

LOCAL RULES COMMITTEE MEETING
OCTOBER 5, 2022
TOPICS FOR DISCUSSION

I. ALL CHAPTERS

A. Motions to limit notice or expedite hearing

- Draft proposal circulated (with related changes to LR 9014)

B. Motions for Rule 2004 relief

- Discussed at Chapter 11 Committee meeting.
- Proposed: court would return to practice of considering and potentially entering order authorizing examination or requiring production of documents immediately (“ex parte”) and not requiring all such motions to be served w/ notice of 14-day objection period.
- Opposing party would have remedies set forth in Rule 45/protective order under FRCP 26(c)/FRBP 7026.
- Filing motion for a protective order would operate as a stay of the order for examination until the court acts.
- Meet and confer requirement before filing Rule 2004 motion?
- Draft rule along those lines?

C. Rule that would require responses to certain objections:

- Objection to exemptions
- Other?

D. Service

- Require use of matrix?

II. CHAPTER 13

A. **Paying excess funds pro rata to holders of non-priority unsecured claims short of end of mandatory plan length.**

- **Motions to modify confirmed plans:** Form motions and orders being used. Comment or additional suggestions?
- **New plan language:** status?

B. **Section 7.2 - Equal monthly payment arrearages:** Clarify how missed plan payments may affect the order of distribution of a case.

- Modify plan form? status?

C. **Supplemental claims / Motions for Relief from Stay**

- Subcommittee?

D. **Topics for chapter 13 subcommittee consideration**

- Pre-confirmation amendments: revisit requiring new plan form filing each time plan is amended?
- Post-confirmation modifications: change form to require clarity about what provisions in the plan form are modified?

III. CHAPTER 11

- Local Rule setting default bar deadline in all chapter 11 cases
- Progress: proposed local rule has been drafted and circulated by Jerry Kerkman on 9/26/2022
- Discussion

IV. NEW PROPOSALS?