LOCAL BANKRUPTCY RULES, as amended*

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

* Amended per General Order No. 09-GO-06

Effective Date: December 1, 2009

Updated for General Orders: May 1, 2010	March 1, 2013
September 9, 2010	
June 5, 2012	

UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

LOCAL COURT RULES, as amended*

***Amended per General Order No. 09-GO-06**

PREAMBLE

Authority. These local rules of the United States Bankruptcy Court for the Northern District of Oklahoma are promulgated pursuant to Rule 9029(a)(1) of the Federal Rules of Bankruptcy Procedure and adopted pursuant to the Order of the United States District Court for the Northern District of Oklahoma dated October 9, 2007, and amended pursuant to General Order No. 09-GO-06, dated October 7, 2009. These local rules are promulgated to supplement the Federal Rules of Bankruptcy Procedure with local Court procedure.

Uniform Numbering. These local rules are sequentially numbered to correspond to certain of the Federal Rules of Bankruptcy Procedure, if applicable, except that a dash and a fifth digit has been added in accordance with the directive of the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States. If no related national number exists, the local rule has been assigned a number for the related topic in accordance with the Judicial Conference of the United States Uniform Numbering System for Local Bankruptcy Court Rules.

Honorable Dana L. Rasure
Chief United States Bankruptcy Judge

Honorable Terrence L. Michael
United States Bankruptcy Judge

Effective Date: December 1, 2009

Michael L. Williams, Clerk
U.S. Bankruptcy Court
The Federal Building
224 S. Boulder Ave.
Tulsa, OK 74103
(918) 699-4000

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Appendix A – CM/ECF Administrative Guide of Policies and Procedures

CM/ECF Attorney Registration Form (Form A)
CM/ECF Application for Limited Use/Claim Password (Form B)
CM/ECF Filing Agents Registration Form (Form C)

LOCAL RULES OF THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA, as amended*
(Clean Version)

*** Amended per General Order No. 09-GO-06**

EFFECTIVE DATE: December 1, 2009

RULE 1001-1. SCOPE OF RULES AND FORMS; DEFINITIONS

A. Application.

1. These rules govern all cases and proceedings pending before this Court on the effective date specified above and thereafter, and shall supersede all local rules and standing orders pertaining to rules of procedure previously adopted and entered by the Court, unless such standing order is specifically incorporated herein.

2. These rules, the CM/ECF Administrative Guide of Policies and Procedures, and the Standing Orders, General Orders and Miscellaneous Orders entered by this Court shall govern all cases and proceedings before this Court.

B. Citation. These rules shall be known as the "Local Rules of the United States Bankruptcy Court for the Northern District of Oklahoma" and may be cited as "Bankr. N.D. Okla. LR____" or as "LR ____" or as "Local Rule____," as appropriate.

C. Waiver of Rules. The Court may waive any provision of these rules upon its own motion or upon the motion of any party in interest. An order pertaining to procedure entered in a case or proceeding will govern the case or proceeding notwithstanding that the order may be at variance with these rules.

D. Interim Standing Orders. These rules may be modified or supplemented from time to time by the Court by Interim Standing Orders. Interim Standing Orders shall be maintained by the Clerk and shall be available on the Court's website (http://www.oknb.uscourts.gov).

E. CM/ECF Administrative Guide of Policies and Procedures. References to "ECF Administrative Guide in these rules shall mean the CM/ECF Administrative Guide of Policies and Procedures, effective December 1, 2009, or as later amended, which is attached hereto as Appendix A.

F. Local Forms. References to "Local Form" in these rules shall mean substantially the forms prescribed by these rules, the Court, or the Clerk, copies of which are available on the Court's website (http://www.oknb.uscourts.gov).

G. Official Bankruptcy Forms. References to "Official Bankruptcy Form" or "Official Form" in these rules shall mean substantially the forms prescribed by the Judicial

Conference of the United States or the Director of the Administrative Office of the United States, copies of which are available on the Court's website (http://www.oknb.uscourts.gov). See Bankruptcy Rules 1001 and 9009.

H. Definitions.

1. Bankruptcy Court Clerk. References to the "Clerk" in these rules shall mean the Court Clerk of the United States Bankruptcy Court for the Northern District of Oklahoma.

2. Bankruptcy Code. References to the "Code" in these rules shall mean the United States Bankruptcy Code.

3. Bankruptcy Rules. References to "Bankruptcy Rules" in these rules shall mean the Federal Rules of Bankruptcy Procedure.

4. Local Rules. References to "Local Rules" in these rules shall mean these Local Rules of the United States Bankruptcy Court for the Northern District of Oklahoma.

5. District Court. References to "District Court" in these rules shall mean the United States District Court for the Northern District of Oklahoma.

6. District Court Local Rules. References to "District Court Local Rules" in these rules shall mean the Local Civil Rules of the United States District Court for the Northern District of Oklahoma.

7. Bankruptcy Appellate Panel. References to "BAP" in these rules shall mean the Bankruptcy Appellate Panel of the United States Court of Appeals for the Tenth Circuit.

8. Court or Bankruptcy Court. References to "Court" or "Bankruptcy Court" in these rules shall mean the United States Bankruptcy Court for the Northern District of Oklahoma.

9. ECF System. References to "ECF System" in these rules shall mean the Case Management/Electronic Case Filing System implemented by the United States Bankruptcy Court for the Northern District of Oklahoma.

10. Debtor. The term "debtor" used in these rules shall mean both singular and plural form, as the case may be.

11. File-Stamped Copy. References to the term "file-stamped copy" in these rules shall refer to a copy of an electronically filed pleading together with a copy of the first page of the "Notice of Electronic Filing" or a manually filed pleading bearing the Clerk's file stamp.

12. Court's Website. References to the "Court's website" in these rules shall mean (http://www.oknb.uscourts.gov).

13. Electronic Signature. The "s/Jane Doe" constitutes the signature of said party on any electronically filed pleading or other document. See also Local Rule 9011-1.

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

RULE 1002-1. PETITION – GENERAL

A. Specific Requirements.

1. The petition shall conform to the Official Bankruptcy Forms.

2. If the debtor is a corporation, a certified copy of the corporate action authorizing the filing of the petition shall be attached to the petition. Corporations, partnerships, and other artificial entities must be represented by counsel at all times.

RULE 1006-2. FILING FEE

A. Provision for Payment. Any petition for relief presented for filing without proper provision for payment of the filing fee may not be accepted for filing by the Clerk. Payment of a filing fee shall be in accordance with Local Rule 5080-1 and the ECF Administrative Guide unless the petition is accompanied by an Application to Pay Filing Fee in Installments, prepared as prescribed by the appropriate Official Form, or an application requesting a waiver under 28 U.S.C. § 1930(f), prepared as prescribed by the appropriate Official Form.

B. Pro Se Debtors. Payment of a filing fee by a pro se debtor shall be by cash, cashier's check or money order payable to "Clerk, United States Bankruptcy Court." See also Local Rule 5080-1.

C. Refund Policy. Pursuant to the Guide to Judiciary Policies and Procedures, Chapter XII, filing fees may not be refunded if the filing was in error or the case is dismissed. The Chief Judge has delegated authority to the Clerk to refund erroneous filing fees in limited circumstances. The Clerk may approve the refund of erroneous filing fees paid where the fee was never due and for duplicate filing fees collected for the same filing as a result of a "pay.gov" error. See also ECF Administrative Guide.

RULE 1007-1. LISTS, SCHEDULES AND STATEMENTS

A. Corporate Ownership Statement. Any corporation, other than a governmental unit, that is a debtor shall file a statement that identifies all publicly held corporations, other than a governmental unit, that directly or indirectly own ten percent (10%) or more of any class of the corporation's equity interest, or states that there are no such entities to report. The corporate ownership statement shall be made in a separate pleading to be filed concurrently with the petition on Local Form 7007.1-1. A supplemental corporate ownership statement shall be filed promptly to reflect any change in the information that is required to be disclosed.

B. Equity Security Holders List. The list of equity security holders in a Chapter 11 case required by Bankruptcy Rule 1007(a)(3) shall be filed in electronic format ("Equity Security Holders List").

C. Creditor List.

1. The list containing the name and address of each creditor required by Bankruptcy Rule 1007(a)(1) (the "Creditor List") shall be filed with the petition in every voluntary case. The official list of creditors for purposes of notice shall be maintained electronically on the ECF System and may be obtained through the ECF System.

2. The name and address of the Court, judge, debtor, and debtor's counsel, if any, shall not be listed on the Creditor List.

3. The Creditor List shall be submitted to the Clerk in electronic format.

4. Each submission of a Creditor List shall be accompanied by a Verification of Creditor List.

D. Amendment to Creditor List or Equity Security Holders List.

1. An "Amendment to" the Creditor List shall be made by filing a list containing the name and address of each creditor to be added to the list, or other amendment, accompanied by a Verification of Amendment to Creditor List, and shall be identified as an "Amendment to Creditor List."

2. An "Amendment to" the Equity Security Holders List shall be made by filing a list containing the name, address, and ownership interest of any additional security holder, or other amendment, and shall be identified as an "Amendment to Equity Security Holders List."

3. Filing an amended Creditor List or Equity Security Holders List is not permitted. See Local Rule 1009-1(A) and (D).

E. Pro Se Disclosure. An individual debtor who is not represented by an attorney shall file a "Pro Se Disclosure" on Local Form 1007-1E at the time a petition is filed. The form

of "Pro Se Disclosure" shall be made available at the Clerk's Office and on the Court's website (http://www.oknb.uscourts.gov).

F. Payment Advices. Within fourteen (14) days of filing a bankruptcy petition, each individual debtor shall file a "Payment Advices Certification" in the form prescribed by Local Form 1007-1F, together with copies of all payment advices or other evidence of payment (such as paycheck stubs, direct deposit statements, employer's statement of hours and earnings) received from the debtor's employer within sixty (60) days before the date the debtor filed his/her bankruptcy case. Failure to timely file the "Payment Advices Certification" shall constitute cause for dismissal of a bankruptcy case without further notice or a hearing.

G. Summary of Schedules, Statistical Summary of Certain Liabilities and Exhibits. In addition to the time limits for filing certain documents set forth in Bankruptcy Rule 1007(c), in a voluntary case, the Summary of Schedules, Statistical Summary of Certain Liabilities, and Exhibits A, B and C of the Official Form of petition shall be filed with the petition, or within fourteen (14) days thereafter. In an involuntary case, the Summary of Schedules, Statistical Summary of Certain Liabilities, and Exhibits A, B and C shall be filed by the debtor within fourteen (14) days of the entry of the order for relief.

H. Privacy. The debtor and debtor's counsel shall redact the following personal data identifiers from tax returns or transcripts, bank statements, payment advices, and other documents before filing such documents: all but the last four digits of the social security number; all names of minor children (use minors' initials); all but the last four digits of any bank, savings or similar account numbers; and birth date except for the year. The responsibility for redacting personal data identifiers rests solely with the debtor and debtor's counsel. The Clerk will not review documents for compliance with this rule, seal documents containing personal data identifiers without a Court order, or redact such information from documents, whether filed electronically or on paper.

I. Statement of Social Security Number. An individual debtor who is not represented by an attorney should submit, not file, a Statement of Social Security Number on the appropriate Official Form to the Clerk at the time of filing the petition. When a case is filed electronically, the ECF System will allow for the manual input of the full social security number, thereby negating the need for the original Statement of Social Security Number to be filed with the Court. The attorney of record shall maintain the original signed statement in accordance with Local Rule 9011-1.

J. Instrumentalities of the United States. Copies of the list of addresses of instrumentalities of the United States shall be made available by the Clerk upon request and are available on the Court's website (http://www.oknb.uscourts.gov).

RULE 1008-1. VERIFICATION OF PETITION AND ACCOMPANYING PAPERS

Any petition, list, schedule, statement of financial affairs, or amendment thereto that is filed more than fourteen (14) days after having been signed by the debtor shall be accompanied

by a statement, verified by the debtor or containing an unsworn declaration of the debtor, that no change in circumstances has occurred in the interim.

RULE 1009-1. AMENDMENTS TO LISTS AND SCHEDULES

A. Title. When amending any petition, list, schedule, or statement pursuant to Bankruptcy Rule 1009(a) or (b), the following shall be observed:

1. An "Amendment to" a document consists of information which modifies or supplements a document. The original document remains effective except for the amendment. An amendment to a document shall be clearly identified as "Amendment to [name of original document]."

2. An "Amended" document consists of a replacement document that entirely supersedes an original document. An amended document shall be clearly identified as "Amended [name of original document]."

B. Signature of Debtor. All documents filed pursuant to Bankruptcy Rule 1009 must be signed and verified in the same manner as required for the original document. See also Local Rule 1008-1.

C. Notice to Creditors. If creditors are added to the schedules after the service of the notice of bankruptcy case, meeting of creditors and deadlines, the debtor shall give notice to each additional creditor of the commencement of the case and all applicable bar dates and deadlines and file a Certificate of Service of such notice. See also Local Rule 5005-1(E).

D. Amendment to Creditor List or Equity Security Holders List. If amendments to lists, schedules, or statements are made pursuant to Bankruptcy Rule 1009(a) or (b) reflecting a change or addition to the name or address of a creditor, or a change or addition to the name or address of an equity security holder, an amendment to the Creditor List or the Equity Security Holders List, as appropriate, shall be submitted in accordance with Local Rule 1007-1(D). Amended Creditor Lists and Equity Security Holders Lists are not permitted.

RULE 1015-1. JOINT ADMINISTRATION / CONSOLIDATION

When a joint case is commenced by the filing of a single petition by an individual and that individual's spouse as provided in 11 U.S.C. § 302(a), the debtors' estates shall be jointly administered and substantively consolidated unless a party in interest objects or the Court determines otherwise.

RULE 1017-1. CONVERSION

A. Procedure for Conversion of a Chapter 13 Case. A motion to convert a Chapter 13 case shall be served by the movant on the debtor, debtor's counsel, the trustee, the United States Trustee, and any party who has requested notice in the case. An order granting a motion to convert a Chapter 13 case shall be served by the Clerk on all parties in interest, including, but not limited to, the trustee, the United States Trustee, all creditors, instrumentalities

of the United States entitled to notice under Bankruptcy Rule 2002(j), and all parties who have requested notice in the case.

B. Notice of Voluntary Conversion of a Chapter 12 or 13 Case. Upon the filing of a notice of conversion under Bankruptcy Rule 1017(f)(3), the Clerk shall serve a notice on all parties in interest, including, but not limited to, the Chapter 12 or 13 trustee, the United States Trustee, all creditors, and all parties in interest who have requested notice in the case.

C. Information Regarding Domestic Support Obligations. Within thirty (30) days after the conversion of a case to a case under Chapter 11, 12 or 13, the debtor shall provide the trustee, if a trustee is appointed, with the information required by Local Rule 4002-1(B) on Local Form 4002-1B.

RULE 1017-2. DISMISSAL OR SUSPENSION – CASE OR PROCEEDINGS

A. Voluntary Dismissal. In addition to stating with particularity the grounds for relief, all motions to dismiss shall comply with Local Rule 9013-1 and shall fully disclose any existing arrangement or agreement between the debtor and creditors or any person or entity in connection with the motion for dismissal.

B. Procedure for Dismissal of a Chapter 13 Case. A motion to dismiss a Chapter 13 case shall be served by the movant on the debtor, debtor's counsel, the trustee, the United States Trustee, and any party who has requested notices in the case. An order granting a motion to dismiss a Chapter 13 case shall be served by the Clerk on all parties in interest, including, but not limited to, the trustee, the United States Trustee, indenture trustees, all creditors, instrumentalities of the United States entitled to receive notices under Bankruptcy Rule 2002(j), and all parties who have requested notice in the case.

RULE 1019-1. CONVERSION TO CHAPTER 7 – PROCEDURE FOLLOWING

A. Amendment to Creditor List. In addition to the requirements of Bankruptcy Rule 1019, the debtor-in-possession or trustee in a superseded Chapter 11 case, and the debtor in a superseded Chapter 12 or 13 case, shall file an amendment to the Creditor List reflecting the names and addresses of all unscheduled, unpaid post-petition creditors within fourteen (14) days following the entry of the order converting the case or the filing of a notice of conversion. See also Local Rule 1009-1(D) and Local Rule 5005-1(D).

B. Information Regarding Domestic Support Obligations. Within thirty (30) days after the conversion of a case to a case under Chapter 7, the debtor shall provide the trustee with the information required by Local Rule 4002-1(B) on Local Form 4002-1B.

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

RULE 2002-1. NOTICE TO CREDITORS AND OTHER INTERESTED PARTIES

A. Twenty-One-Day Notices to Parties in Interest. The proponent or movant shall prepare and serve the notices required by Bankruptcy Rule 2002(a)(2), (3), (4), (5), and (6) unless the action is initiated by the Court, in which event the appropriate notice shall be served by the Clerk unless the Court directs otherwise. The notices required by Bankruptcy Rule 2002(a)(7) shall be given by the Clerk in cases under Chapters 7, 9, 12 and 13. In a case under Chapter 11, the notices required by Bankruptcy Rule 2002(a)(7) shall be given by the movant. The notices required by Bankruptcy Rule 2002(a)(8) shall be given by the proponent of the plan unless a plan is filed concurrently with the petition in a Chapter 12 case, in which event the notices provided for in Bankruptcy Rule 2002(a)(8) shall be given by the Clerk.

B. Twenty-Eight-Day Notices to Parties in Interest. The notices required by Bankruptcy Rule 2002(b) shall be given by the proponent of the plan or the party whose disclosure statement is being considered, unless a plan is filed concurrently with the petition in a Chapter 13 case, in which event the notices provided for in Bankruptcy Rule 2002(b) shall be given by the Clerk. See also Local Rule 3015-1.

C. Notice to Equity Security Holders. The proponent or movant shall prepare and give the notices required by Bankruptcy Rule 2002(d)(3), (4), (5), (6), and (7).

D. Other Notices. The notice required by Bankruptcy Rule 2002(f)(7) shall be given by the proponent of the plan. The notice required by Bankruptcy Rule 2002(f)(8) shall be given by the Chapter 7 trustee.

E. Certificate of Service of Notices. The Notice of Electronic Filing created by the ECF System serves as a Certificate of Service.

1. If all parties who are entitled to receive notice are served by the ECF System, no additional Certificate of Service is necessary.

2. For parties not listed on the Notice of Electronic Filing who are entitled to receive notice, the filing party must serve the pleading in accordance with the Federal Rules of Bankruptcy Procedure and shall either include a Certificate of Service in the pleading certifying the date of service, the manner of service, and the names and addresses of the persons and entities served or file a separate signed Certificate of Service containing the same information. If a separate Certificate of Service is filed electronically, the Certificate of Service shall specifically identify the notice served, and the docket event shall be related to the notice served. If the Certificate of Service is filed in paper form, the following must be attached: (1) a copy of the first page of the notice served and (2) a copy of the first page of the Notice of Electronic Filing of the notice.

a. When mailing paper copies of documents that have been electronically filed to parties who are not registered participants of the ECF System, the filing party must include the first page of the Notice of Electronic Filing to provide the recipient with proof of the filing.

3. If a party is required to serve notice of a "Text-Only Order" to parties who are not registered participants of the ECF System, the party shall send a copy of the Notice of Electronic Filing to such recipients. Only those pages of the Notice of Electronic Filing that contain the filing information, the docket entry and the document descriptions need to be served.

F. Motions to Shorten or Limit Notice. A motion to shorten the time or limit the distribution of any notice required by Bankruptcy Rule 2002 shall state the cause to shorten or limit notice. Such motions may be ruled upon ex parte.

RULE 2002-2. NOTICE TO UNITED STATES OR FEDERAL AGENCY

Notices required to be served on an instrumentality of the United States pursuant to Bankruptcy Rule 2002(j) shall clearly designate the department, agency or instrumentality of the United States entitled to notice or the agency through which the debtor became indebted and shall be served at the address listed on the list of addresses maintained by the Clerk in accordance with Local Rule 1007-1(J).

RULE 2003-2 CORPORATE OWNERSHIP STATEMENT – CREDITORS COMMITTEE

Any corporation, other than a governmental unit, that accepts appointment to a committee of creditors shall complete and file Local Form 7007.1-1 identifying all publicly held corporations, other than a governmental unit, that directly or indirectly own ten percent (10%) or more of any class of the corporation's equity interest, or stating that there are no such entities to report. The corporate ownership statement shall be filed within seven (7) days of an appointment to a committee. A supplemental corporate ownership statement shall be filed promptly to reflect any change in the information that is required to be disclosed. See also Local Rules 7007.1-1 and 9014-1(B).

RULE 2004-1. DEPOSITIONS AND EXAMINATIONS

A. A motion for an examination under Bankruptcy Rule 2004 may be ruled upon ex parte.

B. An examination under Bankruptcy Rule 2004 may be taken by agreement without a motion or order.

C. Before filing a motion for the examination of a person, including a debtor or a representative of the debtor, the party seeking to take the examination shall make a good faith effort to confer with the person to be examined, or such person's counsel if that person is represented, to arrange for an agreeable date, time, and place for the examination. The motion shall indicate if an agreement has been reached on the date, time and place for the examination; otherwise the motion shall disclose the efforts made to comply with this rule.

RULE 2014-1. EMPLOYMENT OF PROFESSIONALS

An application for employment made pursuant to Bankruptcy Rule 2014 may be ruled upon ex parte by the entry of a Text-Only Order or may be set for hearing, at the discretion of the Court. A proposed order need not be submitted with such application.

RULE 2015-1. TRUSTEES – GENERAL

The duty of a Chapter 7 or Chapter 11 trustee or debtor-in-possession to file reports required by 11 U.S.C. §§ 704(a)(8) and 1106(a)(1) and Bankruptcy Rule 2015(a)(3) shall continue until the entry of a final decree, unless the Court directs otherwise.

RULE 2015-2. DEBTOR-IN-POSSESSION DUTIES

A. In a Chapter 12 or Chapter 13 case, the debtor shall sign and file verified reports and summaries of the business operations, including farming or fishing operations, if applicable, in the form required by the Court, trustee, or the United States Trustee. Within fourteen (14) days after the filing of the petition, the debtor must file a report and summary of business operations for the calendar month preceding the month in which the case is filed. The debtor shall file monthly reports on or before the 15th day of each succeeding month covering the operations for the preceding calendar month. After confirmation of a Chapter 12 or 13 plan, the required reports shall be filed on a quarterly basis until completion of the plan term, unless the Court orders otherwise.

B. In Chapter 12 cases, the debtor shall promptly furnish the trustee with copies of all federal and state tax returns and tax reports filed by the debtor while the case is pending.

RULE 2016-1. COMPENSATION OF PROFESSIONALS

A. The statement required by 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b) shall be filed with the petition, but the filing of the statement shall not be a requirement for the commencement of a case under any chapter of the Code.

B. In Chapter 11 and Chapter 12 cases, attorneys and accountants shall deposit into a trust account all retainer funds received from the debtor pre-petition that had not been earned *and* applied pre-petition. No retainer funds shall be withdrawn without an order of the Court.

C. All fee applications must comply with the United States Trustee's Guidelines for Reviewing Applications for Compensation & Reimbursement of Expenses filed under 11 U.S.C. § 330. The United States Trustee's Guidelines are available on the Court's website (http://www.oknb.uscourts.gov).

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

RULE 3001-1. TRANSFER OF CLAIM

When a claim is transferred pursuant to Bankruptcy Rule 3001(e)(2) or (e)(4), the notice of transfer of claim shall include a reference to the claim number of the original Proof of Claim for which the transferee shall be substituted for the transferor.

RULE 3002-1. FILING PROOF OF CLAIM

A. All proofs of claim or interest shall be filed electronically except for those filed by a creditor or interest holder not represented by counsel. See Local Rule 5005-1(A).

B. When a case is converted from Chapter 11, 12, or 13 to Chapter 7, the "meeting of creditors" for the purpose of Bankruptcy Rule 3002(c) shall mean the meeting of creditors held in the Chapter 7 case.

Rule 3003-1 has been amended by General Order 10-GO-02. Refer to the General Order for the amendment.

RULE 3003-1. FILING PROOF OF CLAIM IN CHAPTER 9 OR CHAPTER 11

In a Chapter 9 or 11 case, the debtor-in-possession or trustee, if one is appointed, shall file a request for order fixing time within which proofs of claim or interest must be filed and shall serve the order fixing the time within which to file proofs of claim or interest on the debtor, the trustee, all creditors, indenture trustees, equity security holders, and all persons requesting notice in the case. See also Local Rule 2002-1(E).

RULE 3004-1. FILING PROOF OF CLAIM ON BEHALF OF A CREDITOR

If a debtor files a proof of claim on behalf of a creditor who has failed to file a proof of claim, the debtor shall provide to the trustee the creditor's telephone number and full account number.

RULE 3007-1. CLAIMS – OBJECTIONS

A. Proofs of interest. Bankruptcy Rule 3007 also applies to objections to proofs of interest.

B. Objection to claim or interest. The caption of an objection to a claim shall identify the claimant and claim number (e.g., Objection to Claim of ACME, Inc. (Claim No. 10)). The objecting party has the burden of overcoming the presumption afforded by Bankruptcy Rule 3001(f). Objections to claims shall be filed and served in compliance with Local Rule 9013-1(B). A notice of opportunity for hearing shall provide for a response time of thirty-three (33) days, which includes the three (3) days for mailing as prescribed by Bankruptcy Rule 9006(f).

C. Notice of Objections. The objecting party must provide notice of an objection to the claimant, claimant's counsel, debtor, debtor's counsel, the trustee, and parties in interest that have requested notice.

RULE 3008-1. CLAIMS – RECONSIDERATION

Bankruptcy Rule 3008 also applies to proofs of interest.

RULE 3010-1. DIVIDENDS – SMALL

A. Chapter 12 and 13 trustees may distribute payments in amounts less than $15.00 to creditors.

B. Upon satisfactory proof to the Chapter 12 or 13 trustee that a claim is fully satisfied, the payments that would have otherwise been made on that claim may be distributed by the trustee to holders of other allowed claims provided for by the confirmed plan without requiring modification of the plan.

RULE 3011-1. UNCLAIMED FUNDS

A. Disposition of Unclaimed Funds. Any person or entity, or the legal representative or agent of any person or entity, may make a claim for funds which are ordered to be paid to that person or entity from a bankruptcy estate but were not paid. A request for the release of unclaimed funds pursuant to 28 U.S.C. § 2042 shall be made by completing and filing an Application for Payment of Unclaimed Funds on Local Form 3011-1. A claimant entitled to such funds may obtain an order directing payment to the claimant upon full proof of the right to payment of such funds. If no response or objection has been filed within fourteen (14) days from the date of filing of the application, an application which provides sufficient documentation to establish the identity of the claimant and the authority of the applicant to make a claim may be approved without a hearing. The Court may set a hearing and/or require such additional evidence before issuing an order granting the application and directing payment of such funds. All indications of fraud will be referred to the United States Attorney for the Northern District of Oklahoma.

B. Notice Required. Such application shall be served by the claimant on the debtor and debtor's counsel, if any, trustee, United States Trustee, United States Attorney for the Northern District of Oklahoma, and the original claimant and claimant's counsel, if any, if the applicant is not the original creditor or claimant.

RULE 3015-1. CHAPTER 13 – PLAN

Chapter 13 Plan; Service and Use of Local Form. If a Chapter 13 plan is filed with the petition, the Clerk shall transmit copies of the plan along with the notices required by Bankruptcy Rule 2002(a)(1) and (b). If the Chapter 13 plan is not filed with the petition, debtor or debtor's counsel shall transmit a copy of the plan to the debtor, the Chapter 13 trustee, the United States Trustee, all creditors, and parties in interest that have requested notice, and shall file a certificate of service thereof. Chapter 13 plans shall substantially conform to Local Form 3015-1.

RULE 3015-3. CHAPTER 13 - CONFIRMATION

A. Certification of Payment of Domestic Support Obligations. Within fourteen (14) days before the date set for confirmation of a Chapter 12 or Chapter 13 plan, if the debtor is required by a judicial or administrative order, or by statute, to pay any domestic support obligation, the debtor shall file a verified statement on Local Form 3015-3 (Pre-Confirmation Certification), certifying that the debtor has paid all amounts that are required to be paid under such domestic support obligation in accordance with 11 U.S.C. § 1325(a). If the debtor is not required to pay any amounts under a domestic support obligation, then the debtor shall file a verified statement on Local Form 3015-3 (Pre-Confirmation Certification) certifying that the debtor has no such obligations.

B. Certification Regarding Tax Returns. Within fourteen (14) days before the date set for confirmation of a plan, the debtor shall file a verified statement on Local Form 3015-3, certifying that all applicable federal, state and local tax returns required by 11 U.S.C. §§ 1308 and 1325(a)(9) have been filed with the appropriate taxing authority.

RULE 3018-1. BALLOTS – VOTING ON PLANS

The person designated in a plan to receive ballots to accept or reject a plan shall file a tabulation of the ballots no later than five (5) days before the date set for hearing on confirmation of the plan. The tabulation shall include the numbers and percentages of acceptances and rejections of each impaired class, and whether each such impaired class is deemed to accept or reject the plan.

RULE 3020-1. CHAPTER 11 – CONFIRMATION

The plan proponent shall have the original ballots present at the hearing on confirmation of a plan. The ballots may be introduced into evidence upon request of the Court or a party in interest.

RULE 3070-1. CHAPTER 13 – PAYMENTS

Rule 3070-1 has been amended by General Order 12-GO-01. Refer to the General Order for the amendment.

A. Chapter 13 plans shall state a total amount per month to be paid to the Chapter 13 trustee and shall state the length of the plan in months.

B. The debtor shall commence making payments to the Chapter 13 trustee under a Chapter 13 plan within thirty (30) days after the date of the order for relief. All payments made by the debtor to the Chapter 13 trustee shall be made by certified or cashier's check or money order. Chapter 13 plan payments made by recipients of wage deduction orders or other payment orders may be made to the Chapter 13 trustee by check. If any entity tenders a plan payment check which is dishonored, the Chapter 13 trustee may require all future Chapter 13 plan payments from such entity to be made by certified or cashier's check or money order.

C. Cash will not be accepted by the Chapter 13 trustee from any entity as payment under a Chapter 13 plan.

D. Unless otherwise agreed by the Chapter 13 trustee, Chapter 13 plan payments shall be made to the trustee under a wage deduction order or other payment order directed to an entity from whom the debtor receives income. The debtor shall submit a wage deduction order or payment order on Local Form 3070-1D to the trustee for approval and submission to the Court.

RULE 3070-2. CHAPTER 13 – ADEQUATE PROTECTION

A. Each creditor entitled to adequate protection under 11 U.S.C. § 1326(a)(1)(C) shall be provided adequate protection by the Chapter 13 plan in the form of a lien on each pre-confirmation plan payment to the Chapter 13 trustee in the amount stated in the plan for such creditor.

B. The Chapter 13 plan shall provide for equal monthly amounts to each creditor entitled to adequate protection, unless otherwise agreed by a creditor in a writing filed in the case.

C. The Chapter 13 debtor shall not pay adequate protection payments directly to any creditor.

D. There shall be a presumption that only the creditors provided a lien on pre-confirmation plan payments by the plan are entitled to adequate protection under 11 U.S.C. § 1326(a)(1)(C).

E. A creditor may file a written objection to the provision for adequate protection in the plan, however, the Chapter 13 plan shall control until otherwise ordered by the Court.

F. The trustee shall hold all plan payments received (including the portion of the plan payments upon which a lien has been provided for under the plan) until confirmation of a plan, dismissal or conversion of the case. If a plan is confirmed, the trustee shall disburse all payments held as provided in the confirmed plan. If the case is dismissed or is converted to another chapter prior to confirmation of a plan, the adequate protection lien provided for in the plan shall attach to plan payments received by the trustee on or before the date of conversion or dismissal and the Chapter 13 trustee is authorized to disburse the funds to which the adequate protection lien has attached to the creditor entitled thereto (subject to paragraphs G and H below).

G. If one or more amended plans are filed which contain different payment amounts for a creditor entitled to adequate protection and the case is either dismissed or converted to another chapter prior to confirmation of a plan, the lien shall attach to the highest payment amount stated in the plans for that creditor and that amount shall be paid to the creditor by the trustee.

H. No adequate protection payments shall be paid to any creditor unless a secured proof of claim has been filed for that creditor. If a secured proof of claim has not been filed by

or on behalf of a creditor entitled to adequate protection prior to the date of dismissal or conversion of the case to another chapter prior to confirmation of a plan, the adequate protection lien shall be extinguished and the trustee is hereby authorized to disburse the funds which otherwise would have been disbursed to that creditor to the debtor free and clear of any lien or interest of any creditor.

I. All adequate protection payments made by the Chapter 13 trustee shall be made in the ordinary course of Chapter 13 trusteeship business.

J. The Chapter 13 trustee is allowed the trustee's percentage fee as periodically fixed by the United States Attorney General, or his designee, under 28 U.S.C. § 586(e) upon disbursement of adequate protection payments.

RULE 3071-1. CHAPTER 12 – PAYMENTS

All payments to the Chapter 12 trustee shall be made by certified or cashier's check or money order. Neither personal checks nor cash will be accepted as payment under a Chapter 12 plan.

PART IV. THE DEBTOR: DUTIES AND BENEFITS

RULE 4001-1. AUTOMATIC STAY – RELIEF FROM

A. Relief from the Automatic Stay of 11 U.S.C. § 362(a). A motion for relief from the automatic stay of 11 U.S.C. § 362(a) shall be clearly designated as such in the title of the pleading. Failure to do so may be deemed by the Court to be a waiver of the benefits of an expeditious hearing and automatic termination of the stay upon the conditions stated in 11 U.S.C. § 362(e).

B. Motions Seeking Relief in Addition to Relief from the Automatic Stay of 11 U.S.C. § 362(a) and Abandonment of Property.

1. Where a motion for relief from the automatic stay of 11 U.S.C. § 362(a) and abandonment of property includes a request for additional relief other than abandonment of property or adequate protection, such request shall constitute a waiver of the right to an expeditious hearing and automatic termination of the stay upon the conditions stated in 11 U.S.C. § 362(e) of the Code.

2. If a motion for relief is combined with a request for abandonment, the motion shall be served on all creditors pursuant to Bankruptcy Rule 6007 unless an order limiting notice is entered by the Court.

3. If movant seeks a waiver of the 14-day stay under Bankruptcy Rule 4001(a)(3), such request must be clearly designated in the title of the pleading and must show cause why such waiver should be granted.

C. Notice of Motions Under Bankruptcy Rule 4001. A motion filed under 11 U.S.C. §§ 362, 363(e), or 364 shall be served upon the debtor, debtor's counsel, counsel for any official committee (or if no committee in a Chapter 11 case, upon the list of 20 largest unsecured creditors), trustee, the United States Trustee, any parties affected by the motion or having an interest in the property affected by the motion, and all parties in interest who have requested notice in the case.

Rule 4001-1(D) has been amended by General Order 10-GO-01. Refer to the General Order for the amendment.

D. Relief from the Codebtor Stay. A motion for relief from the codebtor stay provided by 11 U.S.C. §§ 1201(a) or 1301(a) shall be designated as "Motion for Relief from Codebtor Stay." Failure to do so may be deemed a waiver of the benefit of automatic termination of the stay upon the conditions stated in 11 U.S.C. §§ 1201(d) or 1301(d). The motion shall be served upon the debtor, the debtor's counsel, trustee, any individual that is liable on the debt with the debtor (i.e., a codebtor), and all parties in interest who have requested notice in the case, affording them twenty-three (23) days (which includes the three (3) days for mailing as prescribed by Bankruptcy Rule 9006(f)) within which to object.

E. Discovery. In connection with motions for relief from the automatic stay, the time within which responses to discovery requests are due is shortened from 30 to 12 days. Depositions may be taken after the expiration of seven (7) days after service of the motion for relief from the automatic stay.

F. Applicability of Local Rule 9013-1, 9014-1. Local Rules 9013-1 and 9014-1 apply to motions for relief from the automatic stay.

G. Confirmation that Automatic Stay is Terminated. A request for an order under 11 U.S.C. § 362(j), confirming that the automatic stay has been terminated, may be made by application. An application pursuant to 11 U.S.C. § 362(j) shall provide the following information, as appropriate in the circumstances for each prior case: (1) if the prior filing was in this Court, the complete case caption, date of filing and date of dismissal; and/or (2) if the prior filing was in any other court, then, in addition to the requirements of (1), the movant shall also file relevant copies of all court records reflecting the information provided in subsection (1).

H. Continuation of the Automatic Stay. A motion for continuation of the automatic stay under 11 U.S.C. § 362(c)(3)(B) shall be filed within seven (7) days of the filing of the petition. The debtor shall serve such motion on all creditors to be stayed, the United States Trustee, the trustee, counsel for any official committee (or if no committee in a Chapter 11 case, upon the list of 20 largest unsecured creditors), and all holders of liens on and interests in any property to be affected by the stay. Failure to comply with this rule may result in denial of the motion without further notice or a hearing.

RULE 4002-1. DEBTOR – DUTIES

A. Failure to Appear at Meeting of Creditors. In a joint case when only one debtor spouse appears at the meeting of creditors, the non-appearing debtor may be dismissed from the case pursuant to a motion under Bankruptcy Rules 1017 and 2002(a).

B. Duty to Provide Information about Domestic Support Obligations in Cases Under Chapters 7, 11, 12 and 13. Within fourteen (14) days after the filing of the schedules and statements under Bankruptcy Rule 1007(b)(1), an individual debtor in a case under Chapter 7, 11, 12 or 13 shall provide to the trustee on Local Form 4002-1B the following information regarding any domestic support obligations (as defined in 11 U.S.C. § 101(14A)): (1) the name, address and telephone number of all domestic support obligation claimants and (2) the current name and address of the debtor's employer. The debtor shall notify the trustee of any changes in such information until the debtor's discharge is granted or denied.

C. Filing of, and Access to, Income Tax Returns. A party in interest may file and serve upon the debtor and debtor's counsel a request, pursuant to 11 U.S.C. § 521(f), that an individual debtor in a case pending under Chapter 7, 11 or 13, file with the Clerk the debtor's federal income tax returns. Within seven (7) days of the filing of the request, the debtor shall redact personal data identifiers, as specifically set forth in Local Rule 1007-1(H), and file such tax returns as a secure event in accordance with ECF Administrative Guide. A party in interest seeking access to a debtor's tax information shall file a motion that includes: (i) a description of the movant's status in the case, to allow the Court to ascertain whether the movant may properly be given access to the requested tax information; (ii) a description of the specific tax information sought; (iii) a statement indicating that the information cannot be obtained by the movant from any other source; and (iv) a statement showing a demonstrated need for the tax information. If the motion is granted, the requesting party shall pay the appropriate copying fees and provide to the Clerk a stamped, self-addressed envelope or retrieve the permitted tax information in person from the Clerk. TAX INFORMATION OBTAINED BY A PARTY IN INTEREST SHALL BE TREATED AS CONFIDENTIAL. SANCTIONS MAY BE IMPOSED FOR IMPROPER USE, DISCLOSURE OR DISSEMINATION OF SUCH TAX INFORMATION.

RULE 4003-2. LIEN AVOIDANCE

A separate motion under Bankruptcy Rule 4003(d) shall be filed with respect to each creditor that holds a lien on exempt property that the debtor seeks to avoid pursuant to 11 U.S.C. § 522(f).

RULE 4004-1. DISCHARGE

A. Statement of Whether 11 U.S.C. § 522(q) is Applicable. Within twenty-one (21) days following the filing of a notice by an individual debtor in a Chapter 11 case or a trustee in a Chapter 12 or Chapter 13 case that the debtor has paid all payments due under the plan, or in conjunction with the filing of a motion for hardship discharge, the debtor shall file a statement on Local Form 4004-1 (Certification and Request for Issuance of Discharge) indicating whether 11 U.S.C. § 522(q)(1) may be applicable to the debtor or if there is pending a proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B). Such statement shall be served upon the trustee, if any, all creditors and all parties in interest who have requested notice, affording them fourteen (14) days, which includes the three (3) days for mailing as prescribed by

Bankruptcy Rule 9006(f), from the date of the filing of the statement to object to the debtor's discharge.

B. Certification of Payment of Domestic Support Obligations. If the debtor in a Chapter 12 or 13 case is required by a judicial or administrative order, or by statute, to pay any domestic support obligation, the debtor shall file a verified statement certifying that the debtor has paid all amounts that are required to be paid under such domestic support obligation in accordance with 11 U.S.C. §§ 1228(a) or 1328(a) on Local Form 4004-1 (Certification and Request for Issuance of Discharge). If the debtor is not required to pay any amounts under a domestic support obligation, then the debtor shall file a verified statement certifying that the debtor has no such obligations on Local Form 4004-1 (Certification and Request for Issuance of Discharge).

1. The certification of payment of domestic support obligations shall be filed by the debtor not earlier than the date of the last payment made under the plan or the date of the filing of a motion for entry of discharge under 11 U.S.C. §§ 1228(b) or 1328(b).

2. If the certification of payment of domestic support obligations is not timely filed, the case may be closed without a discharge.

RULE 4008-1. REAFFIRMATION

A. All Reaffirmation Agreements shall substantially conform to the procedural form prescribed by the Administrative Office of the United States Courts, available on the Court's website (http://www.oknb.uscourts.gov).

PART V. COURTS AND CLERKS

RULE 5003-1. CLERK - GENERAL

A. Exhibits. Original exhibits introduced in any hearing and held by the Clerk may be disposed of by the Clerk:

1. after giving the party introducing the exhibits twenty-one (21) days notice to retrieve the exhibits, or

2. thirty (30) days after the case or proceeding is closed, without notice.

B. Stipulation to Custody of Exhibits by Counsel. With the consent of the Court, parties participating in an evidentiary hearing may stipulate (1) that counsel for the party who introduces exhibits into evidence at the hearing may maintain custody of the original exhibits; (2) that counsel maintaining custody of the original exhibits shall insure the integrity and availability of the exhibits until ninety (90) days after the case or adversary proceeding is closed; and (3) that counsel maintaining custody of the original exhibits shall tender them to the Clerk in their original form in the event that such exhibits are designated as part of the record on appeal, or in the event that counsel can no longer maintain custody, integrity, or availability of the exhibits

(i.e., change in location, retirement from practice, etc.). A written stipulation shall be signed by counsel for all parties participating in the hearing, approved by the Court, and filed in the case or adversary proceeding. A list of all exhibits offered by each party participating in the hearing shall be attached to the stipulation prior to filing.

C. Official Mailing List. The Clerk shall maintain, and update as necessary, the Official Mailing List for each bankruptcy case which shall include: (1) the name and address of the debtor, the debtor's counsel, the trustee, the United States Trustee, and any members of any official committee appointed in the case, and its counsel; (2) the names and addresses of all persons or entities on the Creditor List as it may be amended (see Local Rule 1007-1(D)); (3) the names and addresses of all persons or entities on the Equity Security Holders List as it may be amended (see Local Rule 1007-1(D)), if applicable; (4) the name and address of all persons or entities who file an entry of appearance and request for notice in the case; (5) the name and address of creditors who file a Proof of Claim in the case; and (6) the name and address of interest holders who file a Proof of Interest in the case. This listing shall be known as the Official Mailing List.

D. Redaction of Transcripts. In compliance with the policy of the Judicial Conference of the United States on electronic availability of transcripts of court proceedings, during the first ninety (90) days after filing, a transcript will be available via the PACER system for remote access only to parties in the case or adversary proceeding who have paid the transcriber for the transcript. Other parties who wish to view a transcript may do so at the Office of the Clerk. During the initial ninety-day period, the transcript will not be available for printing, copying, or saving in full or in part at the Office of the Clerk. After the expiration of ninety days, the transcript will be available via the PACER system for remote access. It is the responsibility of the parties to monitor the docket for the filing of transcripts and to follow the Court's Transcript Policy and Procedure regarding reviewing and redacting transcripts.

RULE 5005-1. FILING REQUIREMENTS

A. Electronic Filing. All documents submitted to the Clerk for filing, regardless of where or when the case or proceeding was originally commenced, shall be filed electronically pursuant to these Local Rules and the ECF Administrative Guide. The foregoing shall not apply to: (1) documents filed by a pro se party; (2) proofs of claim or interest filed by the claimant or interest holder; or (3) reaffirmation agreements if neither party to the agreement is represented by counsel. See also Local Rule 3002-1(A). If paper documents are filed, the Clerk shall scan and upload the images to the ECF System. Documents described in subsection (2) and (3) above may be filed electronically. The electronic filing of a pleading or other paper in accordance with these Local Rules and the ECF Administrative Guide shall constitute entry of that pleading or other paper on the docket kept by the Clerk under Bankruptcy Rule 5003.

B. Filing Fee. Any document presented for filing without proper provision for payment of the filing fee may not be accepted for filing by the Clerk.

C. Registration. Each attorney must register with the Court in accordance with the procedures set forth in the ECF Administrative Guide in order to file pleadings and documents

electronically. Registered participants of the ECF System shall be responsible for maintaining current registration information on the ECF System, e.g., mailing addresses, email addresses, etc.

D. Conversion; Amendment to Creditor List; Fee. In a Chapter 11, 12, or 13 case that is converted to a case under Chapter 7, no filing fee shall be required for filing the amendment to the Creditor List required by Local Rule 1019-1 (A) if the amendment is filed within fourteen (14) days following the entry of the order converting case or notice of conversion.

E. Certificate of Service of a Document. The Notice of Electronic Filing created by the ECF System serves as the Certificate of Service of a document whether the original document was filed electronically or in paper format.

1. If all parties who are entitled to receive notice are served by the ECF System, no separate Certificate of Service is necessary.

2. For parties not listed on the Notice of Electronic Filing who are entitled to receive notice and parties who are entitled to service pursuant to Bankruptcy Rule 9014(b) and/or 7004, the party serving notice shall either include a Certificate of Service in the document certifying the date of service, the manner of service, and the names and addresses of the persons and entities served or file a separate Certificate of Service containing the same information. If a separate Certificate of Service is filed electronically, the Certificate of Service shall specifically identify the document served and the docket entry shall relate the Certificate of Service to the document served by docket number. If the Certificate of Service is filed in paper form, the following must be attached: (1) a copy of the first page of the document served and (2) a copy of the first page of the Notice of Electronic Filing of the document.

F. Privacy. A party filing a document shall redact the following personal data identifiers appearing in pleadings or other papers filed with the Court: names of minor children (use minors' initials); all but the last four digits of any bank, savings or similar financial account numbers; all but the last four digits of any social security number; and all birth date information except the year. The responsibility for redacting personal identifiers rests solely with the filing party. **THE CLERK WILL NOT REVIEW DOCUMENTS FOR COMPLIANCE WITH THIS RULE**, **SEAL DOCUMENTS CONTAINING PERSONAL DATA IDENTIFIERS WITHOUT A COURT ORDER, OR REDACT SUCH INFORMATION FROM DOCUMENTS**.

G. Documents Under Seal. A motion to file a document under seal shall be filed electronically. Pursuant to an order of the Court, a party may file a document under seal by delivering the document to be sealed to the Clerk. A cover sheet must be attached to the document being filed under seal that includes a caption in accordance with Local Rule 9004-2(A) and the title of the document being filed under seal. In addition, the cover sheet must contain the related document number of the motion and order and the following statement in bold, "DOCUMENT TO BE FILED UNDER SEAL." The Clerk will docket the document so that only the filing details and document title will appear on the docket sheet.

RULE 5010-1. REOPENING CASES

If a party seeks to reopen a case or proceeding that does not appear on the ECF System, the party shall contact the ECF System Help Desk (contact information is available on the Court's website (http://www.oknb.uscourts.gov)) to request that the docket of the case or proceeding be entered into the ECF System before filing a motion to reopen the case or proceeding.

RULE 5011-1. WITHDRAWAL OF REFERENCE

A. A motion for withdrawal of a case or proceeding pursuant to Bankruptcy Rule 5011(a) and responses thereto shall be filed with the Clerk of the Bankruptcy Court. See District Court Local Rules for provisions governing withdrawal motions.

B. Unless otherwise ordered by the Court, a motion for withdrawal shall not toll, suspend, or otherwise change the time period for filing responsive pleadings or motions in pending matters.

RULE 5011-2. ABSTENTION

Unless otherwise ordered by the Court, a motion for abstention shall not toll, suspend, or otherwise change the time period for filing responsive pleadings or motions in pending matters.

RULE 5080-1. FEES - GENERAL

All fees must be paid on the calendar day on which the transaction requiring a fee occurs. If a filing fee is not timely paid, the pleading or document may be stricken without further notice or a hearing. Any document presented for paper filing without proper provision for payment of the filing fee may not be accepted for filing by the Clerk. If any fee is not timely paid, the filing party shall be denied access to the ECF System until all fees due have been paid.

PART VI. COLLECTION AND LIQUIDATION OF THE ESTATE

RULE 6004-1. SALE OF ESTATE PROPERTY

A. Notice of Use, Sale, or Lease of Property Not in the Ordinary Course of Business.

1. Local Rule 9013-1 does not apply to a notice of proposed use, sale, or lease of property made pursuant to Bankruptcy Rule 6004(a).

2. The notice of proposed use, sale, or lease of property not in the ordinary course of business shall include the information set forth in Bankruptcy Rule 2002(c)(1). If a date of the proposed action is included in the notice, the notice shall also include the following statement in a separate paragraph: "Objections to the proposed action [use, sale, lease] of the above-described property must be filed and served not less than seven (7) days before the date set for the proposed action. If no objection is timely filed or served, the proposed action may be taken without further notice or hearing." The notice of proposed use, sale, or lease of property not in the ordinary course of business shall be served in accordance with Bankruptcy Rule 6004(a) and, if applicable, Bankruptcy Rule 2002(d)(3).

B. Sale Free and Clear of Liens and Other Interests.

1. Local Rule 9013-1 does not apply to a motion for authority to sell property free and clear of liens and other interests made pursuant to Bankruptcy Rule 6004(c) or to objections thereto. The motion shall be accompanied by a separate notice required by Bankruptcy Rule 6004(a) which shall include the information required by Bankruptcy Rules 2002(c)(1) and 6004(c), and the following statement in a separate paragraph: "Objections to the proposed sale must be filed and served not less than seven (7) days before the date set for the hearing. If no objection is timely filed or served, the court may strike the hearing and grant the requested relief without further notice or a hearing." Hearing dates may be obtained from the Court's website (http://www.oknb.uscourts.gov).

2. The notice shall be served pursuant to Bankruptcy Rule 6004(a) and (c), and, if applicable, Bankruptcy Rule 2002(d)(3). Service of the motion and the notice shall be accomplished within three (3) days of the filing of the motion and notice, and a certificate of service shall be filed no later than seven (7) days prior to the hearing date. See Local Rule 2002-1(E).

RULE 6006-1. EXECUTORY CONTRACTS

Notice of a motion to assume, assume and assign, or reject an executory contract or unexpired lease, or notice of a motion to require the trustee or debtor-in-possession to assume, assume and assign, or reject an executory contract or unexpired lease shall be given by the moving party to parties identified in Bankruptcy Rule 6006(c) and to the debtor, the trustee, any committee appointed under 11 U.S.C. §§ 705 or 1102, counsel for each of the foregoing, all entities known by the trustee or the debtor-in-possession to assert or claim a lien or other interest in the contract or lease, and all parties in interest who have requested notice in the case. If assumption of a contract or lease under which there has been a default is proposed, the motion shall describe the default and proposed method of satisfying the provisions of 11 U.S.C. § 365(b).

RULE 6007-1. ABANDONMENT

A. Service of Notice of Intent to Abandon.

1. Property with an estimated gross value of $1,000 or less may be abandoned by a trustee or debtor-in-possession after filing a report of intent to abandon with the Court, and without any other notice or hearing.

2. Notice by the trustee or debtor-in-possession of a proposed abandonment of property with an estimated gross value greater than $1,000 shall be in accordance with Bankruptcy Rule 6007(a) and Local Rules 2002-1(E) and 9013-1(B).

B. Motion by Party in Interest. Movant shall give notice of the motion to the trustee or debtor-in-possession and to parties identified in Bankruptcy Rule 6007(a). See Local Rule 9013-1(B).

C. Objections. The time to file and serve an objection to a motion filed under Bankruptcy Rule 6007(a) or (b) shall be fourteen (14) days from the date of filing of the notice, which includes the three (3) days required for mailing under Bankruptcy Rule 9006(f).

RULE 6008-1. REDEMPTION

Notice of a motion for redemption of property from a lien or sale shall be given to the debtor, debtor's counsel, trustee, United States Trustee, any parties affected by the motion or having an interest in the property affected by the motion, and all parties in interest who have requested notice in the case. The time to file an objection or response to the motion shall be fourteen (14) days, which includes the three (3) days for mailing as prescribed by Bankruptcy Rule 9006(f). See Local Rule 9013-1(B).

PART VII. ADVERSARY PROCEEDINGS

RULE 7003-1. COVER SHEET

An adversary complaint not filed through the ECF System shall be accompanied by an Adversary Proceeding Cover Sheet, completed pursuant to the instructions on the Official Form.

RULE 7004-1. SERVICE OF PROCESS

A. The Certificate of Service of a pleading upon a domestic or foreign corporation, a partnership, or other unincorporated association pursuant to Bankruptcy Rule 7004(b)(3) or upon an insured depository institution pursuant to Bankruptcy Rule 7004(h) must identify the individual to whom service was addressed by name and/or title.

B. The Certificate of Service of a pleading upon an insured depository institution pursuant to Bankruptcy Rule 7004(h) shall indicate:

1. That such entity is an insured depository institution;

2. Whether the institution has appeared by its attorney in the bankruptcy case; and

3. Manner of service.

C. If a party is served at the address designated by the party in its proof of claim as the address where notices should be sent, the Certificate of Service shall so indicate.

D. When serving a summons and complaint on a debtor pursuant to Bankruptcy Rule 7004(b)(9) and 7004(g), service shall also be made on the attorney representing the debtor in the main bankruptcy case, regardless of whether the attorney has or intends to enter an appearance in the adversary proceeding.

RULE 7004-2. SUMMONS

A. The Clerk shall issue a summons after an adversary complaint is filed.

B. If the complaint is filed through the ECF System, the Clerk shall email the summons to the filing attorney for completion and service. Proof of service of a summons shall be filed pursuant to these Local Rules.

C. In the case of service upon the United States, in addition to the requirements of Bankruptcy Rule 7004(b)(4), if a summons is directed to an agency, department, or instrumentality of the United States, a copy of the summons and complaint shall also be served on the agency, department, or instrumentality at the address specified on the list maintained by the Clerk in accordance with Local Rule 1007-1(J).

RULE 7005-1. CERTIFICATE OF SERVICE (ADVERSARY PROCEEDINGS)

A. See Local Rule 5005-1(E).

B. Service under Bankruptcy Rule 7005 may be accomplished by electronic means through the ECF System upon those persons who have registered in the ECF System. See also Local Rule 9036-1.

RULE 7005-2. FILING OF DISCOVERY MATERIALS

Requests for oral depositions, interrogatories, requests for production of documents, requests for admissions, and answers and responses thereto shall be served on all parties to the adversary proceeding, but shall not be filed unless so ordered by the Court or attached to a pleading for use in the proceeding. If Court intervention is sought concerning any discovery matter, copies of the portions of the discovery material at issue shall be attached as exhibits to

the discovery motion. Copies of relevant discovery materials may also be filed in a like manner in connection with any response to a discovery motion.

RULE 7007-1. MOTION PRACTICE (ADVERSARY PROCEEDINGS)

A. Briefs. Except for those motions enumerated in subparagraph (B) of this rule, each motion, application, or objection filed in an adversary proceeding shall include, or be accompanied by, a concise brief, not exceeding twenty (20) pages in length, exclusive of attachments or appendices. A brief in opposition, not exceeding twenty (20) pages in length, exclusive of attachments or appendices, if filed, shall be filed within fourteen (14) days after the filing of the original motion, application, or objection, and a reply brief to the brief in opposition, not exceeding ten (10) pages in length, exclusive of attachments or appendices, if filed, shall be filed within fourteen (14) days after filing of the brief in opposition. No other briefs shall be permitted without leave of Court. The failure to file a brief with a motion, or failure to file a response brief or reply brief within the time parameters set forth herein shall constitute consent that the Court may rule without further notice on the pleadings timely submitted.

B. Motions Not Requiring Briefs. No brief is required by either movant or respondent in connection with the following motions filed in an adversary proceeding:

1. To extend the time for the performance of an action required or allowed to be done, if the request is made before the expiration of the period originally prescribed, or as extended by previous orders;

2. To continue a pretrial, status, or scheduling conference, a hearing, or the trial of an action;

3. To amend pleadings;

4. To file supplemental pleadings;

5. For substitution of parties;

6. To name additional parties; and

7. To stay proceedings to enforce a judgment.

The motions set forth above shall contain a statement that opposing counsel has been consulted regarding the requested relief and that the opposing party either consents or objects.

C. Motions for Summary Judgment. See Local Rule 7056-1 for additional requirements in connection with the form of motions for summary judgment and briefs in support and opposition thereto.

RULE 7007.1-1 CORPORATE OWNERSHIP STATEMENT

Any corporation, other than a governmental unit, that is a party to an adversary proceeding shall complete and file Local Form 7007.1-1, identifying all publicly held corporations, other than a governmental unit, that directly or indirectly own ten percent (10%) or more of any class of the corporation's equity interest, or stating that there are no such entities to report. The corporate ownership statement shall be filed concurrently with the first pleading filed by a corporate entity in the proceeding. A supplemental corporate ownership statement shall be filed promptly to reflect any change in the information that is required to be disclosed. See also Local Rule 9014-1(B) regarding participants in contested matters and Local Rule 2003-2 regarding members of creditors' committees.

RULE 7010-1. FORM OF PLEADINGS

See Local Rules 9004-1 and 9004-2.

RULE 7012-1. RESPONSIVE PLEADINGS

Extensions of Time. Upon request filed within the time permitted to serve an answer or responsive pleading to a complaint, the Clerk is authorized to grant the defendant the first extension of time, not to exceed fourteen (14) days, within which to respond to the complaint. Subsequent requests for extension of time shall contain a statement that counsel for plaintiff has been consulted regarding the requested extension and that the plaintiff either consents or objects.

RULE 7016-1. PRETRIAL PROCEDURES

A. Failure to attend a pretrial conference or failure to comply with the instructions contained in the order setting a pretrial conference or a scheduling order may result in an order adverse to the party failing to attend or comply, including dismissal or entry of judgment.

B. A motion to continue a pretrial conference must state the reason therefor, and shall contain a statement that the adverse party has been consulted regarding the requested continuance and that the adverse party either consents or objects. The motion shall be filed not later than seven (7) days prior to the date set for the pretrial conference.

C. Unless the Court orders otherwise, the plaintiff shall prepare the initial draft of a proposed pretrial order. The proposed pretrial order, which shall be submitted in accordance with Local Rule 9072-1(D), shall be the product of cooperation between and among the parties and shall be signed by all parties as an agreed pretrial order.

D. Unless the Court orders otherwise, Local Rule 9070-1 applies in adversary proceedings.

RULE 7026-1. DISCOVERY – GENERAL

A. Filing of pleadings and other papers, including certain discovery papers, is governed by Local Rule 7005-2.

B. Every motion or objection relating to a discovery dispute shall contain a statement that counsel for the moving party has consulted with counsel for the adverse party concerning the motion or objection and the parties have failed to resolve the discovery dispute despite good faith efforts. If the parties agree that certain discovery orders such as discovery scheduling orders or protective orders should be entered, the parties may submit a joint motion and a proposed agreed order. The proposed agreed order shall be submitted to the Court in accordance with Local Rule 9072-1(B).

RULE 7030-1. DEPOSITIONS

Before filing a notice of deposition of a party, counsel for the party seeking to take the deposition shall make a good faith effort to confer with the proposed deponent through deponent's counsel, if any, to arrange an agreeable date, time, and place for the deposition.

RULE 7041-1. DISMISSAL OF ADVERSARY PROCEEDINGS

A. A plaintiff may not voluntarily dismiss a complaint objecting to the discharge of the debtor without approval of the Court. A motion to dismiss such a complaint shall:

1. be prepared in accordance with Local Rule 9013-1(B);
2. be served upon the trustee, the United States Trustee, all creditors, and all parties in interest in the underlying bankruptcy case in accordance with Local Rule 9013-1(G);
3. give notice of the fact that the motion seeks dismissal of an objection to discharge under 11 U.S.C. § 727;
4. give all parties in interest an opportunity to assume prosecution of the adversary proceeding; and
5. disclose any consideration given in exchange for the filing of the motion.

B. Responses to the motion to dismiss shall be made within fourteen (14) days of the date the motion was filed, which includes the three (3) days required for mailing under Bankruptcy Rule 9006(f), and shall be filed and served upon the moving party.

C. Rule 41 of the Federal Rules of Civil Procedure, made applicable by Bankruptcy Rule 7041, applies in all contested matters. See Bankruptcy Rule 9014.

RULE 7054-1. COSTS – TAXATION

The Clerk is not authorized to tax costs unless presented with a judgment that specifically awards costs to the party seeking costs.

RULE 7055-1. DEFAULT

A. A party seeking default judgment shall file (1) a Request for Entry of Default and (2) a Motion for Default Judgment. The movant shall also submit to the Court, but not file, a proposed Default Judgment.

1. Entry of Default. A party seeking entry of default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure shall file a Request for Entry of Default by the Clerk (see Local Form 7055-1A), which shall be accompanied by an affidavit setting forth:

a. The date of issuance of the summons;

b. The date of service of the complaint;

c. The date of filing of an affidavit of service;

d. The date a responsive pleading was due by virtue of Bankruptcy Rule 7012 and extensions of time, if any, granted to the defendant;

e. A statement that no answer or motion was received within the time permitted by Bankruptcy Rule 7012 and any extensions of time granted to the defendant;

f. A statement, pursuant to Bankruptcy Rule 55(b)(1) of the Federal Rules of Civil Procedure, that the party against whom default is requested is not an infant or incompetent person; and

g. A statement, pursuant to the Servicemembers Civil Relief Act, 50 U.S.C.A. App. § 521,

(1) declaring whether or not the defendant is in the military service and supplying necessary facts to support the declaration; or

(2) declaring that the plaintiff is unable to determine whether the defendant is in the military service.

2. Motion for Default Judgment. A motion for default judgment shall state the factual basis upon which the plaintiff relies to prove each element of each claim for which a default judgment is requested. The Court will determine whether judgment should be entered and may set the matter for hearing in order to make such determination. See Local Form 7055-1B.

B. Proposed Form of Default Judgment. A proposed Default Judgment shall be submitted to the Court pursuant to Local Rule 9072-1(B). See Local Form 7055-1C.

RULE 7056-1. SUMMARY JUDGMENT

A. Brief in Support of Motion for Summary Judgment. A motion for summary judgment (or partial summary judgment) shall include or be accompanied by a brief in support thereof, not exceeding twenty (20) pages in length, exclusive of attachments or appendices. A

brief in support of a motion for summary judgment (or partial summary judgment) shall begin with a section that contains a concise statement of material facts as to which movant contends no genuine issue exists. Each fact shall be stated in a separately numbered paragraph and shall refer with particularity to those portions of the affidavits, discovery materials, pleadings, or other parts of the record before the Court upon which the movant relies. The movant shall not incorporate by reference arguments, replies, documents or portions of documents that were presented in earlier filings or other proceedings. Affidavits, discovery materials, pleadings, and other relevant portions of the record upon which the movant relies shall be attached to the brief. The statement of material facts shall be followed by the movant's argument and authorities. The Court may strike, or decline to consider, substantive arguments that appear only in affidavits or other supporting documentation.

B. Response Brief. A brief in response to a motion for summary judgment (or partial summary judgment), not exceeding twenty (20) pages in length, exclusive of attachments or appendices, shall be filed within twenty-one (21) days after the filing of the brief in support of the motion for summary judgment. The response brief shall begin with a section stating, by paragraph number, each of the movant's facts to which the non-movant contends a genuine issue exists, and shall refer with particularity to those portions of affidavits, discovery materials, pleadings, and other relevant parts of the record before the Court upon which the non-movant relies to dispute the movant's fact. All properly supported material facts set forth in the movant's statement shall be deemed admitted for the purpose of summary judgment unless specifically controverted by a statement of the non-movant that is supported by evidentiary material.

If the non-movant contends that other material facts exist which preclude summary judgment, the non-movant shall set forth each such material fact in a separately numbered paragraph and shall refer with particularity to those portions of affidavits, discovery materials, pleadings, and other relevant parts of the record before the Court upon which the non-movant relies. Affidavits, discovery materials, pleadings, and other relevant portions of the record upon which the non-movant relies shall be attached to the brief.

The non-movant's dispute of movant's statement of material facts and statement of other material facts, if any, shall be followed by the non-movant's argument and authorities. The non-movant shall not incorporate by reference arguments, replies, documents or portions of documents that were presented in earlier filings or other proceedings. The Court may strike, or decline to consider, substantive arguments that appear only in affidavits or other supporting documentation.

C. Reply Briefs to Address New Matters. The movant may file a reply brief, not exceeding ten (10) pages in length, exclusive of attachments or appendices, within fourteen (14) days after date the response brief was filed, but such reply brief shall address only new matters set forth in the non-movant's response brief. Affidavits, discovery materials, pleadings, and other relevant portions of the record upon which the movant relies in its reply shall be attached to the reply brief. The respondent shall not incorporate by reference arguments, replies, documents or portions of documents that were presented in earlier filings or other proceedings. The Court may strike, or decline to consider, substantive arguments that appear only in affidavits or other

supporting documentation.

D. The Record. The record on summary judgment shall consist of all materials permitted by Rule 56 of the Federal Rules of Civil Procedure that are properly in the record before the Court. Documentary evidence must be authenticated by affidavit or otherwise demonstrated to be admissible under the Federal Rules of Evidence in order to be considered on summary judgment.

E. Hearing. Unless a hearing is requested by a party, a hearing shall be deemed waived and the motion for summary judgment will be ripe for decision upon the expiration of the time for filing responses and replies, if any, under these rules or as otherwise set by the Court.

PART VIII. APPEALS TO DISTRICT COURT

Part VIII of these Local Rules shall not apply to appeals to the BAP. The BAP rules, which are available on the Court's website (http://www.oknb.uscourts.gov), apply to all appeals unless and until a party elects to have the appeal heard by the District Court pursuant to 28 U.S.C. § 158(c)(1). Upon such election, Part VIII of these Local Rules shall apply to the appeal.

RULE 8006-1. DESIGNATION OF RECORD – APPEAL

A. A designation of items to be included in the record on appeal shall describe the items to be included by docket number, filing date, and the title or a description of the item.

B. File-Stamped copies of items designated pursuant to Bankruptcy Rule 8006 shall be furnished to the Clerk on a computer diskette, CD-ROM or other similar electronic format (*not* via email or through CM/ECF). See Local Rule 1001-1(H)(11).

C. If a party fails to provide the Clerk with copies of designated items, the party shall advance to the Clerk the cost of copying the items.

D. The Clerk shall notify the bankruptcy judge if any party fails to take action necessary to enable the Clerk to assemble and transmit the record. The notice shall be in writing and filed in the case or proceeding.

RULE 8007-1. COMPLETION AND TRANSMISSION OF RECORD – APPEAL

A. The reporter's endorsed request for a transcript and the reporter's request for extension of time pursuant to Bankruptcy Rule 8007(a) shall be filed with the Clerk.

B. If any party to an appeal from an order of the Bankruptcy Court to the District Court fails to timely designate the items to be included in the record on appeal, fails to make satisfactory arrangements for the production of a transcript or for the copying of designated items by the Clerk, or otherwise fails to take action necessary to enable the Clerk to assemble and transmit the record-

1. Any other party to the appeal may file in the Bankruptcy Court a motion to dismiss the appeal, in which event the following procedure shall be followed:

a. Movant shall, within fourteen (14) days after filing the motion to dismiss the appeal, file with the Clerk and serve on other parties to the appeal a designation of record for purposes of hearing the motion to dismiss, pursuant to Bankruptcy Rule 8007(c);

b. Other parties to the appeal shall, within fourteen (14) days after service of the movant's designation under subsection (a) above, file and serve a designation of additional items to be included in the record for purposes of hearing the motion to dismiss, pursuant to Bankruptcy Rule 8007(c);

c. The parties shall make arrangements for delivery of or ordering copies, transcripts, and the like as prescribed in Bankruptcy Rules 8006 and 8007(a); and

d. When the record is complete for purposes of the motion to dismiss the appeal, the Clerk shall transmit a copy thereof forthwith to the Clerk of the District Court.

2. The Bankruptcy Court may, on its own motion or on request of any party to the appeal, direct the Clerk to transmit the record in its then-existing, incomplete form, together with a certification of the reasons why such record is incomplete, to the Clerk of the District Court.

PART IX. GENERAL PROVISIONS

RULE 9001-1. DEFINITIONS

See Local Rule 1001-1(H).

RULE 9004-1. PAPERS – REQUIREMENTS OF FORM

A. Documents and pleadings filed in a case or proceeding shall be formatted to be 8-1/2 inches wide by 11 inches long, shall be in no less than 12 point font (including footnotes), shall have margins of no less than one inch, and shall be drawn upon one side of the page only. All pleadings and briefs shall be double spaced.

B. Documents which were drafted for another purpose, but which are tendered for filing in a case or proceeding as attachments, exhibits, etc., should be enlarged or reduced to conform to the size requirement in subsection (A) of this rule, unless reducing the size of the document will render the document unreadable.

C. When a document is signed by an attorney, the attorney's full name, state bar number, address, email address, telephone number, facsimile number (if applicable), and name of party or parties represented shall be shown on the document beneath the signature line. See also Section XI of the ECF Administrative Guide.

D. When a document is signed by a debtor, the debtor's name shall be signed as it appears in the style of the case.

E. See Local Rule 5005-1(E).

F. When a pleading or other paper is filed electronically in accordance with these Local Rules and the ECF Administrative Guide, the ECF System shall generate and email a Notice of Electronic Filing to the filing party and any other registered party who has requested electronic notice in that case or proceeding.

1. If the recipient is a registered user of the ECF System, the Clerk's emailing of the Notice of Electronic Filing shall be the equivalent of service of the pleading or other paper by first class mail, postage prepaid, except in the case of a summons and complaint, or other pleading that must be served pursuant to Bankruptcy Rule 7004. See also Bankruptcy Rule 9014(b).

2. Service by electronic means is not effective if the party making service learns that the attempted service was not electronically delivered to the person to be served.

RULE 9004-2. CAPTION

A. The caption of each pleading, proposed order or other document shall include the name of the court, title of the case, the bankruptcy case number and adversary number, if any, assigned by the Clerk, and shall include, directly under the case number, the number of the chapter of the Code under which the case is pending. The document shall be titled so as to clearly describe the nature of the document.

1. An "Amendment to" a document consists of information which modifies or supplements a document. The original document remains effective except for the amendment. An amendment to a document shall be clearly identified as "Amendment to [name of original document]."

2. An "Amended" document consists of a replacement document which entirely supersedes an original document. An amended document shall be clearly identified as "Amended [name of original document]."

RULE 9006-1. TIME PERIODS

A. Enlargement or Reduction of Time. All applications for enlargement of time under Bankruptcy Rule 9006(b) or reductions of time under Bankruptcy Rule 9006(c) shall

include in the caption of the application appropriate language such as "Request for Expedited Hearing" or "Request for Expedited Ruling" or "Request for Shortened Notice" and shall state:

1. The cause for such request;

2. The date due without the requested enlargement or reduction;

3. The dates of any previous applications and the results thereof; and

4. A statement that the consent of the other parties in interest has been requested, whether such parties consent or object, and the identity of parties consenting or objecting; or if consent was not requested, the reason therefor.

B. Continuances. All applications for continuances of hearings shall be in writing, shall state cause for such request, and shall contain a statement that all other parties to the hearing have been contacted regarding the requested continuance and whether such parties consent or object. If the hearing sought to be continued is scheduled on a Monday, Tuesday, or Wednesday, the application shall be filed no later than 12:00 p.m. (noon) on the immediately preceding Friday. If the hearing is scheduled on a Thursday or Friday, the application shall be filed no later than 12:00 p.m. (noon) on the immediately preceding Monday. If an emergency renders a timely application impossible, the motion shall describe the emergency and shall represent that a timely application was impossible. Continuances are not favored by the Court and the Court may, in its discretion, deny a request for a continuance notwithstanding consent to a continuance by all parties to the matter or proceeding. A hearing may be continued by the Court from time to time without further notice other than an announcement at the originally scheduled hearing of the date of the continued hearing.

C. Ex Parte Ruling. Requests described in subsections (A) and (B) of this rule may be ruled upon ex parte.

RULE 9010-1. ATTORNEYS – NOTICE OF APPEARANCE

A. Eligibility to Practice. An attorney who has been admitted to practice and remains in good standing before the United States District Court for the Northern, Western, or Eastern District of Oklahoma, or before the Supreme Court of the State of Oklahoma, may practice before this Court without special permission. An attorney who is employed or retained by the United States or its agencies may practice in this Court in all cases or proceedings in which they represent the United States or such entities. Attorneys so admitted shall file pleadings and documents electronically with the Court in compliance with these Local Rules and the ECF Administrative Guide.

B. Permission to Appear Pro Hac Vice. An attorney who has been admitted to practice and remains in good standing before any other court of the United States, or before the highest court of any other State, and who is familiar with these Local Rules may practice before this Court by permission of and on such conditions as may be set by the Court. Permission to practice before the Court may be requested by filing a written motion in the main bankruptcy

case (or by making an oral request during any proceeding before the Court, followed by a written motion) and paying the appropriate admission fee to the Clerk of the United States District Court for the Northern District of Oklahoma, 333 W. Fourth Street, Room 411, Tulsa, Oklahoma 74103. An attorney so admitted shall file pleadings and documents electronically with the Court in compliance with these Local Rules and the ECF Administrative Guide. Admission in a particular bankruptcy case shall also serve as admission in any and all adversary proceedings filed in the bankruptcy case.

C. Entry of Appearance. An attorney appearing for a party in a case or adversary proceeding who desires to receive notices pursuant to Bankruptcy Rule 2002(g) must file an entry of appearance requesting notices.

D. Withdrawal. An attorney shall be permitted to withdraw from a case or a proceeding, or both, only upon leave of Court. A request to withdraw shall state the reason therefor, the current status of the case including the pendency of any hearings, and whether substitute counsel has been obtained by the client. The request shall be served upon the client and other parties in interest. Withdrawal may be conditioned upon such terms as the Court may require.

E. Rules of Professional Conduct. The Oklahoma Rules of Professional Conduct are incorporated herein as rules governing attorney conduct before this Court. See Title 5 of the Oklahoma Statutes, Chapter 1, App. 3-A.

F. Scheduling Conflicts. Pursuant to the General Order entered by the United States Court of Appeals for the Tenth Circuit on May 21, 1998, and for the purpose of resolving conflicts that arise in scheduling between this Court and federal district courts in the State of Oklahoma, Oklahoma district and appellate courts, or the United States Court of Appeals for the Tenth Circuit, the Court adopts the following guidelines:

1. An attorney shall not be deemed to have a conflict unless:

a. the attorney is lead counsel in two or more of the actions affected; and

b. the attorney certifies that the matters cannot be adequately handled, and the client's interest adequately protected, by other counsel for the party in the action or by other attorneys in the lead counsel's firm; certifies compliance with this rule and has nevertheless been unable to resolve the conflicts; and certifies in the notice a proposed resolution by list of such cases in the order of priority specified by this rule.

2. When an attorney is scheduled for a day certain by trial calendar, special setting or court order to appear in two or more courts (trial or appellate, state or federal), the attorney shall give prompt written notice, as specified in (1) above, of the conflict to opposing counsel, to the clerk of each court and to the judge before whom each action is set for hearing (or to an appropriate judge if there has been no designation of a presiding judge). The written notice shall contain the attorney's proposed resolution of the

appearance conflicts in accordance with the priorities established by this rule and shall set forth the order of cases to be tried with a listing of the date and data required by (2)(a)-(d) as to each case arranged in the order in which the cases should prevail under this rule. Attorneys confronted by such conflicts are expected to give written notice as soon as the conflict arises but in any event at least seven (7) days prior to the date of the conflicting settings. In resolving scheduling conflicts, the following priorities should ordinarily prevail:

a. Criminal (felony) actions should prevail over civil actions set for trial or appellate proceedings;

b. Jury trials shall prevail over non-jury matters, including trials and administrative proceedings;

c. Trials should prevail over appellate arguments, hearings, conferences;

d. Appellate proceedings prevail over all hearings, other than actual trials;

e. Within each of the above categories only, the action which was first set shall take precedence.

3. In addition to the above priorities, consideration should be given to the comparative age of the cases, their complexity, the estimated trial time, the number of attorneys and parties involved, whether the trial involves a jury, and the difficulty or ease of rescheduling.

4. The judges of the courts involved in a scheduling conflict shall promptly confer, resolve the conflict, and notify counsel of the resolution. The judge presiding over the older case (i.e., the earliest filed case) will be responsible for initiating this communication.

5. Conflict resolution shall not require the continuance of the other matter or matters not having priority. In the event the matter determined to have priority is disposed of prior to the scheduled time set, the attorney shall immediately notify all affected parties, including the court(s) affected, of the disposal and shall, absent good cause shown to the court(s), proceed with the remaining case or cases which did not have priority if the setting was not vacated.

6. Nothing in these guidelines is intended to prevent courts from voluntarily yielding a favorable scheduling position, and judges of all courts are urged to communicate with each other in an effort to lessen the impact of conflicts and continuances on all courts.

RULE 9011-1. ATTORNEYS – DUTIES

Petitions, lists, schedules, statements, amendments, pleadings, affidavits, motions, and

other documents which must contain original signatures or which require verification under Bankruptcy Rule 1008 or an unsworn declaration, as provided in 28 U.S.C. § 1746, shall be filed electronically. The attorney of record or the party originating the document shall maintain documents with original signatures filed in a bankruptcy case for at least one year after the case is closed. In adversary proceedings, the attorney of record or party originating the document shall maintain documents with original signatures filed in the proceeding until after the proceeding is concluded and all time periods for appeals have expired. Upon request, the original document shall be provided to other parties or the Court for review.

RULE 9011-2. PRO SE PARTIES

Pro se filers shall file signed paper originals of all petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents that contain original signatures, verifications, or unsworn declarations under any rule or statute. The Clerk shall image the documents for filing and maintain the original paper documents in accordance with Bankruptcy Rule 5003. Lists of creditors shall be submitted to the Clerk in electronic format concurrently with the filing of the petition. Pro se filers may obtain assistance from the Clerk in producing a list of creditors in the appropriate electronic format.

RULE 9011-4. SIGNATURES

A. Every pleading or other document electronically filed shall contain a signature. The filing attorney shall indicate a signature on each signature line by inserting "s/Jane Doe" or a scanned signature on each applicable line. Bankruptcy Rule 9011 applies to all documents filed.

B. The electronic filing of a petition, pleading, motion, or other paper by an attorney constitutes the signature of that attorney. The attorney signing the document that is filed must match the identity of the attorney whose ECF System password was used to file the document. One attorney cannot file a document using another attorney's ECF password.

C. Dates of signatures on the electronically filed document must be the same as the date the document was actually signed.

D. The following procedure applies when a stipulation or other document requires two or more signatures:

1. The filing attorney shall initially confirm that the content of the document to be filed is acceptable to all persons required to sign the document and shall obtain the physical signatures of all parties on the document. For purposes of this rule, physical, facsimile and electronic signatures are permitted. A document may be signed in counterparts.

2. The filing attorney shall then file the document electronically, indicating the signatures, e.g., "s/Jane Doe," of all appropriate persons.

RULE 9013-1. MOTIONS; FORM AND SERVICE

A. Hearing on Request for Relief. When relief is requested by the filing of a motion or other request for relief, unless a hearing is required by the Code, applicable rules, or a Court order, such a request for relief requires only notice of an opportunity for a hearing.

B. Notice of Opportunity for Hearing. Except for requests for relief specified in subsection (D), if a motion or other request for relief is filed for which the Code does not require a hearing but permits an opportunity for a hearing as defined by 11 U.S.C. § 102(1), the movant shall include the following language in the title of the request for relief: "And Notice of Opportunity for Hearing." The body of the motion shall contain the following statement:

NOTICE OF OPPORTUNITY FOR HEARING

> **Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document**. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Northern District of Oklahoma, 224 South Boulder, Tulsa, Oklahoma 74103 no later than ___*___ days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice. **The ___*___ day period includes the three (3) days allowed for mailing provided for in Fed. R. Bankr. P. 9006(f).**
>
> **<u>*The moving party shall calculate the appropriate response time. If a response time is prescribed by applicable statute, rule, or order, the moving party shall add to the prescribed response time unless service is accomplished by hand delivery, the three (3) days required for mailing under Bankruptcy Rule 9006(f). If a response time is not prescribed by applicable statute, rule, or order, the response time shall be fourteen (14) days, which includes the three (3) days required for mailing under Bankruptcy Rule 9006(f).</u>**

After expiration of the time for filing a response or objection, if no response or objection is timely filed and if the movant has complied with this Local Rule 9013-1(B), the movant may file a request for entry of an order granting the requested relief, and the Court may grant the relief requested without further notice or a hearing. The request for entry of an order shall state the facts of service of the original request for relief and that no response or objection has been timely filed, or if untimely filed, stating the pertinent facts. If the request for entry of an order is filed using the ECF System, it should be related to the request for relief by docket number (using the "Refer an existing event" on the ECF System), and, if an order other than a Text-Only Order

is desired, a proposed order should be submitted to the Court pursuant to these Local Rules and the ECF Administrative Guide. If the party requesting entry of an order is not required to electronically file documents, a copy of the original request for relief shall be attached to the request for entry of an order, and a proposed order may be submitted (but not filed) with the request for entry of an order. See Local Rule 9072-1.

C. Amended Motions. Unless otherwise ordered, the time for filing a response or objection to a motion filed under Local Rule 9013-1(B) shall recommence upon the filing of any amendment, correction, supplement or modification to the motion, even if such amendment, correction, supplement or modification is in response to a notice of deficiency filed by the Clerk or the Court. A file-stamped copy of the amendment, correction, supplement or modification shall be served pursuant to Local Rules 9004-1(F) and 9013-1(G).

D. Exceptions. Subsection (B) of this rule does not apply to:

1. A notice of sale not in the ordinary course of business made pursuant to Bankruptcy Rule 6004(a). See Local Rule 6004-1(A).

2. An objection to a proposed use, sale, or lease of property pursuant to Bankruptcy Rule 6004(b). See Local Rule 6004-1(A) and (B).

3. A motion for sale free and clear of liens and/or interests made pursuant to Bankruptcy Rule 6004(c). See Local Rule 6004-1(B).

4. An objection to a disclosure statement made pursuant to Bankruptcy Rule 3017(a) or 3017.1(c)(2).

5. An objection to confirmation of a plan filed pursuant to Bankruptcy Rule 3020(b)(1).

6. Any request for relief brought pursuant to Part VII (Adversary Proceedings) or Part VIII (Appeals to District Court) of the Bankruptcy Rules, except in the case of a motion to dismiss a complaint objecting to discharge. See Local Rule 7041-1.

7. An objection to confirmation of a plan in a Chapter 12 or 13 case filed pursuant to Bankruptcy Rule 3015(f).

8. A motion made pursuant to Bankruptcy Rule 9011(c).

9. A motion for summary judgment made pursuant to Bankruptcy Rule 7056. See Local Rule 7056-1.

10. A motion for withdrawal of a case or proceeding brought pursuant to Bankruptcy Rule 5011(a). See Local Rule 5011-1.

11. A motion to appoint a trustee or examiner pursuant to 11 U.S.C. § 1104.

12. The Notice of Trustee's Final Report and Applications for Compensation (NFR) by a Chapter 7 trustee. The Notice of Trustee's Final Report and Applications for Compensation (NFR) shall contain the following language (or such other language as may be required by the United States Trustee):

> Any person wishing to object to any fee application or the Final Report, must file a written objection within 21 days of the date of this notice, together with a request for a hearing and serve a copy of both upon the trustee, any party whose application is being challenged and the United States Trustee. If no objections are filed, the Court will act on the fee applications and the trustee may pay dividends pursuant to FRBP 3009 without further order of the Court.

E. Motions Not Prosecuted. Motions or other requests for relief made under subsection (B) of this rule that are pending in a case at the time a case is closed will be stricken for lack of prosecution. The final order disposing of the case will operate as the order striking any such motions or other requests for relief.

F. Untimely Pleadings. Pleadings, including but not limited to objections, responses, briefs, and supplements to pleadings, that are filed later than 4:30 p.m. on the third day prior to the date set for hearing on the matter to which the pleading relates may be disregarded by the Court.

G. Time and Manner of Service of Motions.

1. If the recipient of notice or service is a registered participant in the ECF System, service by the ECF System of the Notice of Electronic Filing shall be the equivalent of service of the pleading by first-class mail, postage prepaid.

2. If the party entitled to notice or service is not a registered participant in the ECF System, or the party is entitled to service pursuant to Bankruptcy Rule 9014(b) and 7004, when a motion is filed, a file-stamped copy of the motion shall be served by the movant upon all such parties entitled to receive notice thereof within two (2) days of the filing date. Mailing of the motion in compliance with Bankruptcy Rule 7004(b), and in the case of notice to an agency, department or instrumentality of the United States, to the address maintained by the Clerk specified in Local Rule 1007-1(J), properly addressed, within two (2) days of the filing date shall constitute compliance with this rule. Movant shall file a Certificate of Service within seven (7) days after filing the motion in compliance with Local Rule 5005-1(E). If the Certificate of Service is not timely filed, the Court may deny the motion without notice to the movant.

RULE 9014-1. CONTESTED MATTERS

A. Applicability of Notice of Opportunity for Hearing Procedure. Local Rule 9013-1 applies to motions or objections initiating contested matters, except to the extent excluded by Local Rule 9013-1(D).

B. Corporate Ownership Statement. Bankruptcy Rule 7007.1 and Local Rule 7007.1-1 apply in contested matters. Any corporation, other than a governmental unit, that is a participant in a contested matter shall complete and file Local Form 7007.1-1 identifying all publicly held corporations, other than a governmental unit, that directly or indirectly own ten percent (10%) or more of any class of the corporation's equity interest, or stating that there are no such entities to report. The corporate ownership statement shall be filed concurrently with such corporation's first request for relief or response or objection to a request for relief. A supplemental corporate ownership statement shall be filed promptly to reflect any change in the information that is required to be disclosed.

C. Certificate of Service. See Local Rule 5005-1(E).

D. Dismissing or Withdrawing Pleadings that Initiate Contested Matters. Bankruptcy Rule 7041 applies to dismissals and withdrawals of motions to which a response or objection has been filed. A motion to which an objection has been filed may not be withdrawn without an order of the Court. An application to withdraw the motion shall indicate that opposing parties either consent or object to withdrawal of the motion.

RULE 9015-1. JURY TRIAL

A. Consent to Jury Trial by Bankruptcy Court. If the right to a jury trial applies and a timely demand for trial by a jury has been filed, the parties may consent to have a jury trial conducted by a bankruptcy judge by jointly or separately filing a statement of consent no later than fourteen (14) days after the last date upon which a timely jury demand may be made.

B. List of Witnesses Called. Upon completion of a jury trial, the parties shall jointly provide to the courtroom deputy a list of witnesses who testified. The courtroom deputy shall provide the list to the jury to assist in deliberations.

C. List of Exhibits Received. Upon completion of a jury trial, the parties shall each provide a list of admitted exhibits to the courtroom deputy. The courtroom deputy shall provide the lists to the jury to assist in deliberations.

D. Selection of Jurors. The jury plan of the District Court governs jury selection in this Court.

E. Communications with Jurors. The District Court Local Rules regarding attorney communication with jurors applies in cases and proceedings before this Court.

RULE 9019-1. SETTLEMENTS

Motions filed by the trustee or debtor-in-possession pursuant to Bankruptcy Rule 9019 to approve the compromise or settlement of controversies shall be filed in the bankruptcy case and shall be served on the debtor, debtor's counsel, the United States Trustee, and parties who have requested notices in the case. If a proposed settlement or compromise of an adversary proceeding affects the estate, the parties shall file a joint motion for approval of such compromise in the adversary proceeding and in the bankruptcy case and serve the motion upon the debtor, debtor's counsel, the trustee, the United States Trustee, and parties who have requested notice in the case. A motion filed under this rule shall describe with specificity the contentions of the parties and the basis and terms of the settlement. A motion filed under this rule may utilize the procedure for notice of opportunity for hearing contained in Local Rule 9013-1(B). The Court, in its discretion, may set the motion for hearing notwithstanding compliance with the procedures of Local Rule 9013-1(B). A notice of hearing on the motion shall be served on the parties named above pursuant to Bankruptcy Rule 2002(a)(3) and Local Rule 2002-1(A).

RULE 9019-2. ALTERNATIVE DISPUTE RESOLUTION (ADR)

A. Settlement Conference. The Court may, upon its own initiative or at the request of any of the parties, order a settlement conference at a time and place to be fixed by the Court.

B. Settlement Judge Disinterested. A district judge, a bankruptcy judge (other than the judge assigned to the case), a magistrate judge, or an adjunct settlement judge designated by the Court, will normally preside at the settlement conference. The settlement judge will take no part in adjudicating the case subsequent to the settlement conference.

C. Case or Proceeding to Continue. Unless otherwise ordered by the Court, the scheduling of settlement conferences or other alternate dispute resolution procedures will not continue, delay, or otherwise interfere with scheduling dates set pursuant to other orders in the case or proceedings. Likewise, any modification of a scheduling order will not affect the date of a settlement conference set pursuant to a separate settlement conference order.

D. Fully Authorized Representatives Required. At least one attorney for each of the parties who is fully familiar with the case shall appear for each party. A person or representative with full settlement authority as defined in the Court's settlement conference order shall accompany the attorney to the settlement conference. Other parties in interest, such as insurers or indemnitors, shall attend through fully authorized representatives and are subject to the provisions of this rule. The settlement judge may, however, with special permission upon prior written application, allow the party having full settlement authority to be telephonically available. The settlement judge presiding over the settlement conference may make such other and additional requirements of the parties as shall be deemed proper in order to expedite an amicable resolution of the case.

E. Confidences Kept. It is expected that the parties, their representatives, and attorneys be completely candid with the settlement judge so that settlement discussions may be

properly and productively guided. To encourage candor, the confidential nature of settlement discussions conducted under the auspices of a court-sponsored settlement conference shall be absolutely respected by all participants, and strictly enforced by the Court. The settlement judge may meet jointly or individually with any of the participants. Statements made in any settlement conference will not be shared with participants not party to the settlement conference, unless specific permission of the declarant is obtained. Any statement made in the context of the settlement conference will not constitute an admission and will not be used in any form in the litigation or trial of the case. The settlement judge will not discuss the substance of the conference with the judge to whom the case is assigned.

F. Adjunct Settlement Judges. Adjunct settlement judges shall be selected by the Court from among members of the bar in good standing and chosen based upon their expertise, experience, actual and apparent impartiality, training, temperament, and reputation for fairness. They shall be invited to serve for an initial term without compensation and commit to conduct up to twelve settlement conferences during that term. The initial term shall extend for one year, or until the number of settlement conferences designated for the term (up to a maximum of 12) are completed, whichever is longer. Once appointed and trained, an adjunct settlement judge may volunteer to serve additional terms, or to conduct additional conferences within a term, but shall not be expected by the Court to do so. No adjunct settlement judge may be called as a witness, except in an action to enforce the settlement agreement. In that instance, the adjunct settlement judge shall not be deposed, and shall testify as the Court's witness.

G. Special Projects. In cases where the settlement effort is expected to be extensive, or in connection with discovery matters, the Court may appoint an adjunct settlement judge as a special project settlement or discovery judge, and order the parties to pay for his or her time at a reasonable hourly rate. Such payment shall be apportioned between the parties as agreed, or by the Court on an equitable basis.

H. Governmental Entities. In the event a governmental entity that is a party determines that it will be unable to provide a representative with full settlement authority at the settlement conference, the governmental entity shall promptly move for leave to proceed with a representative with limited authority. The motion shall be delivered (not filed) to the settlement judge not later than 14 days prior to the conference and shall contain:

1. The reasons that make it impracticable for a party's representative to appear with full settlement authority;

2. A detailed description of the limited authority to be exercised at the conference; and

3. Alternative proposals by which full authority may be exercised at or subsequent to the conference.

The motion need not be transmitted to the opposing parties. Upon consideration of the motion, the settlement judge may allow the governmental entity to appear with limited authority or may, notwithstanding the motion, require appropriate persons to appear as may be necessary to have

full settlement authority at the conference. Any adjunct settlement judge may defer such determination to the bankruptcy judge then supervising the adjunct settlement judge program.

I. Other Alternative Methods. The Court may, in its discretion, set any proceeding for summary jury trial, mini-trial, executive summary jury trial (summary jury trial where chief executive officers of corporate parties participate as part of a three judge trial panel), mediation, arbitration, or other method of alternative dispute resolution as the Court may deem proper, so long as due process is not abrogated or impaired.

J. Certificate of Circumstances. In the event a party, attorney, insurer, or indemnitor fails to comply with the settlement conference order or participate in good faith in any court-sponsored alternative dispute resolution proceeding, the settlement judge may certify such circumstances in writing to the bankruptcy judge and recommend appropriate action. All parties shall be served with copies of the certification and be afforded an opportunity to respond. The Court may then impose any remedial, compensatory, disciplinary, contempt, or sanction measures it deems appropriate under the circumstances certified.

RULE 9021-1. JUDGMENTS AND ORDERS – ENTRY OF

All Court orders and notices will be filed electronically. An order may be in the form of a Text-Only Order, which, together with the Notice of Electronic Filing, shall constitute the evidence of an order concerning the matter. Any order filed electronically without the original signature of a judge has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order and the order had been entered on the docket in a conventional manner.

RULE 9036-1. NOTICE BY ELECTRONIC TRANSMISSION

Requesting and receiving a password from the Clerk to participate in the ECF System shall constitute a request and consent to receive service by electronic means pursuant to Bankruptcy Rule 9036.

RULE 9070-1. EXHIBITS

Copies of pre-marked exhibits intended to be introduced at a hearing and a list of witnesses intended to be called in a case or proceeding shall be submitted to, but not filed with, the Clerk. If the hearing is scheduled on a Monday, Tuesday, or Wednesday, the materials shall be submitted to the Clerk no later than 12:00 p.m. (noon) on the immediately preceding Friday. If the hearing is scheduled on a Thursday or Friday, the materials shall be submitted to the Clerk no later than 12:00 p.m. (noon) on the immediately preceding Monday. Copies of such pre-marked exhibits and witness lists shall be transmitted to each party in interest in a manner calculated to be received on the same day they are submitted to the Court. This rule does not apply to hearings in a Chapter 13 case unless the matter is specially set for an evidentiary hearing or unless specifically ordered by the Court.

RULE 9072-1. ORDERS - PROPOSED

A. Request for Entry of Order. Attorneys seeking an entry of an order (except pretrial orders) shall file a Request for Entry of Order pursuant to Local Rule 9013-1(B). The Request for Entry of Order shall reference the original motion using the "Refer to existing event" on the ECF System but shall not include the original motion as an attachment.

B. Submission of Proposed Orders. Proposed orders and judgments shall be emailed to the assigned judge's "orders" mailbox, the address of which may be found on the Court's website (http://www.oknb.uscourts.gov). Proposed orders and judgments shall not be attached to the motion or the Request for Entry of Order. A proposed order shall not be submitted prior to the filing of the motion and/or the Request for Entry of Order. A proposed order may be submitted by email simultaneously with the filing of an application or motion that may be ruled upon ex parte. See also Section XIII of the ECF Administrative Guide. A party submitting a proposed order in accordance with this rule shall not include any ex parte communication in the email transmitting the proposed order.

C. Text-Only Orders. The Court reserves the right to enter a Text-Only Order in any instance.

D. Pretrial Orders. Parties shall electronically submit pretrial orders to the Court to the assigned judge's "orders" mailbox, the address of which may be found on the Court's website (http://www.oknb.uscourts.gov). Submission of the proposed pretrial order constitutes a representation by the party submitting the proposed pretrial order that the order has been agreed to by all parties involved in the adversary proceeding or contested matter for which the pretrial order has been submitted. See also Local Rule 7016-1(C).

RULE 9075-1. EMERGENCY ORDERS

Upon filing an application for emergency or expedited consideration, a movant shall contact the courtroom deputy via telephone to advise the Court of the application. See also Local Rule 9006-1(A).

RULE 9081-1. EFFECT OF AMENDMENT OF LOCAL RULES OF THE DISTRICT COURT

The District Court Local Rules made applicable in cases or proceedings by these rules shall be the District Court Local Rules in effect on the effective date of these rules and as thereafter amended, unless otherwise provided by such amendment.

APPENDIX A

CM/ECF ADMINISTRATIVE GUIDE OF POLICIES AND PROCEDURES

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

CM/ECF ADMINISTRATIVE GUIDE
OF POLICIES & PROCEDURES
Effective December 1, 2012

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I. INTRODUCTION

It is the policy of the United States Bankruptcy Court for the Northern District of Oklahoma to require attorneys to file documents with the Court electronically using the Case Management Electronic Case Filing System ("CM/ECF" or the "ECF System") unless excused from that requirement with respect to a specific document by the Court. See Local Rule 5005-1. Electronic filing using the ECF System shall be governed by the CM/ECF Administrative Guide of Policies and Procedures (the "ECF Administrative Guide") and Local Rules of this Court.

II. GENERAL POLICIES

A. When a document has been filed electronically, or filed in paper format and imaged by the Court, the official record is the electronic recording of the document as stored by the Court, and the filing party is bound by the document as filed. A document filed electronically is deemed filed on the date and time stated on the Notice of Electronic Filing (NEF).

B. CM/ECF registrants may file documents 24 hours a day, seven days a week. Filing must be completed before midnight Central Time in order to be considered timely filed that day. If the Local Rules prescribe or the assigned judge has ordered the document to be filed by a time certain, it must be filed in the ECF System by that time in order to be considered timely filed.

C. Electronic transmission of a document to the ECF System consistent with this ECF Administrative Guide, together with the generation of a Notice of Electronic Filing (NEF) by the ECF System, constitutes filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the Local Rules. Emailing a document to the Clerk's office shall not constitute "filing" of the document.

D. If the provisions of this ECF Administrative Guide conflict with the Court's Local Rules, the ECF Administrative Guide shall prevail.

III. ELIGIBILITY

A. **Attorneys**. Attorneys admitted to the bar of this Court, including those admitted pro hac vice and those authorized to represent the United States, must register as CM/ECF Users. The Court will issue passwords only to attorneys in good standing. Even if an attorney is already registered as a CM/ECF User in another district, this Court requires a unique local account, and an attorney must register for an account specific to this Court in accordance with this ECF Administrative Guide.

B. **Pro Se Parties**. Generally, parties proceeding pro se will not be authorized to file electronically. Pro se filers shall submit to the Clerk fully signed paper originals of all petitions, lists, schedules, statements, amendments, pleadings, affidavits, and other documents. The Clerk will scan these documents, enter them into the ECF System and the electronic image will be the official record.

C. **Creditors and Other Limited Users**. An individual authorized to prepare and file reaffirmation agreements and/or proofs of claim or interest (see Local Rule 3002-1) may register as a CM/ECF User for limited purposes. The Court may issue Limited Use Passwords to such individuals. Other parties interested in a Limited Use Password may contact the Clerk.

D. **Filing Agents**. An individual designated by a Registered Attorney of the Court's ECF System to file documents on the Registered Attorney's behalf may register as a CM/ECF Filing Agent. The Court may issue Filing Agent Passwords to such individuals. A Filing Agent may be designated to file for multiple Registered Attorneys.

IV. REGISTRATION

A. Each attorney seeking to file documents electronically shall complete and sign an Attorney Registration Form (Form A) which is available on the Court's website at http://www.oknb.uscourts.gov.

B. An individual described in Section III(C) seeking to electronically file reaffirmation agreements and/or proofs of claim or interest shall complete and sign an Application for Limited Use/Claim Password (Form B) which is available on the Court's website at http://www.oknb.uscourts.gov.

C. An individual described in Section III(D) seeking to electronically file on behalf of Registered Attorneys shall complete and sign a Filing Agent Registration Form (Form C) which is available on the Court's website at http://www.oknb.uscourts.gov.

D. All signed original registration forms and applications shall be mailed or delivered to the United States Bankruptcy Court for the Northern District of Oklahoma, Attn: CM/ECF Help Desk, 224 South Boulder Avenue, Room 105, Tulsa, Oklahoma 74103.

1. A registrant may request assignment of the User Login utilized in another federal district, but a random password will be assigned. Users may change the password at any time.

2. If any of the information provided on the registration form or application changes (e.g. mailing address, email address, telephone number, etc.), the registrant shall immediately update such information using the account maintenance link located in the CM/ECF Utilities menu.

3. The Court reserves the right to disable any account that is not accessed for a period of six months. Accounts may be reactivated by contacting the CM/ECF Help Desk.

4. Registration forms may be imaged by the Court and maintained in electronic format. Once imaged by the Court, the official record is the electronic recording

of the document as stored by the Court and any paper document may be disposed of properly.

E. In order to complete the registration process and obtain a CM/ECF Login and Password, a registrant may need to attend a training class to become certified on the ECF System. Registrants may sign up for the required training class on the Court's website (www.oknb.uscourts.gov). Attorneys who have attended training in another bankruptcy court and are registered in another district may register with this Court without further training, but may be required to file test documents in the ECF System to ensure compatibility of equipment and proficiency in using the ECF System.

F. Registration as a CM/ECF User constitutes a request and consent under Bankruptcy Rule 9036 that all notices and documents to which the user is entitled to receive be served electronically through the ECF System. Transmission of a Notice of Electronic Filing (NEF) through the ECF System to the registered email address of a CM/ECF User will constitute service.

G. Once registered, a CM/ECF User may withdraw from participating in the ECF System by submitting a written notice of withdrawal to the CM/ECF Help Desk at cmecf@oknb.uscourts.gov. Upon receipt, the Clerk will immediately cancel the CM/ECF User's account. Withdrawal from the ECF System will effectively terminate an attorney's ability to practice in this Court.

H. User Accounts and/or filing privileges may be revoked at the discretion of the Court. Reasons for revoking an account or filing privilege may include, but are not limited to: not paying fees in a timely manner, not following Local Rules or Procedures, allowing a User Login and Password to be used by another attorney or party to file documents for someone other than the Registered User, and not keeping contact information current in the ECF System (e.g. mailing address, email address, telephone number, etc.).

V. PASSWORDS

A. A CM/ECF User will receive notification of the User Login and Password by email. Each CM/ECF User shall be entitled to one ECF System Password.

B. After receiving the User Login and Password from the Clerk, the CM/ECF User shall immediately change his or her Password using the CM/ECF Utilities menu.

C. The use of the User Login and Password in the ECF System will serve as the CM/ECF User's official signature for purposes of the Federal Rules of Bankruptcy Procedure and any applicable statute or regulation of the United States.

D. CM/ECF Users shall not permit their User Logins and Passwords to be utilized by anyone other than persons specifically authorized to file documents in the CM/ECF User's name. The CM/ECF User is responsible and accountable for all documents filed with that CM/ECF User's Login and Password.

E. A Registered Attorney who authorizes a Filing Agent to file on behalf of the attorney is responsible and accountable for all documents filed as if filed by the Registered Attorney. Attorneys are required to notify the Court immediately when a Filing Agent is no longer authorized to file documents on behalf of the attorney.

F. CM/ECF Users agree to protect the security of their Passwords. If a Password is believed to be compromised, the CM/ECF User shall immediately notify the CM/ECF Help Desk at (918) 699-4072 or by email at cmecf@oknb.uscourts.gov, and shall change the Password using the CM/ECF Utilities menu.

VI. FILING

A. CM/ECF Users shall file all documents electronically in accordance with Local Rule 5005-1.

B. All documents filed electronically shall comply with Local Rule 9004-1 and shall be in "Portable Document Format" (PDF). The Court recommends that documents be formatted in PDF/A (PDF for Archiving) to reduce the size of the document and ensure its continued compatibility. Documents should be scanned at a setting of 300 dots per inch (dpi) as recommended by the National Archives and Records Administration (NARA).

VII. GENERAL RULES OF SERVICE

A. Transmission of the Notice of Electronic Filing (NEF) that is automatically generated by the ECF System constitutes service of the filed document on CM/ECF Users. Parties and/or attorneys who are not CM/ECF Users and parties entitled to service under Bankruptcy Rules 7004 and 9014(b) must be served with a copy of the filed document along with a copy of the first page of the NEF, using a method permitted by the applicable Federal Rule of Bankruptcy Procedure.

B. The Notice of Electronic Filing (NEF) serves as the Certificate of Service to all CM/ECF Users listed as email recipients. A separate Certificate of Service shall be filed indicating how service to non-CM/ECF Users was accomplished (mail, hand delivery, etc.). The Certificate of Service may be incorporated into the filed document or filed as a separate document. If the Certificate of Service is filed as a separate document, the filing party shall relate it to the original document in the ECF System. See also Local Rules 5005-1(E) and 9004-1(F).

VIII. TITLES OF DOCUMENTS

A. When creating a document to be filed, the CM/ECF User should choose, to the extent possible, a title that matches one of the CM/ECF event titles prescribed by the Court. The CM/ECF event categories and titles can be found by using the Search feature in the ECF

System. If no event in the ECF System seems appropriate for the document to be filed, please call the CM/ECF Help Desk at 918-699-4072.

B. CM/ECF Users shall not file a document that involves multiple CM/ECF events that should be filed as separate documents (e.g., Answer and Schedules, Certificate of Credit Counseling and Financial Management Course Certification, etc.). CM/ECF Users may file a document with multiple parts (e.g., Motion for Relief from Stay and Motion to Abandon).

IX. HYPERLINKS

A. Hyperlinks are allowed in documents filed with the Court only for the purpose of providing a convenient mechanism for accessing material cited in the document.

B. Because the availability and location of information on the Internet is highly volatile, a hyperlink may fail to produce the intended information, and therefore the information may not be available to or considered by the Court.

C. Information produced by a hyperlink is extraneous to any filed document and is not part of the Court's record.

D. In order to preserve the integrity of the Court's record, CM/ECF Users that insert hyperlinks in filed documents shall also include a traditional citation for the authority.

X. REDACTION

A. **Privacy**. Local Rule 5005-1(F) requires CM/ECF Users to omit or, where inclusion is necessary, partially redact personal data identifiers from all electronically filed documents, unless otherwise ordered. See also Bankruptcy Rule 9037.

B. **Responsibility to Redact**. The responsibility for redacting personal data identifiers rests solely with counsel and the parties. The Clerk will not review documents for compliance with this rule, seal documents containing personal data identifiers without a Court order, or redact such information from documents.

Admin Procedure X.C. has been amended by General Order 13-GO-01. Refer to 13-GO-01 for amendment.

C. **Redacting a Document Once Filed.** If a document containing personal data identifiers is filed, the party may follow the procedure set forth in General Order 13-GO-01. The Clerk is not able to alter documents in the ECF System.

D. **Redaction of Transcripts**. It is the responsibility of parties in interest to ensure personal data identifiers are redacted from written transcripts filed in the ECF System. See Local Rule 5003-1(D).

E. **Tax Documents.** A CM/ECF User filing tax returns that are required to be filed pursuant to a request under 11 U.S.C. § 521(f) shall redact all personal data identifiers before filing

the tax return. To file a tax return as a secure event (i.e., a document that cannot be viewed by the general public) as required by Local Rule 4002-1(C), the CM/ECF User shall choose "Miscellaneous/Other" on the Bankruptcy Events screen and choose "Tax Documents" as the document to be filed. The ECF System will automatically limit access to "Tax Documents" to the filer and the Court.

XI. SIGNATURES

A. Filing Attorney Signature

1. The User Login and Password required to submit documents to the ECF System (whether that of the attorney or authorized Filing Agent) serves as the CM/ECF User's signature on all electronic documents filed with the Court for purposes of the Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court. See also Local Rule 9011-4.

2. Electronically filed documents must include a signature block. The name of the CM/ECF User under whose Login and Password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear. See also Local Rule 9004-1.

3. Electronically filed documents containing multiple signature lines, such as petitions, should appropriately indicate all signatures from parties and attorneys. Any signature line not appropriately completed with an "s/" and a typed name in the space where the signature would otherwise appear will be interpreted as not being signed. Conversely, any signature line completed with an "s/" and typed name in the space where the signature would otherwise appear will be interpreted as being signed.

4. Attorneys may not file documents using a User Login and Password of another attorney or individual. However, authorized Filing Agents may use their Login and Password to electronically file documents on behalf of Registered Attorneys for whom they are authorized to file.

5. Except as set forth in sub-paragraph (A)(6) below, Registered Attorneys may not use their User Login and Password to file documents that are signed pursuant to Bankruptcy Rule 9011(a) only by one or more non-filing attorneys.

6. Notwithstanding sub-paragraph (A)(5), the attorneys representing the United States Trustee may file a Trustee's Final Report and Proposed Distribution, Trustee's Closing Report and Application for Final Decree, and other related reports, motions, applications and supporting documentation, even though such documents are signed pursuant to Bankruptcy Rule 9011(a) by the trustee assigned to the case.

B. **Non-Filing Attorney Signature**

1. CM/ECF Users filing documents that require the signature of a non-filing attorney (e.g., joint motion, stipulation, etc.) shall indicate the signature of the non-filing attorney with an "s/" and the name typed in the space where a signature would otherwise appear, or shall file a scanned image of the document containing the non-filing attorney's signature. The filing attorney's signature must also be indicated on the document.

2. The CM/ECF User that files such a document shall maintain a paper version of the signed document in accordance with Local Rule 9011-1.

C. **Non-User Signature**

1. CM/ECF Users filing documents that require the signature of a person that is not counsel of record (e.g., verified pleadings, contracts, affidavits, etc.) shall indicate the person's signature with an "s/ name" or file a scanned image of the document containing the person's signature.

2. The CM/ECF User that files such a document shall maintain a paper version of the signed document in accordance with Local Rule 9011-1.

XII. EXHIBITS, ATTACHMENTS & APPENDICES

A. CM/ECF Users must submit in electronic form all documents referenced as exhibits, attachments, or appendices to a filed document unless the Court permits conventional filing. Exhibits, attachments, and appendices should be filed as attachments to the main document whenever possible, rather than as separate docket events, and shall be clearly labeled with the appropriate exhibit number. All such attachments must be in the form of a PDF document. See Section VI.

B. Exhibits, attachments, and appendices may be filed as individual attachments (e.g., Exhibit 1, Exhibit 2, etc.), or combined in one attachment (e.g., Exhibits 1–5, Attachments 1–8, etc.), as long as the ten (10) megabyte file size limitation per attachment is observed. See Section XVI.

C. CM/ECF Users shall submit as exhibits, attachments, and appendices only those excerpts of such documents that are directly germane to the matter under consideration by the Court. Excerpted material must be clearly and prominently identified as such.

XIII. PROPOSED ORDERS

Proposed orders shall be in Microsoft Word or WordPerfect format (proposed orders in PDF format will not be accepted) and shall be emailed to the assigned judge's "orders" email address:

Judge Michael: michael.orders@oknb.uscourts.gov

Judge Rasure: rasure.orders@oknb.uscourts.gov

See also Local Rule 9072-1.

XIV. COURT ORDERS

A. The Court may enter a Text-Only Order on the docket, without an attached document. Text-Only Orders are official and binding orders of the Court. See Local Rule 9021-1.

B. Any order or other court-issued document filed electronically without the original signature of a judge or Clerk has the same force and effect as if the judge or Clerk had signed a paper copy of the order or other document and entered such order on the docket.

XV. PUBLIC ACCESS

A. Electronic viewing by the public of the electronic docket and documents filed in the ECF System is available at no charge at the Clerk's Office during regular business hours.

B. Remote electronic access to the ECF System through the Court's website, www.oknb.uscourts.gov, is limited to subscribers to the Public Access to Court Electronic Records (PACER) system. In accordance with the Policy of the Judicial Conference of the United States, a user fee shall be charged for accessing case-specific information, such as filed documents and docket sheets. No fee is required to review calendars, certain written opinions, and similar general information. Further information regarding access to PACER is available at www.pacer.gov.

C. Paper copies and certified copies of filed documents may be purchased at the Clerk's Office. The fee for copying and certification will be charged in accordance with 28 U.S.C. § 1930(b).

XVI. FILE SIZE LIMITATIONS

The ECF System automatically rejects documents that exceed ten (10) megabytes in size. Documents that exceed ten (10) megabytes when converted to electronic form may be filed in parts by incorporating an attachment to the main document. The attachment may be identified by page numbers or another appropriate identifier (e.g., Pages 21 – 41, Exhibit A). Multiple attachments are permitted.

XVII. FEES

A. All filing fees must be paid on the calendar day on which the transaction requiring a fee occurs. See also Local Rule 5080-1. Failure to pay filing fees on the same day may prompt the Court to take specific action such as withholding the Notice of Meeting of Creditors, withholding other action, or striking the pleading for which the fee was not paid.

B. Filing fees for documents filed electronically shall be paid through the ECF System by credit card, approved debit card, or other means approved by the Court's electronic payment system (Pay.gov). Fees may not be paid using an account of a debtor.

C. CM/ECF Users may be allowed to pay certain fees in the Clerk's Office upon prior arrangement with the Clerk. Such approved transactions do not negate the requirement that the filing fee be paid on the calendar day on which the transaction occurred.

   a. Submission of unclaimed funds, installment payments made after the order granting the application to pay filing fees in installments, and payments due after the filing of a Clerk's Statement of Costs are examples of payments that can be made in the Clerk's Office without prior approval.

   b. Payment of any filing fee by a pro se debtor shall be by cash, cashier's check, or money order payable to "Clerk, United States Bankruptcy Court."

XVIII. FILING ERRORS

A. Once a document is electronically filed, the ECF System will not permit the CM/ECF User to alter the document or the docket entry.

B. CM/ECF Users should make every effort to ensure that they do not file a document other than the one intended to be filed, that the document is filed in the correct case, and that the document does not contain information that should have been redacted or filed under seal.

C. CM/ECF Users shall immediately notify the CM/ECF Help Desk of any filing errors by telephone at (918) 699-4072 or by email at cmecf@oknb.uscourts.gov. The CM/ECF User should provide the Clerk's Office with the case number, docket number, and a description of the erroneous entry along with the CM/ECF User's contact information. CM/ECF Users are advised not to pay filing fees for documents filed in error before speaking with someone at the CM/ECF Help Desk.

XIX. REFUND OF ELECTRONICALLY PAID FEES

A. The Judicial Conference generally prohibits refunds of fees due upon filing, even if a case or document was filed in error, or the Court dismissed the case or proceeding. See Local Rule 1006-2(C).

B. The authority to refund certain payments has been delegated by the Court to the Clerk. The Clerk may refund duplicate filing fees collected for the same filing as a result of a Pay.gov error. In limited circumstances, if a CM/ECF User makes an erroneous filing for which a fee is requested but was not actually due, and the payment has not yet been processed, the Clerk may correct the entry administratively and void the fee without a motion or Court order.

C. Requests for refunds related to situations other than those listed above should be made by motion using the Refund of Filing Fees event in CM/ECF.

D. A refund will be issued in the same form it was received (e.g., to the credit card that was originally charged).

XX. TECHNICAL FAILURES

A. **Court's ECF System**. A technical failure exists when the ECF System is unable to accept filings continuously or intermittently over the course of any period of time greater than two (2) hours within a calendar day. The Clerk will post any scheduled ECF System outages or downtimes on the Court's website. Should a filing be untimely as the result of a technical failure of the ECF System, the CM/ECF User may seek appropriate relief from the assigned judge.

B. **CM/ECF User's System**. A CM/ECF User's phone line, Internet Service Provider (ISP), or hardware or software problems will not constitute technical failures under these procedures or excuse an untimely filing. Upon a showing of good cause, the assigned judge may grant appropriate relief for an untimely filing or for filing paper documents over the counter.

XXI. SUPPORT

For technical problems, contact the CM/ECF Help Desk at (918) 699-4072 or by email at cmecf@oknb.uscourts.gov.

XXII. MODIFICATIONS AND AMENDMENTS OF ECF SYSTEM PROCEDURES

The assigned judge may modify these procedures in specific cases without prior notice, if deemed appropriate. The Court may also amend these policies and procedures at any time without prior notice. Modifications and amendments to ECF Administrative Guide will be posted on the Court's website at www.oknb.uscourts.gov.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

Filed / Docketed
February 18, 2010

IN RE: **AMENDMENT OF LOCAL BANKRUPTCY RULE 4001-1(D).**	**No. 10-GO-01**

ORDER AMENDING LOCAL BANKRUPTCY RULE 4001-1(D)

WHEREAS, Local Bankruptcy Rule 4001-1(D) currently requires that a motion for relief from the codebtor stay provided by 11 U.S.C. §§ 1201(c) or 1301(c) afford the parties served 23 days within which to object to the motion; and

WHEREAS, 11 U.S.C. §§ 1201(d) and 1301(d) each provide that the codebtor stay is terminated 20 days after the filing of a motion for relief from the codebtor stay under 11 U.S.C. §§ 1201(c)(2) or 1301(c)(2) unless the debtor or any individual that is liable on such debt with the debtor files an objection to the motion; and

WHEREAS, the Court has determined that a request for relief from the codebtor stay initiates a contested matter under Bankruptcy Rule 9014, and that Local Bankruptcy Rule 4001-1(D) should be amended to reduce the time in which objections must be filed from 23 days to 14 days.

IT IS THEREFORE ORDERED that Local Bankruptcy Rule 4001-1(D) (Relief from the Codebtor Stay) is amended to provide as follows:

D. Relief from the Codebtor Stay.

1. A motion for relief from the codebtor stay provided by 11 U.S.C. §§ 1201(a) or 1301(a) shall be designated as "Motion for Relief from Codebtor Stay." Failure to do so may be deemed a waiver of the benefit of

automatic termination of the stay upon the conditions stated in 11 U.S.C. §§ 1201(d) or 1301(d).

2. The motion shall be filed and served in compliance with Local Bankruptcy Rule 9013-1(B). A notice of opportunity for hearing shall provide for a response time of 14 days (which includes the 3 days for mailing as prescribed by Bankruptcy Rule 9006(f)) within which to object.

3. The motion shall be served upon the debtor, the debtor's counsel, trustee, any individual that is liable on the debt with the debtor (i.e., a codebtor), and all parties in interest who have requested notice in the case.

IT IS FURTHER ORDERED that this General Order shall take effect on March 1, 2010.

Dated this 18th day of February, 2010.

DANA L. RASURE
UNITED STATES BANKRUPTCY JUDGE

TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

7520

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

Filed/Docketed
Sep 08, 2010

IN RE:

SUPPLEMENT TO LOCAL BANKRUPTCY RULE 3003-1.

No. 10-GO-02

ORDER SUPPLEMENTING LOCAL BANKRUPTCY RULE 3003-1; NOTICE TO BE GIVEN TO CREDITORS OF DUTY TO REDACT PERSONAL INFORMATION AND PREVENT DISCLOSURE OF CONFIDENTIAL HEALTH CARE INFORMATION

WHEREAS, Local Bankruptcy Rule 3003-1 provides that in a Chapter 9 or 11 case, the debtor-in-possession or trustee, if one is appointed, shall file a request for order fixing time within which proofs of claim or interest must be filed and shall serve the order fixing the time within which to file proofs of claim or interest on the debtor, the trustee, all creditors, indenture trustees, equity security holders, and all persons requesting notice in the case; and

WHEREAS, Local Bankruptcy Rule 1007-1(H) and Local Bankruptcy Rule 5005-1(F) provide that a party filing a document shall redact the following personal data identifiers appearing in pleadings or other papers filed with the Court: names of minor children (use minors' initials); all but the last four digits of any bank, savings or similar financial account numbers; all but the last four digits of any social security number; and all birth date information except the year; and

WHEREAS, the responsibility for redacting personal identifiers rests solely with the filing party; and

WHEREAS, all proof of claims (and any attachments thereto), whether submitted by mail or filed electronically, are public records that are available for online viewing by the public; and

WHEREAS, to prevent identity theft and other misuse of personal information and/or the disclosure of confidential medical information, creditors are required to redact personal data identifiers and prevent disclosure of confidential health care information when filing proofs of claim.

IT IS THEREFORE ORDERED that the order fixing the time within which to file proofs of claim served by the debtor-in-possession or trustee pursuant to Local Bankruptcy Rule 3003-1, shall contain the following notice:

Notice to Creditors of Duty to React Personal Information and Limit Disclosure of Confidential Health Care Information

All claims (and any attachments thereto), whether submitted by mail or filed electronically, are public records that are available for ONLINE viewing by the public. To prevent identity theft and other misuse of personal information and/or the disclosure of confidential medical information, PLEASE BE ADVISED:

(A) Privacy Protection

A claim (and any attachments thereto) that contains one or more of the following types of personal identifying information must limit the disclosure of such information to:

(1) the last four digits of a social security number or taxpayer identification number;

(2) the year of an individual's birth;

(3) a minor's initials; and

(4) the last four digits of a financial account number.

See Federal Rule of Bankruptcy Procedure 9037 and Local Bankruptcy Rules 1007-1(H) and 5005-1(F).

(B) Confidential Medical Information

If a claim is based on the delivery of health care goods or services, the claim (and any attachments thereto) shall not disclose the goods or services provided, or otherwise disclose confidential medical information. See Official Form B10, Instructions for Proof of Claim Form, at page 2.

IT IS FURTHER ORDERED that this General Order shall be effective on September 8, 2010.

Dated this 8th day of September, 2010.

DANA L. RASURE, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT

TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Filed/Docketed
Jun 05, 2012

IN RE:

JUNE 2012 AMENDMENT TO LOCAL RULE 3070-1.

No. 12-GO-01

ORDER AMENDING LOCAL BANKRUPTCY RULE 3070-1

WHEREAS it has come to the attention of the Court that the Office of the Chapter 13 Trustee for the Northern District of Oklahoma is implementing a system whereby payments to the Office of the Chapter 13 Trustee for the Northern District of Oklahoma may be made by electronic means; and

WHEREAS Local Rule 3070-1 in its current form does not authorize the Office of the Chapter 13 Trustee for the Northern District of Oklahoma to accept payments made by electronic means; and

WHEREAS the Office of the Chapter 13 Trustee for the Northern District of Oklahoma has requested that the Court amend Local Rule 3070-1 to authorize the Office of the Chapter 13 Trustee for the Northern District of Oklahoma to accept payments made by electronic means; and

WHEREAS after due consideration, the Court wishes to authorize the Office of the Chapter 13 Trustee for the Northern District of Oklahoma to accept payments made by electronic means,

IT IS THEREFORE ORDERED that Local Rule 3070-1 of the Local Rules of the United States Bankruptcy Court for the Northern District of Oklahoma is hereby amended to read as follows:

RULE 3070-1. CHAPTER 13 – PAYMENTS

A. Chapter 13 plans shall state a total amount per month to be paid to the Chapter 13 trustee and shall state the length of the plan in months.

B. The debtor shall commence making payments to the Chapter 13 trustee under a Chapter 13 plan within thirty (30) days after the date of the order for relief. All payments made by the debtor to the Chapter 13 trustee shall be made by certified or cashier's check, money order or through an electronic payment system authorized by the trustee. Chapter 13 plan payments made by recipients of wage deduction orders or other payment orders may be made to the Chapter 13 trustee by check or through an electronic payment system authorized by the trustee. If any entity tenders a plan payment check which is dishonored, the Chapter 13 trustee may require all future Chapter 13 plan payments from such entity to be made by certified or cashier's check or money order.

C. Cash will not be accepted by the Chapter 13 trustee from any entity as payment under a Chapter 13 plan.

D. Unless otherwise agreed by the Chapter 13 trustee, Chapter 13 plan payments shall be made to the trustee under a wage deduction order or other payment order directed to an entity from whom the debtor receives income. The debtor shall submit a wage deduction order or payment order on Local Form 3070-1D to the trustee for approval and submission to the Court.

IT IS FURTHER ORDERED that this General Order shall take effect immediately.

Dated this 5th day of June, 2012.

TERRENCE L. MICHAEL, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT

DANA L. RASURE
UNITED STATES BANKRUPTCY JUDGE

6354.1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Filed/Docketed
Feb 13, 2013

IN RE:	)	
	)	
REDACTION OF PERSONAL IDENTIFIERS.	)	**No. 13-GO-01**
	)	

GENERAL ORDER REGARDING REDACTION

IT IS HEREBY ORDERED that the Clerk of Court shall have the authority to process certain redaction requests without a motion and court order. Any entity seeking to redact personal data identifiers as described in Fed. R. Bank. P. 9037(a) (social security or taxpayer identification numbers; year of birth; names of minor children; financial account numbers) from a document on file with the Court, may file a Notice of Redaction ("Notice") using the ECF event "Notice of Redaction" with the redacted document included as the attachment. The Notice will initially be restricted from public view and available only to the party filer and the Court until the redaction is complete. Upon receipt of the Notice and the redacted document, the Clerk shall permanently restrict the unredacted document from public view and make the Notice and the redacted document available for public view. The Notice may be filed in closed cases and such cases need not be reopened in order to effect the redaction. Any Notice that fails to comply with this General Order will remain unprocessed and the Clerk of Court is authorized to issue a Notice of Non-Compliance with respect to any such Notice.

IT IS FURTHER ORDERED that any request to redact information other than the personal data identifiers described in Fed. R. Bankr. P. 9037(a) shall be submitted to the Court by motion. *See* Fed. R. Bankr. P. 9037(c & d). Such a motion may only be filed in an

open case. *See* Fed. R. Bankr. P. 5010.

IT IS FURTHER ORDERED that this redaction procedure may not be used to amend or alter a document in any way other than redacting to restrict from public view the personal data identifiers described in Fed. R. Bankr. P. 9037(a).

IT IS FURTHER ORDERED that this General Order shall take effect on March 1, 2013.

Dated this 13th day of February, 2013.

TERRENCE L. MICHAEL, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT

DANA L. RASURE
UNITED STATES BANKRUPTCY JUDGE

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