

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA**



IN RE:

**REPEAL OF MISCELLANEOUS
ORDERS 159 AND 168 AND
RETENTION OF INTERIM
BANKRUPTCY RULE 5012.**

No. 08-GO-02

**ORDER REPEALING MISCELLANEOUS ORDERS ADOPTING INTERIM
BANKRUPTCY RULES AND RETAINING INTERIM BANKRUPTCY RULE 5012**

WHEREAS new rules and amendments to the Federal Rules of Bankruptcy Procedure will take effect on December 1, 2008, unless Congress acts to the contrary; and

WHEREAS the new rules and amendments implement the substantive and procedural changes to the Bankruptcy Code made by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; and

WHEREAS the new rules and amendments supersede the Interim Bankruptcy Rules adopted by the Court through Miscellaneous Order 159 (adopting Interim Bankruptcy Rules) and Miscellaneous Order 168 (amending Interim Bankruptcy Rule 1007); and

WHEREAS Interim Bankruptcy Rule 5012 (Communication of and Cooperation with Foreign Courts and Foreign Representatives), which remains under study by the Advisory Committee on Bankruptcy Rules and is set forth on Exhibit "A" attached hereto, is expressly retained until further order of the Court;

IT IS THEREFORE ORDERED that Miscellaneous Orders 159 and 168 are hereby repealed.

IT IS FURTHER ORDERED that Interim Bankruptcy Rule 5012 (Communication of and Cooperation with Foreign Courts and Foreign Representatives), set forth on Exhibit "A" attached hereto and incorporated by this reference, is hereby retained and shall remain in effect until further

order of the Court.

IT IS FURTHER ORDERED that this General Order shall take effect on December 1, 2008, and shall govern in all proceedings in bankruptcy cases commenced thereafter and, insofar as possible, all proceedings then pending.

Dated this 14th day of October, 2008.



DANA L. RASURE
UNITED STATES BANKRUPTCY JUDGE



TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

Rule 5012. Communication and Cooperation With Foreign Courts and Foreign Representatives

Except for communications for scheduling and administrative purposes, the court in any case commenced by a foreign representative shall give at least 20 days' notice of its intent to communicate with a foreign court or a foreign representative. The notice shall identify the subject of the anticipated communication and shall be given in the manner provided by Rule 2002(q). Any entity that wishes to participate in the communication shall notify the court of its intention not later than 5 days before the scheduled communication.

COMMITTEE NOTE

This rule is new. It implements § 1525 which was added to the Code in 2005. The rule provides an opportunity for parties in the case to take appropriate action prior to the communication between courts or between the court and a foreign representative to establish procedures for the manner of the communication and the right to participate in the communication. Participation in the communication includes both active and passive participation. Parties wishing to participate must notify the court at least 5 days before the hearing so that ample time exists to make arrangements necessary to permit the participation.