

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



IN RE:

**AMENDMENT OF LOCAL RULES
FOR THE UNITED STATES
BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF
OKLAHOMA.**

No. 09-GO-06

ORDER AMENDING LOCAL BANKRUPTCY RULES

WHEREAS the Judicial Conference of the United States has approved amendments to the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, and the Federal Rules of Appellate Procedure, which address the method in which time is calculated in the federal courts; and

WHEREAS the Supreme Court of the United States has adopted the rule amendments proposed by the Judicial Conference and transmitted the same to Congress pursuant to the Rules Enabling Act; and

WHEREAS, absent further action by Congress, the rule amendments will become effective December 1, 2009; and

WHEREAS the Statutory Time Period Technical Amendments Act of 2009, Pub. L. No. 111-016, 123 Stat. 1607, was enacted, which adjusts time periods in 28 statutes and will take effect on December 1, 2009; and

WHEREAS the Court has reviewed the Local Bankruptcy Rules with the participation of the Clerk of the Bankruptcy Court; and

WHEREAS the Court has determined that amendments to the Local Bankruptcy Rules, as set forth in Exhibit A attached hereto, are necessary to conform to the changes to the federal rules and statutes; and

WHEREAS the Court has determined that General Order Nos. 08-GO-01 and 09-GO-04 shall be superseded, and the amendments contained therein shall be incorporated into the Local Bankruptcy Rules by operation of this Order, as set forth in Exhibit A attached hereto; and

WHEREAS the Court has determined that other technical, stylistic, or clarifying amendments, which are also set forth in Exhibit A attached hereto, are necessary and are not meant to be substantive.

IT IS THEREFORE ORDERED that General Order Nos. 08-GO-01 and 09-GO-04 are hereby superseded, effective December 1, 2009.

IT IS FURTHER ORDERED that the amendments to the Local Bankruptcy Rules, attached hereto as Exhibit A and incorporated by this reference, are hereby adopted.

IT IS FURTHER ORDERED that the Local Bankruptcy Rules, as amended by this General Order, shall be effective December 1, 2009, and shall govern all bankruptcy cases

and proceedings thereafter commenced, and insofar as practicable, all cases and proceedings pending on that date.

Dated this 7th day of October, 2009.



DANAL. RASURE
UNITED STATES BANKRUPTCY JUDGE



TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

Exhibit A to General Order No. 09-GO-06

Amendments to the Local Rules for the United States
Bankruptcy Court for the Northern District of Oklahoma

RULE 1007-1. LISTS, SCHEDULES AND STATEMENTS

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F. Payment Advices. Within ~~fifteen (15)~~ 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 ~~fifteen (15)~~ 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 ~~fifteen (15)~~ fourteen (14) days of the entry of the order for relief.

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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 ~~ten (10)~~ 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.

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RULE 1017-1. CONVERSION ~~TO CHAPTER 11, 12 OR 13~~

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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 ~~fifteen (15)~~ 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\(D\)](#).

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

A. Twenty-~~One~~OneDay 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-~~Five~~EightDay 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](#).

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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 ~~ten (10)~~ 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\(B\)](#).

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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 ~~fifteen (15)~~ 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.

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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 ~~fifteen (15)~~ 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.

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RULE 3015-3. CHAPTER 13 - CONFIRMATION

A. **Certification of Payment of Domestic Support Obligations.** Within ~~fifteen (15)~~ 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 ~~fifteen (15)~~ 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.

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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 ~~at least three (3)~~ no later than five (5) days ~~prior to~~ 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.

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RULE 3070-2. CHAPTER 13 – ADEQUATE PROTECTION

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J. ~~Upon disbursement of adequate protection payments under this order,~~ The Chapter 13 trustee is ~~hereby~~ 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.

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RULE 4001-1. AUTOMATIC STAY – RELIEF FROM

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

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3. If movant seeks a waiver of the ~~10~~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.

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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 ~~five (5) business~~ seven (7) days after service of the motion for relief from the automatic stay.

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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 ~~five (5)~~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.

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RULE 4002-1. DEBTOR – DUTIES

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B. Duty to Provide Information about Domestic Support Obligations in Cases Under Chapters 7, 11, 12 and 13. Within ~~fifteen (15)~~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.

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RULE 4004-1. DISCHARGE

A. Statement of Whether 11 U.S.C. § 522(q) is Applicable. Within ~~twenty (20)~~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 ~~fifteen (15) days, including~~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.

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RULE 4008-1. REAFFIRMATION

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~~**B.**—The debtor shall file concurrently with each Reaffirmation Agreement a statement of the total income and total expense amounts stated on Schedules I and J on Local Form 4008-1B. If there is a difference between the total income and expense amounts stated on Schedules I and J and the income and expense amounts stated in Part D of the Reaffirmation Agreement, the debtor shall include on Local Form 4008-1B an explanation of any difference.~~

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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 (20)~~ twenty-one (21) days notice to retrieve the exhibits, or

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D. Redaction of Transcripts. ~~In compliance with the policy of the Judicial Conference of the United States on electronic availability of transcripts, access to every electronic transcript filed with the Court initially will be restricted to the Court and parties to the case or proceeding, as applicable, to allow such interested parties the opportunity to review the transcript and file a request that personal data identifiers be redacted prior to the transcript being made available to the public. It is the responsibility of the parties to monitor the docket for the filing of the transcript. The current policy of the Judicial Conference on the electronic availability of transcripts is available on the Court's website (www.oknb.uscourts.gov), which policy includes the proper procedure that parties must follow in order to redact personal data identifiers from 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.

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RULE 5005-1. FILING REQUIREMENTS

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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 ~~fifteen (15)~~ fourteen (14) days following the entry of the order converting case or notice of conversion.

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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 sealed 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.

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RULE 6004-1. SALE OF ESTATE PROPERTY

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

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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 ~~five (5)~~ 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 ~~five (5)~~ 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 ~~five (5)~~ seven (7) days prior to the hearing date. See [Local Rule 2002-1\(E\)](#).

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RULE 6007-1. ABANDONMENT

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C. Objections. The time to file and serve an objection to a motion filed under Bankruptcy Rule 6007(a) or (b) shall be ~~fifteen (15)~~ fourteen (14) days from the date of filing of the notice, ~~including which includes~~ the three (3) days required for mailing under Bankruptcy Rule 9006(f).

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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 ~~fifteen (15)~~ fourteen (14) days, which includes the three (3) days for mailing as prescribed by Bankruptcy Rule 9006(f). See [Local Rule 9013-1\(B\)](#).

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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 ~~fifteen (15)~~ 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 ~~ten (10)~~ 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.

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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 ~~fifteen (15)~~ 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.

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RULE 7016-1. PRETRIAL PROCEDURES

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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 ~~five (5)~~ seven (7) days prior to the date set for the pretrial conference.

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RULE 7041-1. DISMISSAL OF ADVERSARY PROCEEDINGS

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B. Responses to the motion to dismiss shall be made within ~~fifteen (15)~~ fourteen (14) days of the date the motion was filed, ~~including~~ which includes the three (3) days required for mailing under Bankruptcy Rule 9006(f), and shall be filed and served upon the moving party.

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RULE 7056-1. SUMMARY JUDGMENT

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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 ~~fifteen (15)~~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.

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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 ~~ten (10)~~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.

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

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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 ~~ten (10)~~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 ~~ten (10)~~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);

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RULE 9006-1. TIME PERIODS

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B. Continuances. All applications for continuances of hearings shall be in writing, ~~shall be filed by 4:30 p.m. on the third business day prior to the date set for the hearing,~~ 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.

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RULE 9013-1. MOTIONS; FORM AND SERVICE

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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).

***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 ~~fifteen (15)~~ fourteen (14) days, including which includes the three (3) days required for mailing under Bankruptcy Rule 9006(f).**

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

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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 ~~20~~-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.

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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 ~~business~~-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 ~~a~~ 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 ~~five (5)~~ 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.

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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 ~~ten (10)~~ fourteen (14) days after the last date upon which a timely jury demand may be made.

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RULE 9019-2. ALTERNATIVE DISPUTE RESOLUTION (ADR)

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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 ~~11~~ 14 days prior to the conference and shall contain:

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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 ~~transmitted to each party in interest in a manner calculated to be received at least three (3) days prior to the scheduled hearing date. Two copies of such pre-marked exhibits and witness lists shall be~~ submitted to, but not filed with, the Clerk, ~~by 4:30 p.m. on the third business day prior to the date set for hearing.~~ 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.

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APPENDIX A

CM/ECF ADMINISTRATIVE GUIDE OF POLICIES AND PROCEDURES

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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\(B-C\)](#).

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