Motion for Relief from Stay and Abandonment

(Procedure for U.S. Bankruptcy Court, Eastern District of Wisconsin as of 11/9/2012)

While under the Bankruptcy Menu, go to the Motions/Applications Submenu.



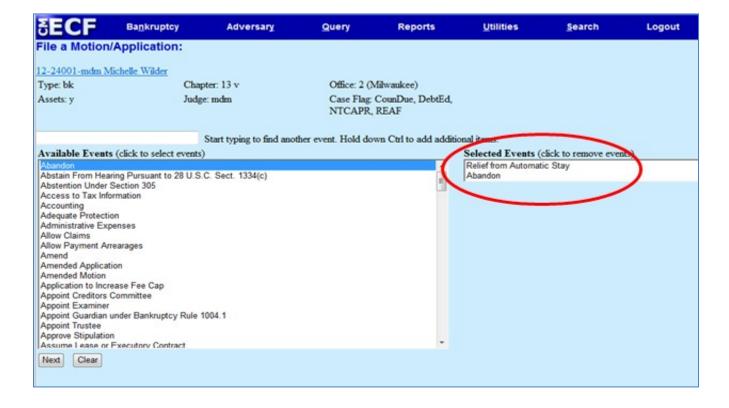
Enter the case number. Click Next.



For this specific motion, click the **Yes** radio button to confirm you are filing a multi-part motion. When presented with **Number of parts** option, enter the number **2**. Answer the questions as to whether you will include your Notice of Motion and Certificate of Service during this docket entry. The court's preference is for the Notice of Motion and Certificate of Service to be filed in the same docket entry as the Motion. Click **Next.**



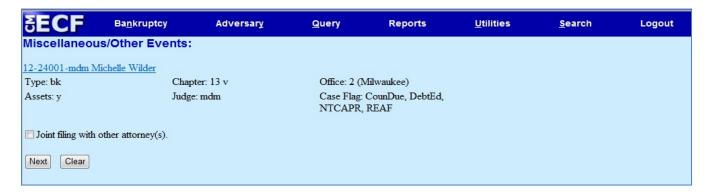
Choose **Relief from Automatic Stay**, <u>then</u> choose **Abandon** from the available events. The events must be selected in that order to avoid a risk of being overcharged for this motion. To select more than one event from the pick list, hold the Ctrl key down on your keyboard while selecting the events. Click **Next**.



This screen displays a warning message to remind users to select the **Relief from Stay** event before selecting the **Abandon** event from the Available Events list on the prior screen. Click **Next**.



Check whether you are filing jointly with another attorney. Click Next.



Highlight the party or parties you represent. If the party you represent is not listed, click **Add/Create New Party**.



Search for the party (creditor) by typing the **exact** name of the party in the **Last/Business name** field. This function is searching our court's database to see whether the party already exists. Click **Search**.



If the search yields a result, a list will appear. You may choose a party from the search results; however, please ensure the name **exactly** matches the way it appears on your documents. If you select a name from the list, no opportunity will ever be presented to modify the name of the party.



If the search yields no results, or the results do not match the name of your party exactly, click **Create new party**.



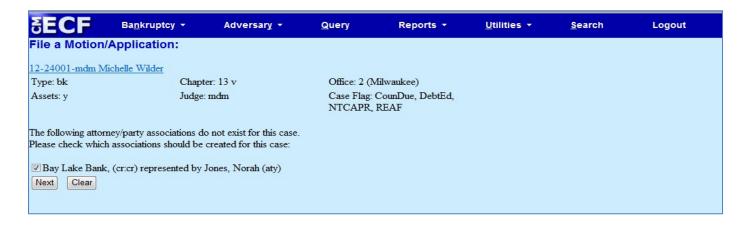
Complete the following fields: Last name (name of business), Address 1, Address 2 (if needed), City, State, Zip, and Role. Click Corporate parent/affiliate and enter the name (if applicable). Click **Submit**.



The party just entered should appear in the pick list. Highlight the party you represent. Click Next.



Check the box to make the attorney/party association. Click Next.

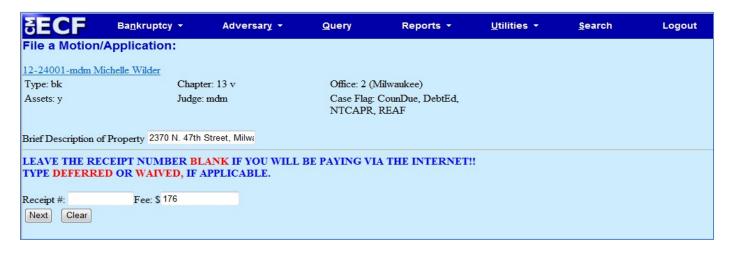


Browse and attach the PDF image of your Motion, Notice, and Certificate of Service. Click Next.



Enter a brief description of the property, e.g., street address.

Do not enter ANYTHING in the Receipt # box. Leave the default dollar amount at \$176. Click Next.

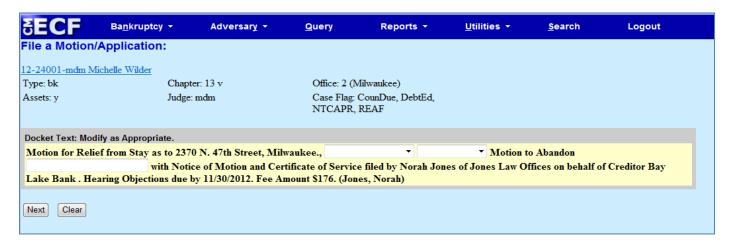


Enter Hearing Date, Hearing Time, and Location **ONLY** if you have received prior approval from the presiding Judge! **Warning: This will schedule a hearing on the presiding Judge's calendar.**

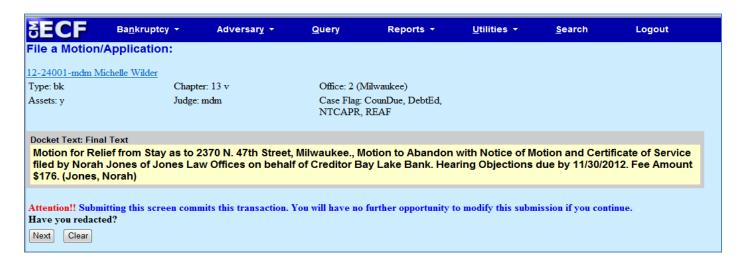
Enter the **Objection** date from your Notice of Motion. Type the date into the open text box or click on the calendar icon to select a date from the pop up calendar. This date will populate the final docket text.



Review pre-docket text. Click Next.



Review final docket text. Click Next.



Review Notice of Electronic Filing and pay for the motion.



After the objection period has passed (assuming no objections were filed), see the following instructions to file your Affidavit/Certification of No Objection/Response/Answer and Proposed Order.

Affidavit/Certification of No Objection/Response/Answer

While under the Bankruptcy Menu, go to the **Answer/Response** Submenu.



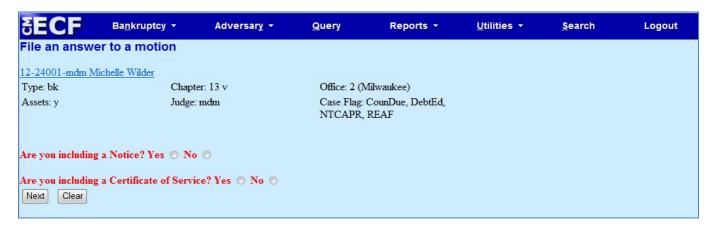
Select Reference an Existing motion/application.



Enter the case number. Click Next.



Answer the following questions accordingly. Click **Next**.



Choose **Affidavit/Certification of No Objection/Response/Answer** from the available events. Check whether you are filing jointly with another attorney. Click **Next**.



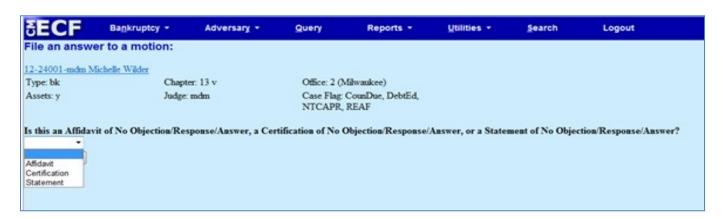
Highlight the party you represent. Click Next.



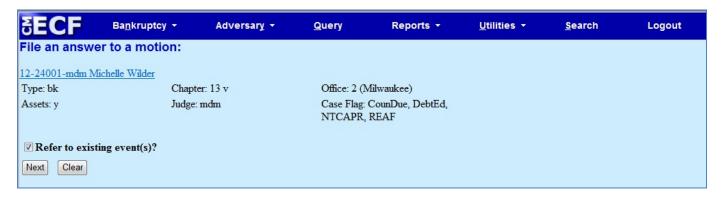
Browse and attach the PDF image of your Affidavit/Certification of No Objection/Response/Answer. Click **Next**.



Select whether you are filing an Affidavit, Certification, or Statement. Click Next.



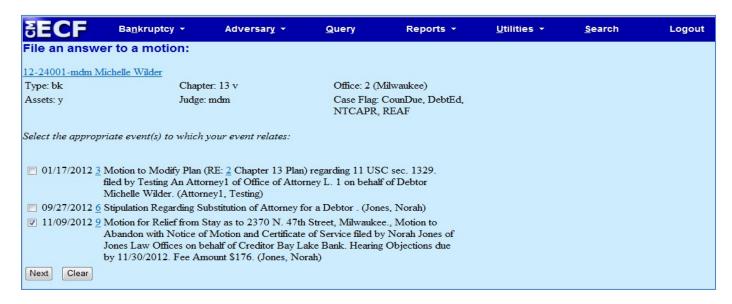
Check the box to **Refer to existing event(s).** Click **Next**.



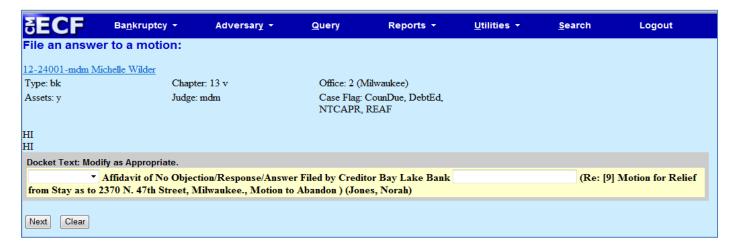
Select the category to which your event relates. **Hint: What was the original document filed?** Be sure to link your Affidavit/Certification/Statement to your original motion. Click **Next**.



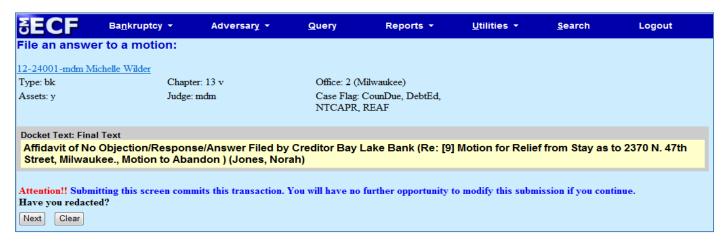
Select the appropriate event(s) to which your event relates. Click **Next**.



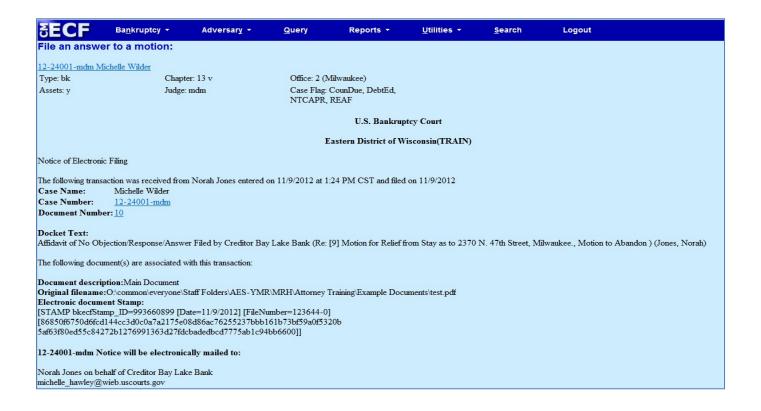
Review pre-docket text. Click Next.



Review final docket text. Click Next.



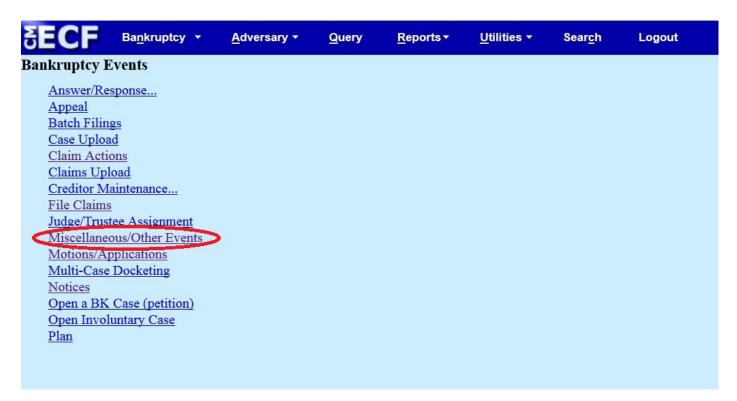
Review the Notice of Electronic Filing receipt for your affidavit.



Once the affidavit of No Objection has been filed, make sure to file your Proposed Order.

Proposed Order

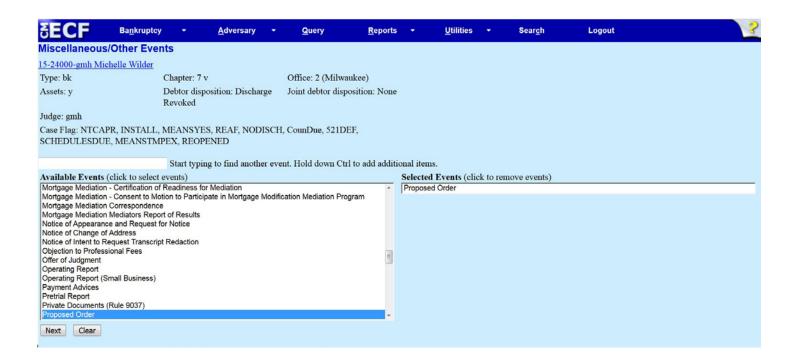
While under the applicable main menu, select Miscellaneous/Other Events.



Enter the case number. Click Next.



Search for the **Proposed Order** event. Once you have selected the event, make sure it populates the **Selected Events** field. Then click **Next.**



Select whether you are joint filing with another attorney. Click Next.



Select the party you are representing. Click Next.



Make sure and leave the attorney/party association field checked



Review the reminder regarding service, as well as the Court's Administrative Procedures for formatting requirements. Click **Next.**



Browse and attach the PDF image of your Proposed Order. Click Next.

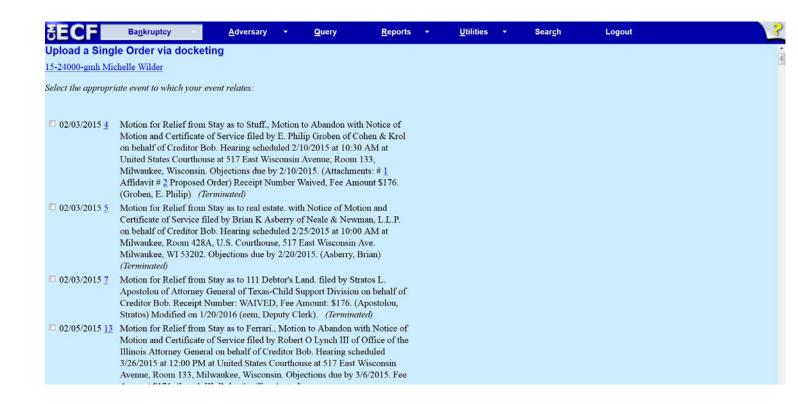


Determine whether or not you wish to add the text, "Any required notice period has run without objection" to the docket text.

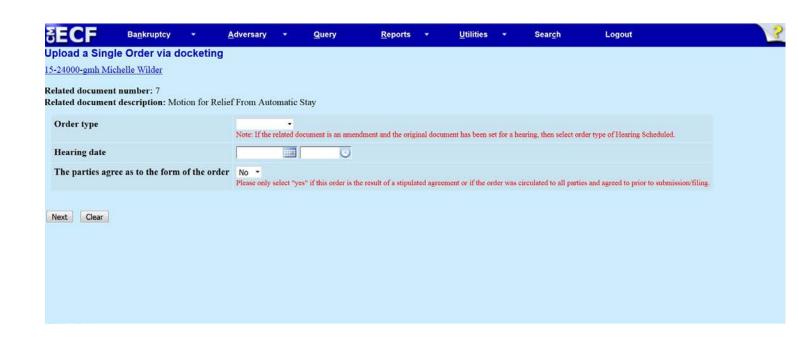


Enter the document number of the motion to which this proposed order relates. If you don't know the related document number, click Next to select from a list of documents on the docket.





Select the Order type, entering hearing information (if applicable), and select whether or not the order is the result of a stipulation.



Review the docket text, and then submit the final docket text.

