

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

In Re:

GENERAL ORDER #2012-2

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**In Re: Amendments to Local
Bankruptcy Rules**

ORDER

WHEREAS, the Judges of the United States Bankruptcy Court for the Western District of Pennsylvania (the “Bankruptcy Court”) have determined that there is a need to amend the Local Bankruptcy Rules; and

WHEREAS, the Bankruptcy Court has undertaken the following procedure in order to amend its Local Bankruptcy Rules:

(1) By letter dated March 24, 2011, The Clerk of the Bankruptcy Court, John J. Horner, submitted the Revised Rules to the Chief Judge of the United States District Court for the Western District of Pennsylvania, Chief Judge Gary L. Lancaster, for review and comment requesting input no later than the public forum set for May 13, 2011;

(2) On March 25, 2011, the Bankruptcy Court published the Revised Rules for public comment by posting an announcement to the Court’s website, sending an email notification to the bar and publishing a notice in the Pittsburgh Legal Journal and Erie County Legal Journal. The Bankruptcy Court set a deadline of April 30, 2011 for receipt of comments;

(3) On May 13, 2011, Chief Bankruptcy Judge Thomas P. Agresti, Bankruptcy Judge Judith K. Fitzgerald, and Bankruptcy Judge Jeffery A. Deller, hosted a public forum on the Revised Rules in Pittsburgh Bankruptcy Courtroom D with videoconference participation from the Bankruptcy Courtroom in Erie;

(4) Written and oral comments received from the public were evaluated by the Bankruptcy Court and resulted in additional modifications to the Revised Rules;

(5) On July 8, 2011, the Bankruptcy Court submitted the Revised Rules to the Third Circuit Judicial Council Rules of Practice Committee (the “Committee”) for approval;

(6) By memorandum dated December 5, 2011, the Committee provided the

Bankruptcy Court with an analysis of the Revised Rules which required the Bankruptcy Court's attention by way of further explanation or amendment;

(7) By memorandum dated December 7, 2011, the Bankruptcy Court responded to the Committee's memorandum and addressed each of the issues raised by the Committee;

(8) On December 21, 2011, this Court received a summary of the differences between the Revised Rules provided by the Bankruptcy Court on March 24, 2011 and the final version of the Revised Rules which included modifications based on the Committee's comments;

(9) On December 29, 2011, the Judicial Council of the Third Circuit approved the Proposed Rules with the modifications suggested by the Bankruptcy Court; and

(10) By way of the attached Order of Court dated January 19, 2012, the United States District Court for the Western District of Pennsylvania approved the amended Local Bankruptcy Rules.

AND NOW, this 27th day of **January, 2012**, it is hereby **ORDERED** that:

(1) The amended Local Bankruptcy Rules are adopted by the United States Bankruptcy Court for the Western District of Pennsylvania;

(2) The amended Local Bankruptcy Rules and related Bankruptcy Forms shall be effective as of March 1, 2012.

/s/
Hon. Thomas P. Agresti, Chief Judge

/s/
Hon. Judith K. Fitzgerald, Judge

/s/
Hon. Jeffery A. Deller, Judge

/s/
Hon. Carlota M. Böhm, Judge

/s/
Hon. Bernard Markovitz, Judge

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

IN RE: ADOPTION OF AMENDED)
LOCAL RULES FOR THE UNITED)
STATES BANKRUPTCY COURT FOR)
THE WESTERN DISTRICT OF)
PENNSYLVANIA)
)

ORDER

WHEREAS, Federal Rule of Bankruptcy Procedure 9029 allows the District Court to authorize Bankruptcy Judges of the District to make and amend rules of practice and procedure which are consistent with Acts of Congress; and

WHEREAS, the Bankruptcy Judges of this District have determined that there is a need to amend the Local Bankruptcy Rules; and

WHEREAS, the Bankruptcy Judges of this District have recommended the adoption of the attached amendments to the Local Bankruptcy Rules; and

WHEREAS, the United States Bankruptcy Court for the Western District of Pennsylvania (the "Bankruptcy Court") has undertaken the following procedure in order to amend its Local Bankruptcy Rules:

1. By letter dated March 24, 2011, The Clerk of the Bankruptcy Court, John J. Horner, submitted the Revised Rules to Chief Judge Gary L. Lancaster for review and comment requesting input no later than the public forum set for May 13, 2011.

2. On March 25, 2011, the Bankruptcy Court published the Revised Rules for public comment by posting an announcement to the Court's website, sending an email notification to the bar and publishing a notice in the Pittsburgh Legal Journal and Erie County Legal Journal. The Bankruptcy Court set a deadline of April 30, 2011 for receipt of comments.

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8. On December 21, 2011, this Court received a summary of the differences between the Revised Rules provided by the Bankruptcy Court on March 24, 2011 and the final version of the Revised Rules which included modifications based on the Committee's comments.

9. On December 29, 2011, the Judicial Council of the Third Circuit approved the Proposed Rules with

the modifications suggested by the Bankruptcy Court.

AND NOW, THEREFORE, this 19th day of January, 2012, IT IS HEREBY ORDERED that the attached amended Local Bankruptcy Rules of the United States Bankruptcy Court for the Western District of Pennsylvania are approved by the Board of Judges of the United States District Court for the Western District of Pennsylvania.

IT IS FURTHER ORDERED that the Bankruptcy Court shall determine the effective date of the amended rules.

BY THE COURT,


Chief United States District Judge