

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

_____ : Case No. _____
_____ : Chapter 13
Debtor(s) :

_____ :
Movant, :
_____ : Related to Document No. _____
v. :
_____ :
_____ :
Respondent. :

OBJECTION TO CLAIM STATUS REPORT ORDER

AND NOW, this ____ day of _____, **20**__, after hearing on Debtors’
Objection _____ filed at Document No. ____
 (“Objection to Claim”) and the *Response* thereto filed by _____ at Document
No. _____,

It is hereby **ORDERED, ADJUDGED and DECREED** that:

(1) *On or before* _____, Counsel for Respondent, after
consultation with Movant’s Counsel in a good faith attempt to resolve all outstanding issues in a
cooperative effort with Movant’s Counsel, shall file a *Status Report*, including:

(a) A description of each and every item of the *Proof of Claim*
and the corresponding *Objection to Claim* that is the subject of
agreement and each and every item that is the subject of

disagreement. The “itemization” concerning those areas of disagreement shall include a complete narrative statement ***explaining in detail the Parties’ differences, point by point***. In the event additional areas of disagreement not previously pled in the *Objection to Claim* arise prior to the time of filing the *Status Report*, the filed *Status Report* shall so note the same and reference these additional areas of disagreement, point by point, as if originally pled. ***No other issues related to the resolution of the Objection to Claim shall be allowed by either Party after the filing of the Status Report.***

(b) ***A separate itemization and detail from Counsel for each Party***, in the form of separate exhibits attached to the *Status Report*, complying with the requirements of *Local Rule 2016-1* regarding fee applications, identifying the dates and time spent, set forth in one-tenth (1/10) of an hour increments, coupled with a narrative description of the specific action ***rendered by each Party and/or their attorney in “consultation” during their “good faith attempt to resolve all outstanding issues” up to the time of filing of the Status Report.***

(c) ***The signature of Counsel*** for the Party “not responsible” for physically filing the required *Status Report* with the understanding that the signatures contained on the *Status Report*, in addition to all other matters set forth therein, ***shall constitute the agreement of and certification by all Counsel as to the only remaining issues outstanding*** and subject to any evidentiary hearing to be scheduled by the Court at a time soon to follow the filing of the *Status Report*.

(2) In the event the Party bearing specific responsibility for the actual, physical preparation of the *Status Report* fails to timely comply with the above filing requirements, it then becomes the burden of the remaining Party to file its own *Status Report*, otherwise in substantial compliance with this Order, but also explaining in detail the reasons known to Counsel as to why the “responsible” Party has failed to timely comply with this *Order* requiring the filing of the *Status Report* in the first instance.

(3) In the event the *Objection to Claim* is completely resolved by the “cooperative” effort of Counsel, then, *on or before* (Same date as Paragraph 1), either an *Amended Proof of Claim* shall be filed in lieu of the *Status Report*, at which time Respondent shall also file a *Request* to deny the *Objection to Claim*, or, Counsel for the Movant shall file a *Request* to withdraw the *Objection to Claim* with the Court. Upon receipt of either of the above *Requests*, the pending *Objection to Claim* will be denied as moot.

(4) In the event a *Status Report* is filed and the matter has not been completely resolved, then, *on or before* (2 weeks after date in Paragraph 1):

- (a) The Parties shall exchange all documents incidental and related to the *Objection to Claim* (including copies of account, loan and payment histories, cancelled checks, money orders, etc.) and jointly file a list of exhibits identifying all exhibits to be offered at the time of the evidentiary hearing *and simultaneously providing the Court a courtesy copy of the exhibit list and the exhibits.*
- (b) Unless an objection is noted on the exhibit list, exhibits will be admitted without further testimony.
- (c) Any objections noted on the exhibit list as to the admissibility of a specific exhibit will be resolved prior to use of the exhibit.
- (d) All exhibits upon which there is an agreement as to admissibility shall be marked as “Courtroom Exhibits” in numerical fashion (“CR-1”, “CR-2”, etc.) with subcategories of exhibits marked alphabetically (“CR-1(a)”, “CR-1(b)”, etc.)
- (e) The Movant’s exhibits shall be marked *numerically* with subcategories of exhibits marked *alphabetically* (“1(a)”, “1(b)”, etc.)
- (f) The Respondent’s exhibits shall be marked *alphabetically*

with subcategories of exhibits marked *numerically* (“A(1)”, “A(2)”, etc.)

- (g) No other documents will be admitted at the time of the evidentiary hearing unless Counsel shows cause for their prior non-disclosure pursuant to this Order. *Mere inability to timely locate documents shall not constitute cause.*

(5) ***On or before*** *(Same date as Paragraph 4)*, to the extent applicable, the Parties shall submit to the Court, in the form of a memorandum, any case law or other authorities supporting their respective positions.

(6) This is a “zero tolerance” *Order*. The dates, and all other requirements set forth in this *Order*, are to be strictly adhered to, *time being of the essence*.

(7) ***Failure by any Party or attorney to timely comply with any terms of this Order*** will result in the imposition of sanctions on said Party by, *inter alia*, reprimand, fine, prohibition against said Party from offering testimony and/or dismissal.

Thomas P. Agresti, Judge
United States Bankruptcy Court

Case Administrator to serve:
Ronda Winnecour, Esq., Ch. 13 Trustee
Debtors
Debtors’ Counsel
Counsel for Respondent