

Objections to Claims

- If the objection is based on facts other than those of which the court may take judicial notice, the objection should be accompanied (at the time of filing) by one or more declarations (see 28 U.S.C. §1746) or affidavits signed by the debtors or others with knowledge supporting the objection.
- Parties do not need to call the court to obtain a hearing date in advance.
- Judge Halfenger's claim procedure is as follows:
 - The court will review all claim objections that are filed and either (a) immediately set an evidentiary hearing or (b) issue an order setting a preliminary hearing and requiring the creditor to respond to the claim objection.
 - If the creditor does not respond by the deadline set in the court's order, the court may sustain the objection and cancel the hearing. If the court is not satisfied that the objection provides adequate grounds to sustain the objection, it will hold the hearing at the time stated in the order.