All amounts from the old account and all receipts from on or after the petition date shall be deposited in the new bank accounts, and all disbursements shall be made by check. The new bank accounts shall be in the name of the Debtor as "Chapter 12 Debtor-in-possession," and this description shall also appear on the new bank pre-numbered bank checks and deposit slips for this checking account.
 - c. The Debtor shall keep a file (or envelope) with copies of all bills, invoices and sales slips for purchases or payments the Debtor makes after the petition is filed.
 4. Both the Debtor and the Debtor's attorney shall attend the § 341 Creditors' Meeting, at which time the Debtor will be examined under oath by the Chapter 12 Trustee and by any creditors who may attend. The Debtor shall bring to the meeting a copy of the Debtor's last year's federal, state, and local (if required) income tax returns and all schedules filed with the return, including Schedule F. The copy of the income tax returns shall be presented to the Chapter 12 Trustee at the First Meeting, if not earlier supplied to the Chapter 12 Trustee.
 5. It is the responsibility and duty of the Chapter 12 Debtor to prepare and timely file all federal, state, and local tax returns required by applicable law. It is advisable in the complex area of bankruptcy and taxation that the Debtor retain a qualified tax preparer to perform the obligations to file federal and state returns. Neither the United States Trustee

nor the Chapter 12 Trustee are permitted to give any tax advice to individual Debtors. Copies of the federal, state, and local tax returns which are filed by the Debtor for any period commencing with the filing of the Chapter 12 petition through the completion of the confirmed plan shall be timely provided to the Chapter 12 Trustee and the United States Trustee's office.

6. Chapter 1, 3 (except for Section 361) and 5 of the Bankruptcy Code also apply to a case under Chapter 12 of the Bankruptcy Code. The Debtor shall not:
 - a. Retain or employ attorneys, accountants, appraisers, auctioneers or other professional persons without court approval. This includes employing the attorney who filed the petition to provide services after the filing. See 11 U.S.C. § 327.
 - b. Compensate any attorney, accountant, appraiser, auctioneer or other professional except as allowed by the Court. See 11 U.S.C. § 330.
 - c. Use cash collateral (or cash equivalence) without the consent of the secured creditor or court authorization. See 11 U.S.C. § 363(c)(2). Cash collateral includes proceeds, products, offspring, rents, or profits of property subject to a security interest when reduced as cash.
 - d. Obtain credit or incur unsecured debt other than in the ordinary course of business without court authorization. See 11 U.S.C. § 364(c).
 - e. Incur secured debt without court authorization. See 11 U.S.C. § 364(c).
 - f. Pay any creditor for goods or services provided before the filing of the petition except as provided in a confirmed plan. See 11 U.S.C. § 549.
7. A Chapter 12 plan shall be filed within 90 days of the date that the petition was filed, unless the court extends the time. 11 U.S.C. § 1221. Failure to comply is cause for dismissal under 11 U.S.C. § 1208.
8. The Debtor shall file objections to claims within 45 days of the confirmation order and proceed promptly with the prosecution and resolution of any such objections so as not to unduly delay the Chapter 12 Trustee's distributions to creditors.
9. Plan Confirmation Requirements. The Court shall confirm a plan only if the plan provides a basis for determining whether the requirements of 11. U.S.C § 1225 (a) and (b) have been met. The requirements of §§ 1225(a)(4), 1225 (a)(5)(B)-(C) and 1225(a)(6)-(7) may be deemed not satisfied if the plan does not contain at least the following information:
 - a. A statement disclosing any change of the Debtor's assets or liabilities from the date of filing of the petition through the date of filing of the plan.
 - b. A cash-flow projection for the life of the proposed plan, including and identifying the Debtor's farm/fisherman and non-fisherman income sources.
 - c. Assumptions and sources upon which the cash-flow projection is based, with historical or other data justifying such assumptions.

- d. Farm/fisherman and expense information in a form comparable to Internal Revenue Code Schedule F forms filed by the Debtor for the previous ___ years plus a statement of the Debtor's non-farm/non-fisherman income for the tax year preceding the filing of the plan.
 - e. Projected administrative expenses, including attorney fees.
 - f. A plan summary indicating the dates, amounts, and payees of all amounts to the paid under the plan.
 - g. If the plan proposes the sale of assets, a statement from the qualified accountant or attorney, setting forth the probable tax consequences thereof.
 - h. The basis of any valuation of property, including names of appraisers and dates of appraisal, if any.
 - i. A statement with detailed information, specifying the need for the plan payments to be made over a period longer than three years.
 - j. If the Debtor proposes to retain secured property, a statement itemizing such property, the value of the property, and the basis of the valuation estimate.
 - k. A liquidation analysis sufficient to show compliance with 11 U.S.C. § 1225(a)(4), including a statement from a qualified tax accountant or attorney as to tax liabilities from liquidation, if any.
 - l. A projected disposable income statement for the term of the plan.
 - m. In the event the Debtor asserts that certain taxes are to be treated as general unsecured claims under 11 U.S.C. § 1222(a)(2)(A), the Debtor shall provide to the affected governmental units copies of the Debtor's complete tax returns for the three years prior to the filing of Chapter 12 relief.
 - n. The Debtor has paid all amounts that are required under a domestic support obligation and that first become payable after the date of the filing of the petition if the Debtor is required by a judicial or administrative order, or by statute, to pay such domestic support obligation.
 - o. In a Chapter 12 case, the Debtor must file the certification of payment of domestic support obligations (Appendix "H") with the Court at least seven days prior to the expiration of the Objection to Confirmation deadline. A certification must be filed prior to the confirmation of all original plans and all amended plans and all post-confirmation amended plans. If the certification is not filed with the Court, the confirmation or approval may be denied. The Certification should not be filed before the applicable plan is filed.
10. Tax returns. A Debtor operating under a confirmed plan shall file post-petition tax returns, both state and federal, and pay post-petition taxes, both state and federal, on a timely basis. The Debtor shall comply with all requirements of Title 26 of the United States Code or applicable state tax code. Failure to file post-petition federal or state tax returns or failure to timely pay post-petition federal or state tax liabilities, in the manner prescribed by Title 26, or applicable state law, absent a showing of good cause, may be considered a material

default of a confirmed plan. All post-petition federal and state tax returns and all post-petition federal and state tax liabilities are included in this paragraph, including returns or liabilities for which the Debtor is a responsible party under 26 U.S.C. § 6672 or similar state laws. Complete copies of such tax returns shall be timely provided to the Chapter 12 Trustee.

11. If the Chapter 12 Trustee and/or United States Trustee require periodic reports after confirmation of a plan of reorganization until the court grants a final decree, the information required to be reported and the frequency of the reports shall be determined at the time the plan is confirmed.
12. Failure to comply. Failure of the Debtor to comply with the instructions contained in this Order may be grounds for dismissal of the Chapter 12 case under § 1208.

APPENDIX G

GUIDELINES FOR THE SALE OF SUBSTANTIALLY ALL ASSETS UNDER 11 U.S.C. § 363

These guidelines recognize that parties in interest may sometimes perceive the need to act expeditiously on seeking authorization for the sale of substantially all estate assets. These guidelines are intended to provide a framework for such requests and to provide procedural protection to the parties in interest. The Court will consider requests to modify these guidelines to fit the circumstances of a particular case.

OVERBIDS AND BREAK UP/TOPPING FEES

1. Break-up/Topping Fees. Any request for the approval of a break up/topping fee shall be supported by a statement of the conditions under which the break-up/topping fee would be payable and the factual basis on which the seller determined the provision was reasonable.

Break-up fees/Topping fees, overbid amounts and other similar provisions will be reviewed on a case by case basis and approved if supported by evidence and case law.

SECTION 363 SALES WITHIN 60 DAYS OF THE FILING OF THE PETITION

1. The Motion to Sell. A Motion to approve the sale of substantially all assets at any time before 60 days after the filing of the petition shall include the following information:
 - a. Creditors' Committee. Indicate the date any committee was formed, as well as the identity of the members of the committee and the companies with which they are affiliated.
 - b. Counsel for Committee. If the pre-petition creditors' committee retained counsel, indicate the date counsel was engaged and the selection process, as well as the identity of committee counsel.
 - c. Sale Contingencies. Statement of all contingencies to the sale agreement, together with a copy of the agreement.
 - d. Creditor Contact List. If no committee has been formed, a list of contact persons, together with fax and phone numbers for each of the largest 20 unsecured creditors.
 - e. Administrative Expenses. Assuming the sale is approved, an itemization and an estimate of administrative expenses relating to the sale to be incurred prior to closing and the source of payment for those expenses.

- f. Proceeds of Sale. An estimate of the gross proceeds anticipated from the sale, together with an estimate of sale proceeds coming into the estate. Itemize all deductions that are to be made from gross sale proceeds and include a brief description of the basis for any such deductions.
 - g. Debt Structure of Debtor. A brief description of the Debtor's debt structure, including the amount of the Debtor's secured debt, priority claims and general unsecured claims.
 - h. Need for Quick Sale. A description of why the assets of the estate must be sold on an expedited basis. Include a discussion of alternatives to the sale.
 - i. Negotiations. A description of the length of time spent in negotiating the sale, and which parties in interest were involved in the negotiation, along with a description of the details of any other offers to purchase, including, without limitation, the potential purchaser's plans in connection with retention of the Debtor's employees.
 - j. Marketing of Assets. A description of the manner in which the assets were marketed for sale, including the period of time involved and the results achieved.
 - k. Decision to Sell. The date on which the Debtor accepted the offer to purchase the assets.
 - l. Relationship of Buyer. A statement identifying the buyer and setting forth all of the buyer's (including its officers, directors and shareholders) connections with the Debtor, creditors, any other party in interest, their respective attorneys, accountants, the U.S. Trustee or any person employed in the office of the U.S. Trustee.
 - m. Post Sale Relationship with Debtor. A statement setting forth any relationship or connection the Debtor (including its officers, directors, shareholders and employees) will have with the buyer after the consummation of the sale, assuming it is approved.
 - n. Relationship with Secured Creditors. If the sale involves the payment of all or a portion of secured debt(s), a statement of all connections between Debtor's officers, directors, employees or other insiders and each secured creditor involved (for example, release of insider's guaranty).
 - o. Insider Compensation. Disclosure of current compensation received by officers, directors, key employees or other insiders pending approval of the sale.
2. Proposed Order Approving Sale. A proposed order approving the sale shall be included with the motion.

3. **Good Faith Finding.** There must be an evidentiary basis for a finding of good faith under 11 U.S.C §363(m).
4. **Financial Ability to Close.** Unless the court orders otherwise, any bidder must be prepared to demonstrate to the satisfaction of the court, through an evidentiary hearing, its ability to consummate the transaction if it is the successful bidder, along with evidence regarding any financial contingencies to closing the transaction.

APPENDIX H
Fillable Form

CHECKLIST FOR MOTIONS AND ORDERS FOR USE OF
CASH COLLATERAL AND POST- PETITION FINANCING

This is to certify that the following checklist information reflects the substantive content of the motion and proposed order for use of cash collateral or for post-petition financing pursuant to 11 U.S.C. §§ 363 and/or 364 as indicated below:

Answer each question Yes, No, or N/A

- | | Answer |
|---|--------|
| 1. Identification of Proceeding: | _____ |
| a. Preliminary motion/order | _____ |
| b. Final motion/order | _____ |
| c. Continuing use of cash collateral (§ 363) | _____ |
| d. New financing (§ 364) | _____ |
| e. Combination of §§ 363 and 364 financing | _____ |
| f. Emergency hearing (immediate and irreparable harm) | _____ |
| 2. Representations: | _____ |
| a. Brief history of Debtor's businesses and status of Debtor's prior relationships with lender | _____ |
| b. Brief statement of purpose and necessity of financing | _____ |
| c. Brief statement of type of financing (i.e.) accounts receivable, inventory) | _____ |
| d. Are lender's pre-petition security interest(s) and liens deemed valid, fully perfected and non-avoidable? | _____ |
| (i) Are there provisions to allow for objections to above? | _____ |
| e. Is there a post-petition financing agreement between lender and Debtor? | _____ |
| f. If there is an agreement, are lender's post-petition security interests and liens deemed valid, fully perfected and non-avoidable? | _____ |
| g. Has lender's non-cash collateral been appraised? | _____ |
| h. Insert date of latest appraisal | _____ |
| i. Is Debtor's proposed budget attached? | _____ |
| j. Are all pre-petition loan documents identified? | _____ |
| k. Are pre-petition liens? | _____ |
| l. Are there pre-petition guaranties of debt? | _____ |
| 3. Grant of Liens: | _____ |
| a. Do post-petition liens secure pre-petition debts? | _____ |
| b. Is there cross-collateralization? | _____ |

- c. Is the priority of post-petition liens equal to or higher than existing liens? _____
 - d. Do post-petition liens have retroactive effect? _____
 - e. Are there restrictions on granting further liens or liens of equal or higher priority? _____
 - f. Is lender given liens on claims under §§ 506(c), 544-50 and §§ 522? _____
 - (i) Are lender's attorney's fees to be paid? _____
 - (ii) Are Debtor's attorney's fees excepted from § 506(c)? _____
 - g. Is lender given liens upon proceeds of causes of action under §§ 544, 547, and 548? _____
4. Administrative Priority Claims:
- a. Is lender given an administrative priority? _____
 - b. Is administrative priority higher than § 507(a)? _____
 - c. Is there a conversion of pre-petition secured claim to post-petition administrative claim by virtue of use of existing collateral? _____
5. Adequate Protection (§ 361):
- a. Is there post-petition debt service? _____
 - b. Is there a replacement/additional § 361(1) lien? _____
 - c. Is the lender's claim given super-priority? _____
(§ 364(c) or (d)) [designate] _____
 - d. Are there guaranties? _____
 - e. Is there adequate insurance coverage? _____
6. Waiver/Release Claims v. Lender:
- a. Debtor waives or releases claims against lender, including, but not limited to, claims under §§ 506(c), 544-550, 552, and 553 of the Code? _____
 - b. Does the Debtor waive defenses to claim or liens of lender? _____
 - c. Is the proposed lender also the pre-petition lender? _____
 - d. New post-petition lender? _____
 - e. Is the lender an insider? _____
7. Modification of Stay:
- a. Is any modified lift of stay allowed? _____
 - b. Will the automatic stay be lifted to permit lender to exercise self-help upon default without further order? _____
 - c. Are there any other remedies exercisable without further order of court? _____
 - d. Is there a provision that any future modification of order shall not affect status of Debtor's post-petition obligations to lender? _____

8. Creditors' Committee:
- a. Has creditors' committee been appointed? _____
 - b. Does creditors' committee consent? _____
9. Restrictions on Parties in Interest:
- a. Is a plan proponent restricted in any manner, concerning modification of lender's rights, liens and/or causes? _____
 - b. Is the Debtor prohibited from seeking to enjoin the lender in pursuit of rights? _____
 - c. Is any party in interest prohibited from seeking to modify this order? _____
 - d. Is the entry of any order conditioned upon payment of debt to lender? _____
 - e. Is the order binding on subsequent trustee on conversion? _____
10. *Nunc Pro Tunc*:
- a. Does any provision have retroactive effect? _____
11. Notice and Other Procedures:
- a. Is shortened notice requested? _____
 - b. Is service requested to shortened list? _____
 - c. Is time to respond to be shortened? _____
 - d. If final order sought, have 15 days elapsed since service of motion pursuant to FRBP 4001(b)(2)? _____
 - e. If preliminary order sought, is cash collateral necessary to avoid immediate and irreparable harm to the estate pending a final hearing? _____
 - f. Is a Certificate of Conference included? _____
 - g. Is a Certificate of Service included? _____
 - h. Is there verification of transmittal to U.S. Trustee included pursuant to FRBP 9034? _____
 - i. Has an agreement been reached subsequent to filing motion? _____
 - i. If so, has notice of the agreement been served pursuant to FRBP 4001(d)(1)? _____
 - ii. Is the agreement in settlement of motion pursuant to FRBP 4001(d)(4)? _____
 - iii. Does the motion afford reasonable notice of material provisions of the agreement pursuant to FRBP 4001(d)(4)? _____
 - iv. Does the motion provide for opportunity for hearing pursuant to FRBP 9014? _____

SIGNED this the ____ day of _____

By: _____

APPENDIX I

Domestic Support Obligation Disclosure Form corrected on August 21, 2020

DOCUMENTS TO BE PRODUCED TO TRUSTEE IN CHAPTER 7 CASES PRIOR TO SECTION 341 CREDITORS MEETING

The following must be brought by the Debtor to the Section 341 Creditor's Meeting in order to have the meeting concluded:

1. Valid government-issued photo identification;
2. Proof of the Debtor's social security number by any document issued by a third party (a tax return is not acceptable proof but a W-2 issued by the Debtor's employer is acceptable proof).

The following documents must be received by the Trustee at least seven (7) days prior to the meeting of creditors:

1. Photocopies of pay stubs and any/all income received by the Debtor and spouse, if any, (whether or not a joint petition has been filed) during the 60-day period prior to the filing of the Bankruptcy Petition.
2. A complete copy of the Debtor's last two (2) years of filed Federal and State Tax Returns with all schedules, W-2 and/or 1099 forms or Tax Transcript redacted for all Social Security Numbers and the names of any dependents.
3. A copy of the statement for any bank account, brokerage account or other account in which the Debtor had money on deposit on the date of the filing of the petition. This includes any such accounts which are in the Debtor's name for convenience or anticipated probate reasons.
4. If the Debtor or non-filing spouse, if any, have any income from self-employment: a sworn Profit and Loss statement indicating the income and/or loss for the sixty (60) days prior to filing of the Bankruptcy Petition dated and signed by the Debtor or non-filing spouse, if any, under penalty of perjury.
5. If the Debtor owns real estate or a mobile home:
 - a. An appraisal or comparative market analysis with at least 3 comparable sales listed that is no more than one (1) year old and that is dated and signed by the person providing the value. A tax assessment, Zestimate or similar valuation is not acceptable;
 - b. A title search or copy of all mortgages recorded on the land records which include the volume and pages of recordation;
 - c. A copy of the recorded deed with property description or a title search;
 - d. A payoff statement or monthly statement from each mortgage holder showing the balance due on the mortgage(s);
 - e. Circle or highlight the value of the property and the balance due on the mortgage(s).
6. If the Debtor has purchased, sold, obtained an equity line or mortgage, transferred or refinanced any real property in the four (4) years before the filing of the Bankruptcy Petition:
 - a. A copy of the Closing Disclosure and the Loan Estimate;
 - b. An accounting of how the Debtor used the money the net proceeds received from the sale, equity line, mortgage or refinancing.

7. If the Debtor has creditors with a lien on a motor vehicle, boat or any other type of property: proof of the amount owed to the creditor as of the filing of the Bankruptcy Petition and proof of the value of the property.
8. If the Debtor has filed or plan to file any lawsuit against anyone for any reason:
 - a. A letter from the attorney representing the Debtor regarding the status of the lawsuit and its value;
 - b. The attached form completed in full and including the name and address of the Debtor's attorney in the lawsuit.
9. If the Debtor owns an interest in a business, including but not limited to limited liability company, corporation, partnership, joint venture of personal business.
 - a. Documents stating the value of the Debtor's interest in the business;
 - b. If not previously filed as part of Schedule J, a statement of the monthly expenses of the business;
 - c. A balance sheet disclosing assets and liabilities as of the filing of the BankruptcyPetition.
10. If the Debtor owns any shares or stocks: documents regarding the number of stocks owned in each company and the value of the stock as of the filing of the Bankruptcy Petition.
11. If the Debtor owns any jewelry valued at more than \$5,000.00 (other than a wedding or engagement ring): evidence of the value of the jewelry.
12. If the Debtor has a retirement plan such as an IRA, 401 (K), KEOGH or SEP: documents which state the type of plan and its current value.
13. If the Debtor has any annuity contracts: documents which state the type of annuity and its current value.
14. If the Debtor owns a motor vehicle, boat, or trailer: a valuation of the property provided by an independent and recognized source that is dated within six (6) months of the filing of the Bankruptcy Petition.
15. If the Debtor has been divorced: a copy of the final divorce agreement or order and the judgment.
16. If the Debtor has been divorced in the two (2) years prior to the filing of the Bankruptcy Petition: a copy of any and all financial affidavits that filed with the Court in the divorce case.
17. If the Debtor is obligated to pay alimony and/or support pursuant to a Court order: a completed Domestic Support Obligation Disclosure Form.

United States Bankruptcy Court
District of Connecticut

In Re: _____ Case No: _____
(Debtors) Chapter: (7)

DOMESTIC SUPPORT OBLIGATION DISCLOSURE FORM

Section 1: to be completed by all debtors:

Date: _____ Case No: _____

Debtor: _____ Co- Debtor: _____

SS NO: _____ SS NO: _____

Are you responsible for any Domestic Support Obligations described in 11 U.S.C. § 101 (14A) [debt owed to or recoverable by spouse former spouse, child, child's guardian or governmental unit in the nature of alimony, maintenance or support?]

Debtor: Yes No

Co-Debtor: Yes No

If your answer is "No" skip to Section 3 at the bottom of this form and sign. If your answer is "Yes" please complete Section 2 and sign at the bottom.

Section 2: to be completed only if you answered "yes" above:

Debtor's current marital Status:

Married Divorced

Separated Widowed

Co- Debtor's current marital Status:

Married Divorced

Separated Widowed

Name of person support is sent to: _____

Complete Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Are support payments deducted from your paycheck? Yes No

Provided the State Agency Information:

Agency Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Name of creditors of any debts that will not be discharged or that you will reaffirm:

Identify your Employer Name and Address:

Name: _____

Complete Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Section 3: To be signed by all debtors

I swear or affirm under penalty of perjury pursuant to 28 U.S.C. § 1746 that the information provided is true, correct and complete.

Debtor: _____ Co-Debtor: _____

APPENDIX J

DOCUMENTS TO BE PRODUCED TO TRUSTEE IN CHAPTER 13 CASES PRIOR TO SECTION 341 CREDITORS MEETING

The following must be brought by the Debtor to the Section 341 Creditor's Meeting in order to have the meeting concluded:

1. Valid government-issued photo identification;
2. Proof of the Debtor's social security number by any document issued by a third party (a tax return is not acceptable proof but a W-2 issued by the Debtor's employer is acceptable proof).

The following must be received by the trustee no later than seven (7) days prior to the Section 341 meeting:

1. Copies of the paystubs the Debtor and the debtor's spouse received during the six month period preceding the filing of the case, containing year to date information. The Debtor must provide updated pay stubs before the confirmation hearing;
2. Copies of state and federal income tax returns of the Debtor and the Debtor's spouse for the most recent two years with accompanying W-2 forms, 1099s and all other attachments regardless of any applicable extensions of time;
3. An affidavit from any non-filing party contributing money to the Debtor's income plus copies of the contributor's state and federal income tax returns for the preceding two years with accompanying W-2 forms, photocopies of their last four payroll stubs and/or operating reports if the contributor is self-employed;
4. A recent valuation, containing at least three comparable sales less than one year old for each piece of real estate owned by the Debtor;
5. A list of the name(s) and address(es) of anyone to whom the Debtor must pay child support by court order;
6. Copies of bank statements for all accounts which the Debtor controls or in which the Debtor holds an interest for the six month period prior to filing ONLY if the Debtor is above median, receives commissions, or operates a business. All other Debtors must submit statements showing the balance in each account which the Debtor controls or in which the Debtor holds an interest for the filing date only.
7. If the Debtor or Debtor's spouse is operating a business, monthly operating statements for the current year must be filed each and every month with the court, the United States Trustee, the Standing Trustee and any governmental unit charged with responsibility for collection or determination of any tax arising out of such operation.

8. If the Debtor has an ownership interest in any non-publicly traded corporation, company, partnership or any other type of business entity, the following documentation must be submitted to the Trustee: a balance sheet reflecting the entity's assets and liabilities as of the petition date, tax returns for the entity for the preceding two years.
9. If the Debtor owns rental property separate monthly operating reports for each property must be submitted to the Trustee each and every month. Copies of executed leases for all current tenants must also be submitted.

APPENDIX K

ORDER AND NOTICE TO DISPUTED, CONTINGENT, AND UNLIQUIDATED CREDITORS

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

| | |
|-----------------|--------------|
| IN RE: _____) | CASE NO. |
| _____) | CHAPTER 11 |
| DEBTOR. _____) | RE: ECF No.: |

ORDER INSTRUCTING DEBTOR TO COMPLETE, FILE, AND SERVE NOTICE OF DISPUTED, CONTINGENT, OR UNLIQUIDATED CLAIM AND NOTICE OF DEADLINE FOR FILING PROOF OF CLAIM

Upon the Debtor's Schedules/Amended Schedules filed in the case (ECF No.____), it is hereby

ORDERED: The Debtor shall complete, file, and serve the attached Notice of Disputed, Contingent, or Unliquidated Claim and Notice of Deadline for Filing Proof of Claim on or before _____, 202__, on all creditors whose claim was scheduled as disputed, contingent, or unliquidated in the Schedules and/or Amended Schedules (ECF No ____; and it is further

ORDERED: The Debtor shall serve the attached Notice of Disputed, Contingent, or Unliquidated Claim and Notice of Deadline for Filing Proof of Claim on all affected parties by first class mail, postage prepaid on or before _____, 202__ and it is further

ORDERED: The Debtor shall file a Certificate of Service indicating compliance with this order on or before _____, 202__.

Dated at _____, Connecticut this ____ day of _____, 202__.

**NOTICE OF DISPUTED, CONTINGENT, OR UNLIQUIDATED CLAIM
AND NOTICE OF DEADLINE FOR FILING PROOF OF CLAIM**

To: Claimant(s) Address(es)

Scheduled Claim Amount(s): \$ _____

Claim(s) Scheduled as: [disputed, contingent, or unliquidated, as applicable]

[Note: All Claimants should be listed here, or an exhibit may be used to list each claimant, with their respective address and the amount of the claim scheduled as disputed, contingent, or unliquidated]

1. The Debtor scheduled your claim as indicated above. Any creditor whose claim is scheduled as disputed, contingent, or unliquidated in the Debtor's Schedules filed on _____, 202__ (ECF No. __), and/or the Amended Schedules filed on _____, 202__ (ECF No. __), must file a proof of claim by _____, 202__. Pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(2), any creditor required to file a proof of claim who fails to do so shall not be treated as a creditor with respect to such a claim for the purposes of voting on the Debtor's Plan and for distributions to creditors.
2. Creditors who have already filed claims need not file them again.
3. A proof of claim form is enclosed with this notice.
4. Counsel to the Debtor shall file this completed notice listing all those creditors whose claim was not scheduled or whose claim was scheduled as disputed, contingent, or unliquidated in the Schedules and Amended Schedules (ECF Nos. __) on or before _____, 202__. Counsel to the Debtor shall also serve this notice on all affected parties by First Class Mail, postage prepaid on or before _____, 202__. Counsel to the Debtor shall file a Certificate of Service indicating such compliance on or before _____, 202__.

APPENDIX L

LIST OF GOVERNMENT AGENCY ADDRESSES

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530-0001

Civil Process Clerk
United States Attorney's Office
157 Church Street, 25th Floor
New Haven, CT 06510

Office of the Attorney General
State of Connecticut
55 Elm Street
Hartford, CT 06106

Connecticut Department of Revenue Services
Collections Unit – Bankruptcy Team
450 Columbus Boulevard, Suite 1
Hartford, CT 06103

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE

APPENDIX M

**MOTIONS/APPLICATIONS/PLEADINGS THAT DO NOT FOLLOW
CONTESTED MATTER PROCEDURE AND *MAY* BE SCHEDULED FOR A
HEARING**

- Any Motion/Application/Pleading filed in an Appeal
- Any Motion/Application/Pleading filed in an Adversary Proceeding

- Application to Pay Filing Fee in Installments
- ~~Motion~~ Application to Waive Filing Fee in a Chapter 7 Case
- Motion to Return Fee

- Motion for 2004 Examination
- Motion to Appear *Pro Hac Vice*
- Motion for Authority to Operate Business
- Motion for Contempt
- Motion to Convert Chapter 7 to 11/12/13 by Debtor
- Motion to Convert Chapter 13 to Chapter 7 by Debtor
- Motion to Dismiss Chapter 13 Case by Debtor
- Motion to Delay Entry of Discharge
- Motion for Extension of Time (*see* D. Conn. L. Civ. R. 7(b))
- Motion to Expedite Hearing
- Motion to Extend the Automatic Stay
- Motion for Exemption from Electronic Filing
- Motion to Alter or Amend/Modify Judgment pursuant to Fed. R. Bankr. P. 9023
- Motion for Relief from Judgment or Order/Reconsider/Vacate Pursuant to Fed. R. Bankr. P. 9024
- Motion to Limit Notice/Service
- Motion to Redact
- Motion to Reopen
- Motion for Approval of Sale Procedures pursuant to L. Bankr. R. 6004-2(d)
- Motion for Sanctions
- Motion to Terminate Wage Deduction Provision in Confirmation Order
- Notice of Proposed Sale of Estate Property pursuant to L. Bankr. R. 6004-1(a)

- Objection to Claim, (*see* Notice of Objection to Claim Form, Connecticut Local Form 420B)

- Stipulations Addressing a Pending Motion/Application/Pleading

APPENDIX N

Appendix N revised on February 14, 2020

**EXCEPTIONS TO THE CONTESTED MATTER PROCEDURE
AND SHALL BE SET FOR A HEARING**

- Application for Final Decree in Chapter 11
- Application to Employ

- Chapter 11/12/13 Plan Confirmation
- Motion to Modify 11/12/13 Plan after Confirmation

- Disclosure Statement
- Fee Applications

- Motion under § 365 to Assume, Assign, or Reject Executory Contract or Unexpired Lease
- Motion under § 364 Borrowing/Financing
- Motion under § 363 for Cash Collateral/Sale
- Motion to Compromise pursuant to Fed. R. Bankr. P. 9019
- Motion to Dismiss/Convert Chapter 11 by Debtor
- Motion to Dismiss/Convert any case/chapter filed by party other than Debtor
- Motion to Extend Time to File a § 523/727 complaint without consent
- Motion to Extend Exclusivity or Time to Confirm a Plan in Chapter 11/12/13
- Motion for Joint Administration/Substantive Consolidation
- Motion to Seal

- Trustee's Objection to Debtors Claim of Exemption

**United States Bankruptcy Court
District of Connecticut**

**Local Rules of Bankruptcy Procedure
Appendix O**

**Connecticut Local Form Notice of Sale of Estate
Property**

Terms and conditions of sale:

Proposed sale price:

Overbid procedure (if any):

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact person for potential bidders (*include name, address, telephone, fax and/or email address*):

Date:

Pursuant to D. Conn. Bankr. L.R. 6004-1, this form is mandatory. It has been approved for use in the United States Bankruptcy Court for the District of Connecticut and will be posted by the Clerk on the Court's website for publication.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** was served on (date) _____ in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to this Court's Administrative Procedures for Electronic Case Filing (Appendix A), the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows:

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows:

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Printed Name

Signature

Pursuant to D. Conn. Bankr. L.R. 6004-1, this form is mandatory. It has been approved for use in the United States Bankruptcy Court for the District of Connecticut and will be posted by the Clerk on the Court's website for publication.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE

APPENDIX P
LOCAL RULE 9083-6 PRO BONO PANEL PROCEDURES

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1. Definition of Pro Bono Panel.

The Pro Bono Panel is established pursuant to Local Rule 9083-6. The Panel is divided into two Sections as set forth in Paragraph 2(a), and, except as set forth in Paragraph 2(d) of this Appendix, consists of attorneys who have been admitted to practice in the United States District Court for the District of Connecticut and the United States Bankruptcy Court for the District of Connecticut (the “Court”), have a primary office in this District, are in good standing, have a CM/ECF login and password in this Court, and have registered for inclusion in the Panel pursuant to Paragraph 2. Any member of the bar, otherwise qualified, may request inclusion on the Panel, either in one or both Sections and upon inclusion, shall be considered a Panel Attorney for purposes of Local Rule 9083-6. Attorneys who are members of the committee comprising the Panel Administrator as provided for hereinafter, at their option, to be considered exempt from appointment and service on the Panel, but in recognition of their service as a Panel Administrator shall be deemed to have contributed equally to the pro bono service contemplated by Local Rule 9083-6 (b) for the calendar year in which they served.

2. List of Attorneys

- a. The Court and the Commercial Law & Bankruptcy Section of the Connecticut Bar Association (the “CBA Section”) encourage participation in the Panel pursuant to Local Rule 9083-6. The CBA Section (or a committee or organization designated and responsive to the CBA Section) shall act as the Panel Administrator. The Panel Administrator will prepare and maintain the list of qualified volunteer attorneys for inclusion on the Panel consistent with Paragraph 1, to be grouped according to the two Sections as noted below. An attorney included in Section One of the Panel (a “Section One Attorney”) shall be eligible for appointment to represent an individual debtor recommended by the Panel Administrator in a Chapter 7 case. An attorney included in Section Two of the Panel (a “Section Two Attorney”) shall be eligible for appointment only to represent a qualified individual debtor in contested matters and a qualified individual in adversary proceedings. If any adversary proceeding or contested matter is commenced in a case where the debtor is represented by a Section One Attorney, that attorney may notify the Panel Administrator of the need to appoint a Section Two Attorney to represent the debtor in connection with the adversary proceeding or contested matter or may elect to also represent the debtor in such adversary proceeding or contested matter. Based upon the criteria set forth herein, the Panel Administrator shall periodically review the list of Panel Attorneys, and shall from time to time work to supplement said list and to delete Panel member names from the list as necessary and appropriate. The Panel Administrator should work to achieve a goal of not requesting any Section One or Section Two Attorney to participate in more than four pro bono matters on an annual basis, absent the consent of such Panel Attorney. The Panel Administrator may disclose the names of Panel Attorneys and the number of cases that a Panel Attorney handled.
- b. An application for qualified prospective Panel Attorneys or an email address to request to obtain an application shall be made available on the webpage of the CBA Section on the CBA’s website. The Panel Administrator may also request any information that will be of assistance in maintaining the Panel list or the process of assigning counsel from the Panel in accordance with Local Rule 9083-6 and such other parameters as the Panel Administrator in its discretion may reasonably adopt.
- c. After inclusion as a member on the Panel, a Panel Attorney may withdraw from the Panel by requesting in writing that the Panel Administrator remove that Panel Attorney from the Panel, either temporarily or permanently. If the Panel Attorney is removed for a specified period, the Panel Attorney will ordinarily be reinstated at the expiration of that period. It shall be the responsibility of each Panel Attorney to timely update the Panel Administrator of any change of the employer name, mailing address, phone number, fax number and email address of such Panel Attorney and any change in their license or disciplinary status with the United States District Court for the District of Connecticut, United States Bankruptcy Court for the District of Connecticut and the State of Connecticut Superior Court.

- d. The Court may authorize a clinical program, under the auspices of one or more law schools accredited by the American Bar Association and located in this District, through which law students may appear in and represent the Debtor in matters referred to the Panel if the law student is appropriately supervised by a qualified attorney instructor who is admitted to the United States District Court for the District of Connecticut, the United States Bankruptcy Court for the District of Connecticut, is in good standing, and has a CM/ECF login and password in this Court. Such law students and attorney instructor need not be a member of the Panel, but an attorney instructor seeking to have his or her clinical program participate in the referral of pro bono matters may do so by providing such information as may be requested by the Panel Administrator including the following: (i) the name, mailing address and website address of the law school administering the clinical program; (ii) the number of students involved in the clinical program; (iii) the practices of the clinical program in supervising participating students; (iv) the name, mailing address and website address, if any, of the attorney instructor, along with the attorney instructor's electronic mail address, phone number and facsimile number; (v) the firm or organization, if any, with which the attorney instructor is affiliated; (vi) the name and mailing address of the supervisor of the clinical program, along with the supervisor's electronic mail address, phone number and facsimile number; (vii) the number of years the attorney instructor has been admitted to practice; (viii) the attorney instructor's principal practice areas; (ix) the attorney instructor's experience in bankruptcy and/or litigation matters; (x) the ability of the attorney instructor and the clinical program to represent non-English speaking clients; (xi) the courts in which the attorney instructor is admitted to practice; and (xii) preference, if any, for appointment in a particular seat of the Court in Connecticut. Once approved, the clinical program's attorney instructors and specific law students being supervised by such instructors may be treated as members of the Panel by the Panel Administrator.

3. Panel Administrator

In furtherance of the goals set forth herein, the Panel Administrator may, as it deems necessary, engage the services of a public service entity (e.g., Statewide Legal Services of Connecticut, Inc.) ("Public Service Entity") to assist the Panel Administrator with any obligation or task or delegate such obligation or task related to or concerning the pro bono program set forth under Local Rule 9083-6, including, but not limited to the application process, maintenance, screening and assignment of requests from qualified individuals seeking the services of pro bono representation. In addition, the Panel Administrator shall cause to be made available the contact information for the Panel Administrator and the Public Service Entity on the Court's website, the web page of the CBA Section or the CBA's website.

The CBA, CBA Section (including any subcommittee), the Public Service Entity and any Panel Administrator (including any individual members of the Panel Administrator) shall not be responsible for supervising or monitoring Panel Attorneys and shall have no responsibility or liability to any applicant or to any individual who has received or requested pro bono counsel

assistance pursuant to or in connection with the pro bono program provided for under or in connection with Local Rule 9083-6.

4. Conditional Referral Procedure for Chapter 7 cases

- a.** Individuals seeking assistance with chapter 7 bankruptcy cases only may request Pro Bono Counsel pursuant to this Rule. To initiate such request, such individuals must first satisfy certain criteria and they shall fully complete the Panel Administrator's application, including all requested financial disclosures, and qualification documents as may be requested by or adopted from time to time by the Panel Administrator, and timely submit such completed documentation to the Panel Administrator. A Panel Attorney will be considered only for individual debtors or married couples who are unable to afford counsel, and who have fully and accurately completed the application and provided the documentation requested by the Panel Administrator in a manner consistent with any protocol and financial limitations adopted by the Panel Administrator. Such protocol may include both asset and income limitations as the Panel Administrator in its discretion may adopt from time to time and may incorporate available standards such as the Poverty Guidelines adopted and published by the United States Department of Health and Human Services. All applicants seeking the conditional referral of a pro bono counsel must demonstrate their inability to afford counsel by first consulting in good faith with at least two bankruptcy lawyers in Connecticut and providing the names of those lawyers, the dates of consultation and proposed terms of representation they were unable to afford as part of the application for pro bono counsel. Local Rule 9083-6 is not intended to provide any individual with a right to have counsel appointed.
- b.** The Panel Administrator will consider the designation of counsel from the Panel for appointment based upon such factors as the Panel Administrator may adopt, including but not limited to the division of Court to which a case may be assigned and the nature and complexity of the matter in which the Pro Bono Counsel is to represent the prospective client. Panel Attorneys may be conditionally referred either before or after a potential pro bono client has filed a petition for relief under or is involved in a chapter 7 case under Title 11 of the U.S. Code.

5. Responsibilities of the Conditionally Referred Attorney and Pro Bono Client

- a.** After the Panel Administrator has sent written notice of an attorney designated from the Panel to the prospective Pro Bono Client, the prospective Pro Bono Client shall have the sole responsibility for promptly contacting the designated Pro Bono Counsel, to make an appointment with Pro Bono Counsel to discuss their situation, to confirm representation and to advise the Pro Bono Counsel of any and all upcoming deadlines and hearing dates and to be responsive, cooperative and to provide assistance to counsel. Upon being notified by the prospective Pro Bono Client, Pro Bono Counsel shall determine as soon as practicable whether or not counsel will accept the representation so as to permit another conditional referral

to be made, if necessary. Proposed Pro Bono Counsel and Pro Bono Client should ordinarily enter into a written pro bono engagement agreement and proposed Pro Bono Counsel may require client to execute an engagement agreement before commencement of representation. Representation of a Pro Bono Client by Pro Bono Counsel may be limited by counsel in such engagement agreement and shall not extend to appeals or other matters in contest of any judgment or order unless the Pro Bono Counsel specifically agrees in writing and in advance to undertake such representation. A notice of appearance or Statement filed pursuant to FRBP 2016 filed by Pro Bono Counsel may disclose that counsel has been referred by the Panel Administrator as Pro Bono Counsel, and, if appropriate, specify the discrete matter or matters upon which Pro Bono Counsel is to represent the client and further state that all pleadings and other papers shall continue to be served upon the client as well as upon Pro Bono Counsel. Pro Bono Counsel should send a copy of any notice of appearance filed on behalf of the Pro Bono Client to the Panel Administrator.

- b.** Unless specifically stated otherwise, appearance of Pro Bono Counsel conditionally referred by the Panel Administrator is presumed in all cases to exclude representation in any appeals from any judgment, order or decision rendered in the matter and in any adversary proceedings, and Pro Bono Counsel shall not be required to undertake such representation absent the specific prior written consent of Pro Bono Counsel.
- c.** The appearance of counsel resulting from the certification by counsel to the Debtor on a voluntary petition for relief under Title 11 shall constitute a notice of appearance for purposes of Local Rule 9083-6.

6. Relief From Designation or Representation By Pro Bono Counsel

- a.** Prior to filing a notice of appearance or filing a bankruptcy petition, if counsel does not wish to accept a conditional referral or otherwise decline or terminate a referral for any reason, or upon the prospective client's request, counsel shall promptly inform the Panel Administrator, who will endeavor to conditionally refer the case to another Panel Attorney, unless the termination or declination by counsel was for cause. In the event no Panel Attorney accepts the referral, the Panel Administrator shall so inform the individual and the Clerk if the Panel Administrator is aware of a pending bankruptcy matter involving that individual, and no further attempts at referral shall be required.
- b.** Subsequent to filing a notice of appearance, Pro Bono Counsel may apply pursuant to the Court's Local Rules (including Local Rule 9083-6) to be relieved as counsel on any appropriate grounds.
- c.** In addition to the grounds and procedures set forth under the Local Rules for withdrawal as counsel in a pending matter, if Pro Bono Counsel at any time determines that the Pro Bono Client is not qualified for pro bono representation in accordance with Local Rule 9083-6 and the applicable parameters established by

the Panel Administrator, Pro Bono Counsel may and is authorized to (1) so notify the Pro Bono Client and the Panel Administrator, and may proceed to move pursuant to applicable rules, upon this basis alone, to withdraw from any matter in which an appearance has been filed, and/or to (2) terminate representation in matters in which an appearance has not yet been filed by Pro Bono Counsel and to advise the Panel Administrator and the Pro Bono Client of termination. Pro Bono Counsel may and is authorized to, but shall not be required, to disclose confidential information that supports such determination by Pro Bono Counsel. If Pro Bono Counsel determines for any reason that such counsel must withdraw an appearance, Pro Bono Counsel should also notify the Panel Administrator in writing.

7. Discharge by Pro Bono Client

A Pro Bono Client, for whom Pro Bono Counsel has filed an appearance, may request the Court, on the record in open Court or in writing, to discharge Pro Bono Counsel from such representation. The Pro Bono Client shall contemporaneously serve a copy of any such written request on Pro Bono Counsel. Upon such request, the order discharging Pro Bono Counsel will ordinarily be granted and the Pro Bono Client shall duly inform the Panel Administrator and may request designation of successor Pro Bono Counsel. In the event no Panel Attorney is designated or accepts the designation, the Panel Administrator shall so inform the Pro Bono Client and the Clerk and no further attempts to refer the matter shall be required.

8. Expenses

There being no public funds available for the purpose, Pro Bono Counsel or the firm in which such counsel is employed, may in their sole discretion, but shall not be not required to, advance the expenses of the Pro Bono Client in or for the matter consistent with the provisions of Rule 1.8(e) of the Rules of Professional Conduct. Pursuant to any outstanding protocol adopted by the Court and/or the Panel Administrator, Pro Bono Counsel may request reimbursement of such expenses from funds or sources that may be available for that purpose, or from the Pro Bono Client consistent with Paragraph 9.

9. Compensation for Services

- a.** Subject to Paragraph 9(c), no fee payment shall be demanded or accepted in connection with the services rendered by Pro Bono Counsel on matters for which such counsel has agreed to represent the client on a pro bono basis based on the conditional referral by the Panel Administrator, unless in circumstances where assets become or are available to the individual or the individual's financial circumstances improve during the term of such representation.
- b.** Upon appropriate application by Pro Bono Counsel, and taking into consideration counsel's initial agreement to take the matter without compensation, the Court may award fees and/or expenses to Pro Bono Counsel or law firm for services rendered, as permitted by applicable law, and to the extent necessary and appropriate, any such fees previously advanced by other sources, shall be reimbursed to that other

source, in circumstances where there is an increase of assets of the client and/or an improvement of financial circumstances of the client.

- c.** If, after conditional referral, Pro Bono Counsel discovers that the Pro Bono Client is able to pay for legal services, counsel may disclose this information to the attention of the Panel Administrator and the Court. Upon appropriate motion, if an appearance has been filed, the Court may relieve Pro Bono Counsel from the representation and permit the party to retain other counsel or proceed pro se, or to permit Pro Bono Counsel to negotiate a suitable fee arrangement with the client.
- d.** If, after appointment, Pro Bono Counsel discovers that the Pro Bono Client is able to pay for legal services or has other parties willing to pay for same, Pro Bono Counsel may negotiate a suitable fee arrangement with client reduced to writing so as to comply with Section 1.5 of the Rules of Professional Conduct.

10. Duration of Representation

- a.** Subject to the provisions of the applicable Local Rules or order of the Court, Pro Bono Counsel's representation the Pro Bono Client in connection with a matter in which an appearance has been filed terminates on the earlier of the date (i) a final order or judgment is entered in the matter, (ii) the case is closed, or, (iii) counsel has been relieved from representing the client further by the Court. If the bankruptcy case is continuing after the matter is concluded, counsel shall inform the Pro Bono Client in writing with a copy to the Panel Administrator, that counsel's responsibilities have concluded.
- b.** Except as set forth in Local Rule 9083-6, nothing in these rules shall be read to affect: (i) an attorney's responsibilities under the Rules of Professional Conduct or applicable law; or (ii) the manner in which and to whom a notice of appearance or notice of withdrawal must be given under the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules, or any order of the Court in the particular bankruptcy case.
- c.** A Panel Attorney shall not be considered a "debt relief agency" under 11 U.S.C. §101(12A) solely on account of being a member of the Panel or representing one or more Pro Bono Clients pursuant to Local Rule 9083-6.