

**Local Rules  
of  
The United States Bankruptcy Court**



**for  
The Western District of Pennsylvania**

Adopted July 1, 2004  
Effective December 1, 2009

**ADDENDUM**  
**TO THE**  
**LOCAL RULES OF THE UNITED STATES**  
**BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

The Honorable M. Bruce McCullough, Chief Judge

The Honorable Judith K. Fitzgerald

The Honorable Thomas P. Agresti

The Honorable Jeffery A. Deller

The Honorable Warren W. Bentz

The Honorable Bernard Markovitz

Theodore S. Hopkins, Clerk

**LOCAL RULES OF THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

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**LOCAL RULES OF THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

**Rule 1001-1 CITATION OF LOCAL RULES (LR)**

These Rules shall be cited as Local Rules (LR), and shall supersede all former local rules. Future changes to the Local Rules shall be reported on the official Website of the Court, [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov). The Website must also be consulted for Official Local Forms, the Court Procedures Manual, General Orders and Procedures that may be enacted from time to time, addresses for entities such as state and federal governmental units to which notice is required to be given, appendices to these Local Rules, and other information necessary for practice before the Bankruptcy Court for the Western District of Pennsylvania.

**Rule 1001-2 APPLICABILITY OF LOCAL RULES AND RULES OF CONSTRUCTION**

- A. Applicability of General and Specific Provisions: Local Rules of general applicability also apply when there are specific rules governing a particular matter unless expressly stated otherwise in these Local Rules or an order of Court.
- B. Court May Modify Applicability of Local Rules: Where appropriate in order to correct errors, adjust scheduling, or to accomplish substantial justice, a Presiding Judge may modify the applicability of any Local Rule in a particular case or matter.
- C. Citations: The citations in the Local Rules may be modified to correspond to changes in the Bankruptcy Code, Official Bankruptcy Forms, and Federal Rules of Bankruptcy Procedure.
- D. Severability: The provisions of the Local Rules are severable and if any Local Rule or provision thereof shall be held to be unenforceable, other Local Rules and provisions will not be affected.
- E. General Orders, Electronic Case Filing Procedures, Appendices, Procedures Governing Mediation, the Court Procedures Manual and other procedures as added from time to time, are available on the Court's Website and must also be consulted and applied as appropriate.
- F. These rules shall apply to every case and proceeding.
- G. Motions, responses and all other pleadings must be in writing. The time to file a responsive pleading is governed by LR 9013-1(c) unless a different time is set in another rule or by Court order.
- H. A response combined with a motion shall be treated only as a response.
- I. A certificate of service must be filed within ~~five (5)~~ seven (7)\* days of the date of service of any document or pleading.
- J. No agreement contrary to an order of Court will be considered valid including, without limitation, agreements to extend time.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

K. Whenever a trustee or committee of creditors or equity security holders is appointed or elected, service shall be made on counsel thereto, if counsel has been appointed. If no counsel has been appointed, the trustee and all members of each committee shall be served.

### **Rule 1001-3 EFFECTIVE DATE OF RULES**

These rules shall take effect on July 1, 2004.

### **Rule 1002-1 DIVISION OF BUSINESS**

The Court operates in Divisions. The current composition of the Court's Divisions is listed in the Court Procedures Manual. Counsel shall indicate on the petition the county of the debtor's residence, or principal place of business, as the case may be.

### **Rule 1002-2 SEQUENCE OF FILINGS**

A. All filings shall be made electronically. An executed Declaration Re: Electronic Filing, Local Form No. 1, must be filed in paper copy within ~~fifteen (15)~~ fourteen (14)\* days of the electronic filing of the petition. The original signed petition and related documents must be kept by the debtor's attorney for the six year retention period specified in the Court's Electronic Case Filing Procedures. Debtors not represented by an attorney must submit on paper an executed Declaration Re: Electronic Filing of Petition, Schedules and Statements for Individual Debtor Not Represented by Counsel, Local Form No. 1 A, within ~~fifteen (15)~~ fourteen (14)\* of the filing of the petition.

B. Order of Filing: Schedules of Assets and Liabilities, Statements of Financial Affairs, and other related documents (the "Petition Documents") filed in connection with a petition for relief shall be filed in the following sequence:

Petition  
Summary of Schedules  
Schedules A through J  
Declaration Concerning Debtor Schedules  
Statement of Financial Affairs  
Disclosure of Compensation Paid or Promised to Attorney  
Statement of Intentions (if applicable)  
Mailing Matrix

### **Rule 1002-3 COMPLEX CHAPTER 11 CASES**

A. A "Complex Chapter 11 Case" is defined as a case filed in the Western District of Pennsylvania under Chapter 11 of the Bankruptcy Code that requires special scheduling and other procedures because of a combination of factors, including, but not limited to, one or more of the following factors:

1. the need for expedited hearings for consideration of case management and administrative orders, the use of cash collateral, debtor-in-possession financing, retaining professionals on an interim basis, maintaining existing bookkeeping systems, paying employees wages and benefits, utility deposit orders for a limited period, and other matters vital to the survival of the business;

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.



2. the size of the case;
3. the large number of parties in interest in the case;
4. the fact that claims against the debtor and/or equity interests in the debtor are publicly traded;
5. the need for special noticing and hearing procedures.

B. To secure designation as a Complex Chapter 11 Case, the party shall file a motion. The motion must substantially conform to Local Form No. 2.

C. Generally, requests for relief must be heard on at least 48 hours notice to the parties specified in paragraph D. If immediate relief is requested, the Court, in its sole discretion, may preliminarily grant the relief requested without notice and hearing, provided, however, that the Court shall direct that any such order entered be served, together with a notice of objection and hearing dates, prior to entry of a final order. The Court may issue an Initial Order for Complex Chapter 11 Bankruptcy Case, Local Form No. 3, upon the request of a party in interest.

D. Any motion filed under this Local Rule together with notice providing the time by which any objection must be filed and the date, time, and place of hearing must be served on:

1. the three (3) largest secured creditors;
2. any committee appointed under the Code or its authorized agent or, if no committee has been appointed, on the twenty (20) largest unsecured creditors;
3. the Office of the United States Trustee, and
4. any other entity that the Court may direct.

E. The Court may require agenda letters and paper copies of documents in complex cases.

#### **Rule 1003-1 DESIGNATION OF PRINCIPAL IN INVOLUNTARY CASES**

All involuntary petitions relating to corporate and partnership debtors shall include a designation of the individual who is the principal operating officer or managing general partner, as the case may be, of the alleged debtor together with the address and phone number of the person so designated. If the identity or location of the principal operating officer or managing general partner is not known, a written statement shall be filed to that effect.

#### **Rule 1006-1 FILING FEES, INSTALLMENT PAYMENTS**

A. Failure to Pay Installment:

1. Dismissal of Case: In accordance with Local Rule 1017-2, the Court shall immediately issue an order of dismissal in any case where an installment payment has not been received by the due date unless, prior to the entry of any such order of dismissal, the debtor files an application to extend the installment payment schedule or requests in writing a hearing to show cause why the case should not be dismissed.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

2. Duties of Debtor and Counsel: The individual debtor and the attorney for the debtor are responsible for knowing the due dates of installment payments. The Clerk will not send reminders or notices that installment payments are due.

B. Effect of Dismissal on Obligation for Fees: Whenever a case is dismissed prior to the fees being paid in full, the debtor shall remit the balance of the fees to the Clerk within ~~ten (10)~~ fourteen (14)\* days after the entry of the order of dismissal.

C. Motions: A motion to reopen a case or to vacate an order of dismissal must be accompanied by the filing fee for a motion to reopen a case and any balance due on the original filing fee for the bankruptcy petition.

#### **Rule 1007-1 MAILING MATRIXES, LISTS, SCHEDULES, AND STATEMENTS**

A. Definition of Mailing Matrix: For purposes of this Local Rule, the term “Mailing Matrix” is an alphabetical listing by name and address, including zip code, of counsel of record for the debtor, each scheduled creditor and equity security holder of the debtor, and non-debtor parties to executory contracts or unexpired leases in which a debtor is a party.

1. If the debtor is a corporation, the Mailing Matrix also must include the names and addresses, including zip codes, of all current officers and directors.
2. If a debtor is a partnership, the Mailing Matrix also must include the names and addresses, including zip codes, of all general and limited partners.

B. The Mailing Matrix must be electronically filed when the petition is filed as a text file (with a .txt extension) one time only when the petition is filed. If schedules are amended to add a creditor, a supplemental Mailing Matrix containing only the names and addresses of the added creditors must be filed as a text file (with a .txt extension).

C. Mailing Matrixes shall be stricken if not filed in a text (.txt) format.

D. Duty to Prepare: The debtor and the attorney for the debtor shall bear the responsibility for the preparation and accuracy of the Mailing Matrix. If the Mailing Matrix is not timely filed, the bankruptcy petition will be dismissed by the Court.

E. Governmental Units: When the debtor lists any federal agency, other than the Office of the United States Trustee, on a Mailing Matrix, the debtor shall also list the name of the agency, c/o The United States Attorney’s Office for the Western District of Pennsylvania, at the address listed in the Address Appendix. When the Internal Revenue Service is a party, the debtor must also include the name and address of the IRS Insolvency Unit at the address listed in the Address Appendix section of the Court Procedures Manual.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

### **Rule 1007-3 DISCLOSURE OF RELATED CASES AND PROCEEDINGS**

A. Duty to Disclose: At the time a petition is filed commencing a case under the Bankruptcy Code, or at any time during which a case is pending and such information becomes known, the debtor or counsel for the debtor shall file with the Court a statement disclosing the name, case number, location of the Bankruptcy Court having jurisdiction, and the name of the Bankruptcy Judge to whom the case is assigned for each related case that has been previously filed or that is then pending.

B. Definition of Related Case: As used in this Local Rule, the term "Related Case" includes but is not limited to bankruptcy cases, ancillary proceedings, and adversary proceedings, whether or not presently pending, involving:

1. a spouse or former spouse of the debtor,
2. an affiliate,
3. an insider,
4. the same debtor, entity, or person, including aliases or fictitious names used by that debtor, entity, or person, having previously filed a case or proceeding whether in this or any other district.

### **Rule 1007-4 PROOF OF INCOME (effective for cases prior to October 17, 2005)**

A. Each individual debtor shall assemble documentary proof of income from any source whatsoever including, but not limited to, wages, salaries, commissions, workmen's compensation, public assistance, aid to families with dependent children, alimony, support, gambling or lottery winnings, pensions, distributions from trust funds, interest, dividends, etc., in (i) the year immediately preceding the date of filing of the petition in bankruptcy and (ii) the three-month period immediately preceding the filing.

B. Documentary proof of income includes without limitation W-2 Wage & Tax Statements, Form 1099s, copies of state or federal tax returns, or debtor's pay statements, and shall conform to the income reported by the debtor in the Statement of Affairs. Within fifteen (15) days before the first scheduled §341 Meeting, the debtor shall deliver a copy of the proof of income to the case trustee or other §341 Meeting presiding officer and file an affidavit in substantial conformity to Local Form No. 4 with the Clerk. The Proof of Income submitted to the trustee by self-employed debtors in Chapter 13 cases shall substantially conform to Local Form No. 5, Business Case Questionnaire.

C. Any debtor who does not have documentary proof of income shall submit a verified statement to that effect, stating in addition the reasons why such proof is not available and enumerating all income and its sources.

D. Any debtor who had no income for either the year or the three-month period provided for in A, above, shall file a verified statement to that effect.

E. The trustee or other §341 presiding officer shall elicit from the debtor what principal cause or causes necessitated the bankruptcy filing and shall note that information on the Minutes of the Meeting,

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

if minutes are filed with the Clerk, and shall further indicate any information concerning the debtor's income which the trustee believes should be brought to the attention of the Court.

F. The proof of income must be must be retained in paper form by the debtor's attorney, or *pro se* debtor, until six (6) years after all time periods for appeals expire and all appeals have been concluded. On request of the Court, the debtor's attorney or *pro se* debtor must provide the original proof of income for review.

**Rule 1007-4 PROOF OF INCOME (effective for cases filed after October 16, 2005)**

A. The debtor shall provide to the trustee not later than ~~15~~ 14\* days before the date first set for the first meeting of creditors a paper copy of the Federal income tax return required under applicable law (or, at the election of the debtor, a transcript of such return) for the most recent tax year ending immediately before the commencement of the case and for which a Federal income tax return was filed. If a Federal tax return was not filed, the debtor shall submit a statement with the trustee not later than ~~15~~ 14\* days before the date first set for the first meeting of creditors which informs the trustee that a Federal tax return is not available and the reason.

B. If debtor did not file the Federal income tax return required under applicable law for the most recent tax year ending immediately before the commencement of the case, then debtor shall submit to the trustee documentary proof of income from any source whatsoever including, but not limited to, wages, salaries, commissions, workmen's compensation, public assistance, aid to families with dependent children, alimony, support, gambling or lottery winnings, pensions, distributions from trust funds, interest, dividends, etc. Any debtor who does not have documentary proof of income required under this paragraph, or who had no income during the period, shall file a verified statement to that effect and serve a copy on the trustee.

C. The debtor shall file with the Clerk copies of the payment advices described in 11 U.S.C. §521(a)(1)(B)(iv). Debtors shall file pay advices in accordance with General Court Procedure #6, Exclusion of Personal Data Identifiers, which instructs parties to redact personal information such as the first five numbers of a debtor's Social Security number and personal identifying numbers such as employee identification numbers. If the debtor does not have the required pay advices, then the debtor shall file a certification with the Clerk explaining the reason pay advices are not available.

D. Each individual debtor shall also report to the trustee not later than ~~15~~ 14\* days before the date first set for the first meeting of creditors any other source of income not listed on debtor's Federal income tax return or payment advices.

**Rule 1009-1 AMENDMENTS BY DEBTOR**

A. No petition may be amended to add an additional debtor after the order for relief has been entered.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

B. The trustee or any creditor may file objections to an amendment by the debtor of the schedules or statement of financial affairs within thirty (30) days after the conclusion of the meeting of creditors or the filing of that amendment, whichever is later, unless further time is granted by the Court.

C. Each debt newly listed by an amendment to the schedules of liabilities shall also state when such debt was incurred.

D. All amendments shall include:

1. a caption indicating that the document is an "Amendment to (SPECIFY)";
2. a clear description of the material added or deleted;
3. a certificate of service by the debtor or debtor's attorney that notice has been given as required by the Federal Rules of Bankruptcy Procedure and these Local Rules;
4. a supplemental Mailing Matrix in a form that complies with these Local Rules and Court Procedures Manual and that includes the names and addresses of the creditors added or whose names and/or addresses have been changed by the amendment;
5. the payment of any fees required by 28 U.S.C. §1930; and
6. a completed amendment cover sheet substantially conforming to Local Form No. 6.

E. All creditors and other parties in interest shall be served with a copy of the amendment that includes the debtors full Social Security number when the debtor files an amendment modifying the Social Security number. The amendment filed with the Court shall have the first five numbers of the Social Security number redacted. The certificate of service filed with the amendment shall list the parties served and aver that the recipients received a copy of the amendment that included the full Social Security number. The caption of Official Bankruptcy Form No. 21, Statement of Social Security Number, shall be modified to include the word "amendment" at the end of the caption, and the completed form shall be submitted on paper, not filed, with the Clerk.

F. The debtor shall immediately give notice to each creditor added by an amendment to the schedules and file a certificate of service. The notice shall include a copy of the amendment filed with the Court and a copy of the original §341 Meeting Notice that lists the full Social Security number of debtor.

#### **Rule 1017-10 DISMISSAL OR CONVERSION OF BANKRUPTCY CASE**

A. **Content of motion:** A motion to dismiss a voluntary or involuntary bankruptcy petition, except a motion filed pursuant to §1307(b) of the Code, shall set forth the reasons for the dismissal. The motion shall also set forth whether any arrangement or agreement has been made with any creditor or other person in connection with such application for dismissal and the terms thereof.

B. **List of creditors:** A disk in Mailing Matrix format as prescribed by the Clerk containing the names and addresses of nonscheduled prepetition and postpetition creditors shall be filed with the motion. If the electronic filing system is configured to allow creditors to be added to the case by electronic filers more than one time, filers may add the nonscheduled prepetition and postpetition creditors to the mailing matrix for the case in compliance with the Procedures formulated by the Clerk.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

### C. Motions to Convert or Dismiss—First Hearing

1. A motion filed by a party other than the debtor to convert a Chapter 11 case to a Chapter 7 or to dismiss the case shall be scheduled initially for a hearing at a motion Court time on notice by the movant upon all creditors or, at the option of the moving party, only upon
  - a. counsel for debtor;
  - b. United States Trustee;
  - c. any person who has filed a request for notices in the case;
  - d. the IRS Office of the District Counsel in Pittsburgh at the address on the Address Appendix;
  - e. the Commonwealth of Pennsylvania, Department of Revenue at the address on the Address Appendix;
  - f. the Commonwealth of Pennsylvania, Department of Labor and Industry, at the address on the Address Appendix;
  - g. other taxing body creditors;
  - h. all secured creditors;
  - i. the attorney for the creditors' and other committees or, if none, then on the seven (7) largest unsecured creditors.
2. If the movant elects the option of limited service and the Presiding Judge determines at the initial hearing that an evidentiary hearing is necessary, it shall be fixed on notice as required by the Federal Rules of Bankruptcy Procedure.

### **Rule 1017-2 DISMISSAL OF BANKRUPTCY CASE FOR DEFICIENT FILING**

If the debtor fails to timely file all the pleadings necessary to initiate the case and as required by the Bankruptcy Code and Bankruptcy Rules and these Local Rules and other orders of this Court, then the United States Trustee is deemed to have filed a motion to dismiss the bankruptcy case pursuant to the appropriate provision of the Bankruptcy Code. The bankruptcy case will be dismissed without further notice and hearing if the deficiencies specified in the Notice of Deficient Filing issued by the Court when the case is filed are not corrected within the time period set forth in the notice. At any time before the date set for entry of an order of dismissal, the debtor (1) may file a motion requesting a hearing at which debtor shall show cause why the case should not be dismissed for deficiencies or (2) may file a motion and proposed order seeking an extension of time.

### **Rule 2002-1 CERTIFICATES OF SERVICE**

A. Any entity who serves a notice, order or other document in satisfaction of a notice requirement, electronically, by mail, facsimile, or other authorized method, whether electronically or in paper copy format, shall file a certificate of service with the Clerk within ~~five (5)~~ seven (7)\* calendar days after the date of service.

B. Service in paper copy format must be made on any party in interest who has not received electronic notice as authorized in these rules.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

C. The certificate of service shall conform substantially to Local Form No. 7.

**Rule 2002-2 REQUESTS FOR NOTICES; AFFIDAVIT REQUIRED**

A. All counsel requesting notices on behalf of a creditor shall certify by affidavit that:

1. the request supersedes any prior request for notice by this creditor and there is no other request to receive notices for the specified creditor, or
2. that all prior requests are terminated and that counsel is authorized to make the request for notices on behalf of the named creditor.

B. The affidavit shall conform substantially to Local Form No. 8.

**Rule 2002-3 DUTY TO MAINTAIN CURRENT ADDRESS**

It is the responsibility of parties in interest and counsel to assure that their addresses are kept current in each pending case.

**Rule 2004-1 EXAMINATION**

A. Purpose: The purpose of this rule is to avoid a motion and Court order for a 2004 examination unless an objection is filed.

B. Duty to confer: Before giving notice of a proposed examination, the movant shall confer with the proposed examinee (through counsel if represented) to arrange for an agreeable date, place, and time for the examination. Failure by the movant to attempt to confer shall be grounds to quash under paragraph E below.

C. Notice: Not less than ~~twenty-five (25)~~ twenty-eight (28)\* days written notice of a proposed examination shall be given to the entity to be examined, its counsel, and to other affected parties. The entity to be examined and other affected parties shall have fourteen (14) days after service, plus an additional three (3) days when the notice is served by mail, to respond or object to the proposed examination. The notice shall apprise the party of the scope of the examination and categories of documents to be produced.

D. No order required: If no response or objection is served, the notice to conduct an examination under this rule is deemed ordered, without requiring the entry of an individual order. The notice of intent to conduct a Rule 2004 examination need not be filed.

E. Motions to quash or for protective order: A party who objects to the examination, has the burden of seeking relief from the Court by a motion to which must be attached a copy of the notice identified in paragraph C, above. The motion must be served by the objecting party upon the debtor, debtor's attorney, trustee, attorney for the unsecured creditors' committee or its members if there is no attorney and, where the entity to be examined is other than the objecting party, the examinee and its counsel, and all other affected parties. No motion to quash or for protective order may be filed until counsel have conferred to resolve the dispute. A certificate shall be filed as an attachment to any motion

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

explaining the efforts made to confer and certifying that they were unsuccessful.

F. Sanctions: If anyone has been unreasonable in seeking or resisting discovery under Fed.R.Bankr.P. 2004, the Court may impose sanctions. The Court may condition the taking of an examination on terms that are just and promote efficient administration.

G. Exception of adversary proceedings and contested matters: This rule does not apply to adversary proceedings and to contested matters.

1. The discovery provisions of Part VII of the Bankruptcy Rules apply in adversary proceedings.
2. Fed.R.Bankr.P. 9014 applies to discovery in contested matters.

#### **Rule 2015-1 DUTY TO MAKE PAYMENTS, FILE TAX RETURNS, PAY TAXES, AND FILE REPORTS IN CHAPTER 11 AND 13 CASES**

Payments: The trustee or debtor-in-possession in a Chapter 11 case, and the debtor if engaged in business in a Chapter 13 case, shall comply with the Court Procedures Manual published at [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov).

#### **Rule 2015-2 DUTY TO KEEP RECORDS AND MAKE REPORTS**

A. Filing of Delinquent Tax Returns: Within sixty (60) days of the date of the initial filing of a bankruptcy petition, each debtor or debtor-in-possession shall file any and all federal, state, and local tax returns which are due but unfiled as of the date of the filing of the bankruptcy petition. The returns shall include all income, estate, gift, sales, excise, employment, real estate, school district, and other tax returns.

B. Any entity whose address is on the Address Appendix section of the Court Procedures Manual shall file a notice with the Clerk of any change of address or form number necessary for the parties to comply with these Rules and Procedures on or before the effective date of the change. The Address Appendix will be updated and marked "Revised as \_\_\_\_ (date)" whenever new information is posted.

C. Parties shall use the current addresses listed in the Address Appendix section of the Court Procedures Manual.

#### **Rule 2016-1 APPLICATIONS FOR FEES AND EXPENSES**

A. Scope of Rule. This Rule applies to: (1) all cases except Chapter 7 and Chapter 13 cases; (2) any motion of a professional person employed under 11 U.S.C. §327, 328, or 1103 requesting approval for compensation and/or reimbursement of expenses; and (3) any request of an entity for payment of an administrative expense pursuant to 11 U.S.C. §503(b)(3) or 503(b)(4).

B. Application Required: No compensation or expenses will be allowed to any professional for any service rendered in any case unless (1) a motion to approve employment has been filed; (2) an order

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.



granting the motion has been entered prior to performing the services for which payment is requested; and (3) an application for fees and expenses is filed which provides the following:

1. the date of the order appointing the professional with a copy thereof attached as an exhibit;
2. a statement indicating whether the application is for final or interim compensation and expenses, the total amounts thereof, and the period covered;
3. the dates and amounts of previous compensation requested and the amounts approved, if any, including any retainers paid, with copies of the orders approving the prior payments attached as exhibits and, where applicable, a copy of the attorney disclosure statement which was filed pursuant to Fed.R.Bankr.P. 2016 ;
4. a list of all timekeepers included in the application including, but not limited to, the attorneys, paraprofessionals, or other professionals contributing services, number of years in practice, their billing rates, total hours, total dollars, and the blended hourly rate;
5. a chronological listing of time and services performed (Chronological Listing) or a listing of time and services by category of service arranged chronologically (Category Listing) shall be attached to the Application. Both a Chronological Listing and a Category Listing shall include the date, the professional or other timekeeper, a description of the service and the time involved;
6. an itemization of the expenses for which reimbursement is requested. Expenses shall be billed and allowed only at actual cost without overhead or add-ons;
7. a statement that the professional or other timekeeper is a disinterested person and does not represent or hold an interest adverse to the interest of the estate on the matter on which he was employed;
8. a history of the case in narrative form;
9. the application shall include a summary cover sheet. A fee application filed without a completed cover sheet will be dismissed without prejudice to refile in accordance with this Local Rule and other applicable provisions of law. The cover sheet shall conform substantially to Local Form No. 9;
10. a proposed order of Court;
11. in complex Chapter 11 cases or when otherwise ordered, a spreadsheet shall be filed which reflects all fees that are requested pursuant to the application and a cumulative total for professional by category; and
12. when the Court enters an administrative fee order in a particular case, the terms of the order shall govern to the extent inconsistent with this Local Rule.

C. Requirements of Entries: All entries shall:

1. list each service or task separately and state the amount of time expended in its performance;
2. identify the subject matter of any correspondence or phone call and the party with whom the professional or other timekeeper has communicated if the service involves telephone and/or written correspondence;

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

3. identify where appropriate, and in the interest of clarity, the subject matter of any hearing or trial with specificity including the case, or adversary number if the service involved is attendance at a hearing or trial;
4. identify any pleading with specificity if the service involves preparation of a pleading; and
5. include all other information necessary to a full understanding of the services performed and the person and time involved.

D. Use of Category Listing: If a Category Listing is provided, each category shall be preceded by a heading generally describing the services within that category and a brief statement detailing the result to the estate. A separate category shall be included for preparation of the fee application and another for all administrative services such as file maintenance, docket review, typing, filing and service of pleadings, etc.

E. Use of Chronological Listing: If a Chronological Listing is provided, there shall be attached a separate summary of time and service by category, each of which shall be given an identifying number. This identifying number shall be placed beside each chronological entry to indicate the category number into which it falls. A separate summary shall be included for preparation of the fee application and another for all administrative services such as file maintenance, docket review, typing, filing and service of pleadings, etc.

#### **Rule 2016-2 PROCEDURES FOR CONSIDERATION OF FEE APPLICATION**

A. Fee Applications in Chapter 7 Cases: All fee applications filed in Chapter 7 cases will be considered only after the trustee in the case has filed a final account, there has been a proposed order of distribution submitted for the Court's consideration, and notice has been given to all parties in interest of the last date to file objections thereto and the hearing date and time, if any. Allowed fees and expenses will be included in the final distribution in the case.

B. Fee Applications in Chapter 11 Cases: The Clerk, or such person as the Court may direct, shall promptly give notice to all parties in interest of the filing of the application, the date of the hearing on the fee application, and the last day for filing objections thereto.

C. Fee Applications in Chapter 13 Cases: The Procedures in the Court Procedures Manual shall govern.

#### **Rule 2016-3 COMPENSATION OF DEBTOR OR DEBTOR'S OFFICERS, PARTNERS, AND DIRECTORS IN CHAPTER 11 CASES**

A. The initial rate of compensation paid in a Chapter 11 case to members of a debtor partnership, or to an officer or director of a debtor corporation, or to an individual debtor after the filing of the petition shall not exceed the rate of compensation paid to those persons one hundred eighty (180) days prior to the filing of the petition.

B. Within ~~twenty (20)~~ twenty-one (21)\* days after the date of filing of the petition, the debtor shall file and serve on the U.S. Trustee and any committee of creditors holding unsecured claims (or, if

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

no such committee has been appointed, the creditors listed under Fed.R. Bankr. P. 1007(d)) a statement containing the following information:

1. the name of the debtor, if an individual, or the members of the partnership, or the officers and directors of the corporation, and any other insiders, specifying the position and duties of each;
2. the rate of compensation paid to each officer or director (a) one hundred eighty (180) days prior to and (b) at the time of the filing of the petition; and
3. the rate of compensation of each officer or director as of the time the statement is filed.

#### **Rule 3002-1 FILING CLAIMS**

A. Notice by Debtor: When a debtor has filed an amendment to schedules that adds one or more creditors, the debtor shall comply with Local Rule 1009-1.

B. Filing of Proof of Claim by Added Creditor(s) When the Bar Date Has Expired or Will Expire Within 30 days: If when the amendment is filed the claims bar date has expired or will expire within thirty (30) days, the affected creditor(s) shall file a proof of claim within thirty (30) days of the date notice of the amendment is sent.

C. Official Form: The proof of claim shall conform substantially to the Official Form.

D. A wage claimant who files a proof of claim listing the redacted Social Security number shall provide the full Social Security number to the trustee upon the trustee's written request. The trustee shall inform the wage claimant that the full Social Security number should not be filed with the Court.

#### **Rule 3002-2 ADDITIONAL REQUIREMENTS FOR CLAIMS IN CHAPTER 12 AND 13 CASES**

In addition to these Rules, Procedures applicable to Chapter 12 and Chapter 13 cases, as specified in the Court Procedures Manual, shall govern.

#### **Rule 3011-1 UNCLAIMED FUNDS**

Requests for disbursement of unclaimed funds shall be made by filing a motion and serving a copy of the motion on all interested parties including the debtor, United States Attorney, and the United States Trustee.

#### **Rule 3015-1 USE OF PLAN FORM IN CHAPTER 13 CASES**

In Chapter 13 cases the plan must be filed in substantial conformity to Local Form No. 10.

#### **Rule 3015-2 WAGE ORDERS IN CHAPTER 13 CASES**

A. The plan filed by a Chapter 13 debtor with attachable income shall be accompanied by a motion for a wage attachment(s) and order(s) in an amount(s) sufficient to cover plan payments. The motion and order shall substantially comply with Local Form No. 11 (the Ex Parte Motion for Order to Pay Trustee Pursuant to Wage Attachment and Order to Pay Trustee Pursuant to Wage Attachment). Instructions to complete these forms are also available in the Court Procedures Manual.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

B. The debtor shall serve a copy of the signed order granting the wage attachment on the entity or entities required to remit payment to the trustee. The order shall be accompanied by a notification of debtor's complete, nine digit Social Security number substantially conforming to Local Form No.12. Debtor shall file a certificate of service regarding service of the order and notification, but the Social Security number shall not be included on the certificate.

#### **Rule 3016-1 USE OF DISCLOSURE STATEMENT FORM IN CHAPTER 11 CASES**

The disclosure statement filed in Chapter 11 cases shall substantially conform to, Local Form No. 13, except in a case designated as a complex Chapter 11.

#### **Rule 3016-2 TRANSMISSION OF PLAN AND PLAN SUMMARY IN CHAPTER 11 CASES**

A. A summary must be filed with the plan and contain a concise description of the provisions of the plan.

B. A description of any releases provided by the plan and the consideration given by the party to be released must be clearly set forth as a separate summary.

#### **Rule 3017-1 HEARING ON DISCLOSURE STATEMENT**

A. The responsibility for service shall be upon the proponent of the disclosure statement.

B. All objections to the disclosure statement shall be filed with the Clerk. In addition to any entities listed in Fed.R.Bankr.P. 3017, any objections to the disclosure statement shall be served upon the plan proponent and proponent's counsel.

#### **Rule 3018-1 BALLOTING**

A. All ballots submitted in connection with a plan shall clearly identify the proponent of the plan and the date of the plan for which the ballot is to be cast.

B. All ballots shall be returned to counsel for the proponent of the plan or his clearly designated agent. The address for return of the ballot shall be clearly noted on the ballot.

C. Counsel for the proponent of the plan shall bring the ballots to the confirmation hearing. A summary of the ballots shall be filed at least two (2) business days prior to the plan confirmation hearing. Counsel shall certify that all ballots received have been accounted for and tabulated and that the summary is an accurate representation of the ballots received.

D. An amended summary of ballots shall be filed within two (2) days after the plan hearing to account for any ballots cast with the approval of the Court after the time fixed for voting on the plan.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

**Rule 3021-1 DISTRIBUTION UNDER CHAPTER 9 AND 11 PLANS**

A. It is the creditor’s responsibility to assure that its current address is on file with the Clerk. Distribution by the disbursing agent shall be to the most recent address on file with the Clerk.

B. Within ninety (90) days of confirmation of a Chapter 9 or Chapter 11 plan, the disbursing agent shall file with the Clerk a brief and accurate accounting of all sums received, all sums disbursed to date, the sums remaining with the disbursing agent and the proposed disposition thereof.

**Rule 3022-1 MOTION FOR FINAL DECREE IN CHAPTER 11 CASES**

A. The proponent of the confirmed plan or the agent designated to administer the plan shall file and serve on all parties in interest a motion for final decree within ninety (90) days after confirmation.

B. Every motion for final decree shall have a completed form “Report for Bankruptcy Judges in Cases to be Closed” attached. Local Form No. 14 shall be used.

**Rule 4001-1 USE OF CASH COLLATERAL**

A. Methods of Service of Notice of Preliminary Cash Collateral Hearing: A preliminary hearing may commence no earlier than 48 hours after service of the motion and notice of the hearing. The movant may use any expedited means reasonably calculated to accomplish notice and service.

B. Terms of Cash Collateral Motion: The terms of a proposed cash collateral motion shall conform to the Cash Collateral Guidelines specified in the Court Procedures Manual.

C. Exhibits to Cash Collateral Motions: The Electronic Case Filing Procedure in the Court Procedures Manual shall govern the filing of exhibits.

**Rule 4001-2 OBTAINING CREDIT**

A preliminary hearing may commence no earlier than 48 hours after service of the motion and notice of the hearing. The movant may use any expedited means reasonably calculated to accomplish notice and service.

**Rule 4001-3 AGREEMENT RELATING TO USE OF CASH COLLATERAL OR OBTAINING CREDIT**

A. Motion; Service: A motion for approval of an agreement under Fed.R.Bankr.P. 4001(D) shall have a complete copy of the agreement filed as an attachment to the motion without regard to page limitations in the Electronic Case Filing Procedures.

B. Contents of Agreement Concerning Use of Cash Collateral: Any agreement concerning use of cash collateral shall comply with the Cash Collateral Guidelines specified in the Court Procedures Manual.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

**Rule 4001-4 MOTIONS FOR RELIEF FROM STAY COMBINED WITH OTHER REQUESTS FOR RELIEF**

Movants who combine motions for relief from stay with a request for any other type of relief shall be deemed to have waived the 30-day period specified in 11 U.S.C. §362(e).

**Rule 4001-5 TAX REFUND SETOFFS**

A. If any debtor or debtor-in-possession claims a federal or state tax refund during the pendency of a bankruptcy proceeding, the debtor or debtor-in-possession shall make a written request for such refund to the IRS Insolvency Unit or the Pennsylvania Department of Revenue, Bankruptcy Division, with copies of the same filed with the United States Trustee, any trustee appointed in the case, and the Clerk.

B. The written request must include the:

1. taxpayer identification number (SSN or EIN);
2. taxable period;
3. type of tax; and
4. amount claimed.

In lieu of this information, the request must be accompanied with a copy of the actual claim filed which gave rise to the refund.

C. The Internal Revenue Service and the Commonwealth of Pennsylvania are granted leave to retain any tax refund due a debtor or debtor-in-possession for a period not to exceed sixty (60) days after submission by the debtor or debtor-in-possession of a written request for the refund to the IRS or the Commonwealth. During this time period, the IRS and the Commonwealth are deemed not to be in violation of the automatic stay.

**Rule 5001-1 SEAL OF THE COURT**

The official seal of the Court shall bear the inscription “UNITED STATES BANKRUPTCY COURT” and shall be used by the Clerk for all documents required to be under seal of the Court. In lieu of an original seal, the Clerk or his deputy may place the official graphic of the seal on electronic documents issued by the Court.

**Rule 5005-1 ELECTRONIC FILING: 1**

Electronic filing is mandatory in this District. The Electronic Case Filing Procedures in the Court Procedures Manual shall govern all filings.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

## **Rule 5005-2 RECORDS AND FILES**

A. 8 ½" by 11" Paper: All papers presented to the Clerk or Judge shall be on 8 ½" by 11" size paper. Pages must be sequentially numbered in a document, and all paragraphs in all pleadings must be numbered.

B. Font Size: Whether electronically filed or filed on paper, all documents shall be created in a font size no smaller than 12 Courier or an equivalent font size if a different font face is used. Footnotes are subject to the same provision concerning font size.

C. Withdrawal of Files from Clerk's Office: Records and papers on file in the Clerk's Office may be produced pursuant to subpoena from any federal or state court directing their production. At the Clerk's discretion, records or papers in the files of the Court may be temporarily removed by United States District Court Judges, United States Magistrate Judges, the United States Attorney, the United States Trustee, the Standing Chapter 13 Trustee, and panel member trustees of this District upon receipt of a signed requisition. Otherwise, records and papers may be removed from the files only upon order of the Court. Whenever records or papers are withdrawn, the person receiving them shall leave with the Clerk a signed receipt describing the records or papers taken, and shall return them within the time specified by the Court.

## **Rule 5005-3 DOCUMENTS FILED UNDER SEAL**

A. A motion to file a document under seal shall be electronically filed unless it contains confidential, scandalous or defamatory matter. A motion to file a document under seal and related documents that contain confidential, scandalous or defamatory matter shall be filed on paper in the same manner prescribed for a document filed under seal in paragraph B. of this rule. The Clerk shall docket any such motion filed on paper as a document under seal without disclosing the identity of the filing party.

B. If a motion to file a document under seal is filed or Court approval has been given to file a document under seal, the document to be sealed shall not be electronically filed but shall be filed in hard copy in a secured envelope. Affixed to the outside of the envelope shall be a statement containing a case caption, a case number, a general statement that identifies the document for purposes of tracking, and a notation that the document is being filed under seal. The nature of the document must be described with sufficient particularity so that the Court is able to identify the contents of the envelope without disclosing the specifics of the enclosed matter. The outside of the envelope shall also include the name and address of the attorney who will be notified when the Court determines that the document should no longer be part of the case file. This attorney shall maintain a current address on the Court's Case Management/Electronic Case Filing system.

C. The attorney receiving the notification specified in paragraph B. shall have thirty (30) days after the date of the notice to retrieve the sealed document from the Clerk. The Clerk shall destroy the sealed document if the attorney does not retrieve the document within the 30-day period or if the attorney cannot be contacted.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

## **Rule 5007-1 REQUESTS FOR TRANSCRIPTS**

The guidelines in the Court Procedures Manual for ordering transcripts shall govern.

## **Rule 5009-1 REPORT FOR BANKRUPTCY JUDGES IN CASES TO BE CLOSED**

The Chapter 7 trustee shall file the report for Bankruptcy Judges in cases to be closed in a form that substantially complies with Local Form No. 15 at the time the trustee's certification of case administration and application for discharge is filed.

## **Rule 5011-1 WITHDRAWAL OF THE REFERENCE**

A. Place for Filing: All motions for withdrawal of the reference of a case or proceeding shall be filed with the Clerk of the Bankruptcy Court.

B. Designation of Record and Copies:

1. When a motion for withdrawal of the reference is filed movant shall simultaneously file with the Clerk of the Bankruptcy Court and serve on the respondent(s) a designation of the items to be included in the record and the document numbers associated with each.
2. Respondent(s) shall file a designation of additional items, if any, and the document numbers associated with each within ~~five (5)~~ seven (7)\*calendar days of the filing the motion for withdrawal of the reference.
3. Parties shall provide the Clerk of the Bankruptcy Court paper copies of the designated documents at the time a designation is filed.

C. Transmittal of Record: The Clerk of the Bankruptcy Court shall transmit the motion for withdrawal of the reference, the designation and copies of the designated documents to the Clerk of the District Court after the designations and copies have been filed or the time to file such documents has expired, whichever occurs first.

## **Rule 5095-1 MOTION FOR DISBURSEMENT OF ESTATE FUNDS OTHER THAN UNCLAIMED FUNDS**

A. Withdrawal of Deposited Funds: In order to withdraw deposited funds, a motion for disbursement of invested registry funds and a proposed order must be filed. The proposed order for disbursement of invested registry funds must include the name and address of the payee(s) and the total amount of the principal and interest (if the interest is not known, the order may read "plus interest") which will be disbursed to each payee. Interest will be distributed pro rata among the payees unless the motion requests and the order signed by the Court provides otherwise. The proposed order must specify whether the payment is to be delivered to the payee or to counsel.

B. Tax Identification/Social Security Number: The tax identification number or Social Security number of each payee receiving earned interest must be provided to the Clerk in compliance with the Clerk's instructions. No disbursement shall be made until the Clerk receives this information

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.



## **Rule 6002-1 DEADLINE FOR ACCOUNT OF PRIOR CUSTODIAN**

The custodian shall file and serve on the United States Trustee the required report and account within thirty (30) days from the date the custodian acquires knowledge of the commencement of the case.

## **Rule 6004-1 SALE OF ESTATE PROPERTY OUTSIDE THE ORDINARY COURSE OF BUSINESS**

The Court Procedures Manual shall govern sales outside the ordinary course of business.

## **Rule 6006-1 NOTICE OF ASSUMPTION OR REJECTION OF EXECUTORY CONTRACTS**

In proceedings proposing assumption or rejection of executory contracts or unexpired leases, notice of such proceedings shall be served upon the trustee, if any, all parties to such contracts or leases, and to counsel for any committee of creditors or equity security holders appointed or elected under the Code. If there is no such counsel, then service shall be made upon each of the committee members and, if no committee has been appointed, upon the seven (7) largest unsecured creditors.

## **Rule 7004-1 NOTICE OF CONSTITUTIONAL QUESTION**

A. Notice of Federal Constitutional Question: Any party who draws in question the constitutionality of an act of Congress affecting the public interest in any action to which the United States or an officer, agency, or employee thereof is not a party, shall include in the caption of the pleading under the case number in bold-face type and all capital letters the words **CONSTITUTIONAL QUESTION RAISED**, shall serve a copy of the pleading on the Attorney General of the United States, shall file a certificate of service simultaneously, and shall otherwise comply with the service requirements of Fed.R.Bankr.P. 7004.

B. Notice of State Constitutional Question: Any party who draws in question the constitutionality of a state law affecting the public interest, in any action to which the state or an officer, agency, or employee thereof is not a party, shall include in the caption of the pleading under the case number in bold-face type and all capital letters the words **CONSTITUTIONAL QUESTION RAISED**, shall serve a copy of the pleading on the Attorney General of the state, shall file a certificate of service simultaneously, and shall otherwise comply with the service requirements of Fed.R.Bankr.P. 7004.

## **Rule 7005-1 FILING OF DISCOVERY MATERIALS**

A. Depositions, interrogatories, requests for documents, requests for admissions, and answers and responses thereto shall not be filed with the Clerk.

B. A party seeking a protective order, to compel discovery or other relief under Fed.R.Bankr.P. 7026 shall file as an attachment to the motion only that portion of the deposition, interrogatory, request for document, or request for admissions that is the subject of an objection. The attachment shall be without regard to the page limitations in the Electronic Case Filing Procedures.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

C. When discovery material is essential to an appeal, upon application by a party in interest and order of Court, the necessary portion of the discovery material shall be filed with the Clerk.

D. The party serving discovery or taking depositions shall retain the original as the custodian thereof.

#### **Rule 7008-1 MOTIONS IN ADVERSARY PROCEEDINGS**

A. Requirement of Written Motion: All motions shall be in writing unless made during a hearing or trial.

B. Grounds and Relief to be Stated: Motions filed within adversary proceedings shall contain a descriptive title of the motion in addition to the complete adversary caption. The caption must conform to Official Form 16D.

C. Response: The response to any motion shall be filed and served within fourteen (14) days after service of the motion plus an additional three (3) days when service is by mail. If no response is timely filed, the motion shall be deemed uncontested and the Court shall dispose of the motion. Replies and surreplies are not permitted unless ordered by the Court. If permitted, replies and surreplies shall be filed and served within ~~five (5)~~ seven (7)\* days, plus an additional three (3) days when service is by mail, after service of the response or reply, as applicable.

D. Briefs: The movant shall file a brief, if any, and any supporting affidavits as an attachment to the motion and the respondent shall file a brief, if any, and any supporting affidavits as attachments to the response. Briefs shall be limited to twenty (20) pages. Reply and surreply briefs are not authorized to be filed unless the Court orders them in a particular case. If authorized, reply and surreply briefs shall be limited to five (5) pages, and shall address only matters not addressed in the initial brief.

E. Continuances: Motions for continuance of a trial date shall be considered by the Court only upon motion filed and served at least seven (7) calendar days before the scheduled trial.

F. Bringing Contested Motions to Attention of Court: Any request for oral argument or hearing on a contested motion within an adversary proceeding must be in writing and referenced in the caption of the pleading.

G. A proposed order of Court shall be filed as an attachment to all motions and other pleadings requesting relief.

H. When briefing is complete, the moving party shall file a certification that briefing is completed substantially in compliance with Local Form No. 16. In addition to filing the certificate electronically, a courtesy copy shall be delivered to the Judge's chambers. The Court may not act until the certificate is filed with the Clerk.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

**Rule 7010-1 CAPTIONS OF ADVERSARY PROCEEDINGS AND OF MOTIONS FILED WITHIN ADVERSARIES**

A. The caption of an adversary proceeding shall conform to Official Bankruptcy Forms 16C or 16D. Additionally, the initials of the Presiding Judge shall be appended to the bankruptcy case number.

B. Motions filed within adversary proceedings shall contain a descriptive title of the motion in addition to the complete adversary caption and adversary proceeding number.

C. Responses or replies to motions filed within adversary proceedings shall contain the adversary caption and number and the same caption as the motion but the description shall indicate that it is a response or reply.

**Rule 7014-1 SERVICE OF PLEADINGS ON THIRD-PARTY DEFENDANTS**

In every action in which there is a joinder of a third-party defendant, the third-party plaintiff shall deliver to the newly joined third-party defendant, within ~~ten (10)~~ fourteen (14)\* days after the filing of an appearance or a responsive pleading by the joined third-party defendant, copies of all pleadings, orders, discovery materials, exhibits and any other material of record in the case (except for physical objects which cannot readily be copied).

**Rule 7016-1 PRETRIAL PROCEDURE**

Pretrial procedures are governed by pretrial orders entered in each case. Counsel shall use the pretrial order and pretrial statement issued by the Presiding Judge as posted on the Court's Website.

**Rule 7037-1 DISCOVERY DISPUTES**

A. Requirement of Writing: An objection to interrogatories, depositions, requests, or applications under Fed.R.Bankr.P. 7026 through 7037, as well as all motions and responses concerning discovery matters, shall be filed and have attached as an exhibit the specific portion of the interrogatories, depositions, requests or application or response thereto that is the subject of the objection.

B. Objections to Discovery Process: An objection to interrogatories, depositions, requests, or applications shall include only that portion that is the subject of the objection. Any such objection shall not extend the time within which the objecting party must otherwise answer or respond to any discovery matter to which it has not objected. Any party opposing the requested relief shall file only those additional portions of the interrogatories, request for documents or request for admission and the responses to same that are necessary for the Court's consideration of the matter.

C. Motions to Compel: If a discovery dispute is not resolved, the party initiating discovery shall file and serve a motion to compel an answer, production, designation, or inspection. Only those portions of the interrogatories, depositions, requests for documents, or request applications that are germane to the motion shall be filed. Any party opposing the requested relief shall file only those additional

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

portions of the interrogatories, depositions, requests or applications and the responses to same that are necessary for the Court's consideration of the matter.

D. Compliance with discovery orders must be effected within ~~ten (10)~~ fourteen (14)\* days of the entry of the order.

E. Failure to Comply with Order: Should a party fail to comply with an order of Court concerning discovery motions, the party objecting to such failure to comply shall place the matter before the Court by filing and serving a motion for supplementary relief.

F. Consultation Among Counsel: Counsel are required to participate in pretrial discovery conferences in order to decrease, in every way possible, the filing of unnecessary discovery motions. No motion concerning discovery matters may be filed until counsel makes a good faith effort with opposing counsel to resolve the discovery matters in dispute. The Court shall dismiss any motion concerning discovery matters not accompanied by a certificate of counsel that a good faith effort has been made to resolve the discovery matters at issue. The certification shall be filed as an attachment to the motion.

#### **Rule 7065-1 TEMPORARY RESTRAINING ORDERS**

Parties filing an application for a temporary restraining order with an attached proposed order and any party filing a response must deliver a paper copy to chambers. The front page of the pleading shall note that it is a courtesy copy. The filing party may call chambers to arrange for alternative transmission of the document.

#### **Rule 8006-1 REQUESTS FOR COMPLETE OR PARTIAL TRANSCRIPTS**

A. Ordering Transcripts: The Clerk's requirements for ordering transcripts as stated in the Court Procedures Manual shall govern. In addition to designating a transcript as part of the record on appeal, the requesting party must file and serve notice that a transcript has been requested.

B. The request for a transcript, if filed by an appellant, shall be filed not later than two (2) days after the filing by appellant of the designation of the record and statement of issues to be presented.

C. Not later than two (2) days after the filing by appellee of a designation of any additional items to be included in the record, an appellee shall file any request for a transcript.

D. If an appellee has filed a cross-appeal, the appellee as cross-appellant, shall file any request for a transcript not later than two (2) days after the filing by such party of a statement of the issues to be presented on the cross-appeal and any designation of additional items to be included in the record.

E. A cross-appellee shall file any request for a transcript no later than two (2) days after the filing by such party of a designation of any additional items to be included in the record on the cross-appeal.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

## **Rule 8007-1 APPEAL TO THE DISTRICT COURT FROM THE BANKRUPTCY COURT**

A. Where, after a notice of appeal to the United States District Court has been filed in the Bankruptcy Court, the appellant fails to designate the contents of the record on appeal or fails to file a statement of issues on appeal within the time required by the Federal Rules of Bankruptcy Procedure, or fails to provide, when appropriate, evidence that a transcript has been ordered and that payment therefor has been arranged, or fails to take any other action to enable the Bankruptcy Clerk to assemble and transmit the record:

1. The Clerk of the Bankruptcy Court shall provide ~~fifteen (15)~~ fourteen (14)\* days' notice to the appellant and appellee of an intention to transmit a partial record consistent with subsection B.2 of this Local Rule;
2. After the ~~15-day~~ 14-day\* notice period has expired, the Clerk of the Bankruptcy Court shall thereafter promptly forward to the Clerk of the United States District Court a partial record consisting of a copy of the order or judgment appealed from, any opinion, findings of fact, and conclusions of law by the Court, the notice of appeal, a copy of the docket entries, any documents filed as part of the appeal, and any copies of the record which have been designated by the parties pursuant to Fed.R.Bankr.P. 8006. The record as transmitted shall be deemed to be the complete record for purposes of the appeal; and

B. Notwithstanding any counter designation of the record or statement of issues filed by the appellee, if the appellee fails to provide, where appropriate, evidence that a transcript has been ordered and that payment therefore has been arranged, or the appellee fails to take any other action to enable the Bankruptcy Clerk to assemble and transmit the record pursuant to Fed.R.Bankr.P. 8006, the Clerk of the Bankruptcy Court shall transmit the copies of the record designated by the parties and this shall be deemed to be the complete record on appeal.

## **Rule 9004-1 CAPTIONS OF PLEADINGS AND ORDERS**

The caption of any pleading, all responses and replies thereto, and any proposed order shall conform substantially to Official Bankruptcy Form 16D governing adversary captions except that the party seeking relief shall be designated as "Movant" and the party against whom relief is sought shall be designated as "Respondent." When there is no entity to be named as a respondent, the words "No Respondent(s)" shall be stated. In the caption of each motion and any response thereto the case number shall be entered as well as the Chapter number. "Document No." shall be stated instead of "Adversary Proceeding No." when the pleading is a motion in the main case. The caption for the motion shall substantially conform with Local Form No. 17. A certificate of service, proposed order, or any subsequent pleading to a motion, objection, or other request for relief shall include in the caption the hearing date and time, the objection date, and the document number of the document that it pertains to.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

## **Rule 9006-1 TIME**

A. Every request for relief, however made, must be served on the same day that it is filed.

B. Every responsive pleading must be filed and served within fourteen (14) days from the date the motion is filed and served. Respondent shall have an additional three (3) days, which is a total of seventeen (17) days, to file a response to any motion served by mail.

C. All references to days mean calendar days unless otherwise noted.\*

## **Rule 9009-1 FORMS**

Local and national bankruptcy forms are available on the Court's Website. A paper copy of the local forms can be obtained from the Clerk, upon payment of any charge or fee.

## **Rule 9010-1 ADMISSION TO PRACTICE**

A. Admission in General: Attorneys who are admitted to the bar of the United States District Court for the Western District of Pennsylvania are admitted to the bar of this Court.

B. *Pro Hac Vice* Admission: No one, other than an attorney regularly admitted to practice in this Court, shall appear in any proceeding on behalf of any trustee, creditor, or other party in interest, except upon motion filed with the Clerk and order entered by the Court. Every motion to be admitted *pro hac vice* must be signed and filed by an attorney admitted to practice in this District. The motion must substantially conform to Local Form No. 18. If a motion for *pro hac vice* is made orally in open Court, it shall be followed promptly by the filing of a written motion signed by local counsel and the applicant. The Court may require counsel to provide evidence of admission in another district. An attorney admitted *pro hac vice* or local counsel must appear at Court hearings and be prepared to address all issues set for argument.

C. Association with Local Counsel Required: An attorney not admitted to practice by the United States District Court for the Western District of Pennsylvania may not be admitted *pro hac vice* in this Court unless associated with an attorney who is a member of the Bar of this Court and who maintains an office in this District for the regular transaction of business, upon whom all notices, orders, pleadings and other papers filed in the case shall be served and who shall be required to sign all papers filed with the Clerk.

1. Claims Litigation: Association with local counsel shall not be required for the filing or prosecution of a proof of claim or response to an objection to a proof of claim. The Court may, however, direct counsel to claimant to associate with local counsel if the claim litigation will involve extensive discovery or trial time.
2. Government Attorneys: An attorney not admitted in the United States District Court for the Western District of Pennsylvania but admitted in another United States District Court may appear representing the United States of America (or any officer or agency thereof) or any State (or officer or agency thereof) provided that a certification is filed, signed by that attorney, stating (a) the courts in which the attorney is admitted, (b) that

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

the attorney is in good standing in all jurisdictions in which the attorney has been admitted, and (c) that the attorney will be bound by the Rules of this Court and submits to the jurisdiction of this Court for disciplinary purposes in connection with the matter in which the attorney is appearing.

D. The local rules of the United States District Court for the Western District of Pennsylvania as amended from time to time shall apply as to discipline of attorneys.

#### **Rule 9010-2 APPEARANCE AND WITHDRAWAL OF APPEARANCE**

A. Notice of Appearance: A separate notice of appearance need not be filed by an attorney for an original party to an action or for an intervenor. The endorsement of names of attorneys appearing on the first pleading or motion filed by a party shall constitute the entry of appearance for such attorneys and their law firms.

B. Withdrawal of Appearance: An attorney may withdraw an entry of appearance only with leave of Court, upon filing a written motion stating reasons for withdrawal and after reasonable notice to the client.

C. Appearance at Hearing Required: All parties filing a pleading must appear for the scheduled hearing on the matter in which the pleading was filed unless such appearance has been excused by the Court.

D. *Pro Se* Litigants: Only natural persons may appear in court without counsel.

E. Child Support Creditors: Child support creditors need not appear by counsel, provided, however, that they must first complete and file Local Form No. 19.

#### **Rule 9010-3 AGREEMENTS OF ATTORNEYS**

All agreements of attorneys shall be filed with the Court; otherwise, they will be considered of no validity.

#### **Rule 9013-1 MOTIONS AND CONTESTED MATTERS**

A. Any motion, application, objection or other request for relief must be in writing and accompanied by a proposed order filed as an attachment to the motion.

B. Periodic motions days may be established by each Judge. No witnesses shall be heard on motions days.

C. Responses to any pleading must be filed and served on or before fourteen (14) days after the pleading is filed. Respondent shall have an additional three (3) days to file a response to any motion served by mail.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

D. Any affirmative request for relief must be brought by motion and may not be included in any responsive pleading.

E. Replies and surreplies are not permitted except with leave of the Court. If permitted, they must be filed within ~~five (5)~~ seven (7)\* days after the response or reply is filed.

### **Rule 9013-2 PROCEDURE FOR EXPEDITED HEARINGS**

A. Filing of Motion: A motion for expedited hearing shall explain the necessity for an expedited hearing and shall state the substantive relief sought. A proposed order granting the relief requested must be filed as an attachment to the motion. A second proposed order substantially conforming to Local Form No. 20 shall be filed as an attachment to the motion and shall provide that the request for expedited hearing is granted and shall contain blank spaces for the Court to enter the date, time, and place of hearing and the date by which objections must be filed and served.

B. Requirements of Motion: In addition to the provisions of paragraph A, the request for expedited hearing must be set forth in the caption of the pleading.

C. The motion shall specify:

1. just cause to request consideration of the underlying matter on an expedited basis;
2. the specific harm the movant shall incur if a hearing is not granted on an expedited basis; and
3. the need for an expedited hearing has not been caused by any lack of due diligence on the part of the attorney or the attorney's client but has been brought about solely by circumstances beyond their control.

D. Parties filing a motion for expedited hearing with an attached proposed order and any party filing a response must deliver a paper copy to chambers. The front page of the pleading shall note that it is a courtesy copy. The filing party may call chambers to arrange for alternative transmission of the document.

### **Rule 9013-3 PLEADING SPECIAL MATTERS IN MOTIONS**

A. Applicability of Rule: This rule applies to contested matter in which any of the following types of relief is sought:

1. an abandonment in a form that substantially complies with Local Form No. 21;
2. the avoidance of a lien or liens in a form that substantially complies with Local Form No. 22;
3. a sale; and
4. relief from stay.

B. Requisites of Content:

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.



1. The following, if applicable, shall be pled with particularity:
    - a. the identity and location of the property subject to the action;
    - b. the market value of the property subject to the action, and the basis for the valuation;
    - c. the value of any claimed exemption in the property subject to the action;
    - d. the identity and address of the holder of each lien on the property subject to the action; and
    - e. the type, priority, face amount, balance owed, and record location of each lien on the property subject to the action.
  2. If there is or may be no equity in the property for the creditors, an allegation showing the necessity for the sale or the consent of holders of liens and any fee agreed upon shall be stated.
- C. In addition, a motion for relief from stay shall include:
1. an itemized statement of:
    - a. the amount and date of the loan;
    - b. the principal balance owed as of the date the bankruptcy case was filed;
    - c. the interest accrued to the date of filing of the case and the *per diem* rate thereafter;
    - d. all charges and fees added to the balance alleged to be owed;
    - e. the amount necessary to cure as of the bankruptcy filing date; and
    - f. postpetition defaults.
  2. an averment that an appropriate proof of claim has been filed.
  3. identification of the original holder of the obligations secured by the mortgage or other security interest and every subsequent transferee including the movant and whether the movant is the holder of that obligation or an agent of the holder. The requirements of this subparagraph (3) are limited to Chapter 13 cases.

#### **Rule 9013-4 FILING OF PROPOSED ORDERS**

**A. Orders Required to be Attached:** All requests for relief including, but not limited to, all motions, petitions, applications, complaints, and objections must have an appropriate proposed order of Court filed as an attachment to the request for relief. If a proposed order is not attached, the Court may dismiss the pleading without scheduling a hearing thereon and without prejudice to its being promptly refiled in compliance with Local or Federal Rules of Bankruptcy Procedure, Court orders or Procedures.

**B. Electronic Filing of Proposed Orders:** Proposed orders electronically filed with motions, petitions applications, objections, or other requests for relief must be filed with the motion as a separate attachment to the pleading.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

## Rule 9013-5 SCHEDULING HEARINGS

A. Parties are directed to and shall comply with Procedures stated on the Court's Website to ascertain procedures for the scheduling practices of each Judge.

B. The moving party shall serve all parties in interest with the motion, proposed order, and notice of hearing. For Chapter 7 final accounts and proposed distributions use Local Form No. 23. For fee applications in Chapter 7 and 13 cases use Local Form No. 24. For fee applications in Chapter 9, 11, and 12 cases, use Local Form No. 9.

C. If the moving party does not receive a response, then the moving party shall file with the Clerk a Certificate of No Objection substantially in compliance with Local Form No. 25. The certificate must be filed no later than two (2) days after the objection deadline has expired. If the Court grants the relief by default, the hearing is canceled.

D. If a disputed matter has been settled prior to the hearing, counsel for movant must file a Settlement and Certification of Counsel substantially in compliance with Local Form No. 26. A proposed consent order must be filed as an attachment to the Settlement and Certification of Counsel.

E. Initial hearings on motions shall be brief, not more than ten (10) minutes in any case. No testimony will be heard. If there is an issue of fact, a discovery schedule (if appropriate) and an evidentiary hearing will be fixed by the Court at the initial hearing. If there is no issue of fact, the Court may dispose of the matter at such hearing, or on briefs, or as the Court may determine. Matters which are settled after responses are filed shall be heard prior to other matters scheduled for the same time upon request of the parties at the hearing.

F. If a filing is not in substantial compliance with these local Rules or Procedures, an order may be entered dismissing the motion without prejudice, and movant shall promptly notify respondent thereof.

G. A motion for relief from default orders is governed by Fed.R.Bankr.P. 9023 or 9024 as applicable.

H. If a Judge designates a "Chapter 13 Day," all matters in or relating to Chapter 13 and Chapter 12 cases, and only such matters, shall be scheduled.

I. A movant who files a motion for relief from stay and selects a hearing date in accordance with a Judge's scheduling practice shall be deemed to have waived the 30-day period specified in 11 U.S.C. §362(e) when the hearing is scheduled for a date more than thirty (30) days after the date the motion is filed. If a hearing date is not available within the 30-day period, a movant who would be harmed by a delay of the hearing beyond the 30-day period specified in 11 U.S.C. §362(e) shall file a motion for expedited hearing.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

**Rule 9013-6 EXTENSION OF TIME TO ASSUME CONTRACT OR LEASE OR TO FILE A PLAN**

If, when a motion to extend time is filed, the time has not expired within which an executory contract or an unexpired lease may be assumed or rejected or within which the debtor retains the exclusive right to file a plan of reorganization, then the time is extended until the disposition of the motion.

**Rule 9014-1 FILING AND SERVICE OF RESPONSIVE PLEADINGS IN CONTESTED MATTERS**

Every responsive pleading must be filed and served within fourteen (14) days from the date the motion is filed. Respondent shall have an additional three (3) days to file a response to any motion served by mail.

**Rule 9015-1 JURY DEMAND**

A. The party making a jury trial demand shall file the demand with the Clerk of the Bankruptcy Court and serve all parties in interest. The last date on which a demand for jury trial may be made by any party is ~~ten (10)~~ fourteen (14)\* days after:

1. an answer is filed and served to a complaint, cross-claim or counterclaim; or
2. a response to a motion or objection is filed and served.

B. With respect to removed actions, Fed.R.Civ.P. 81 (c) applies.

C. Within thirty (30) days of filing the demand the party making the demand shall file with the Clerk and serve on all parties in interest:

1. the consent of all parties to trial by jury in the Bankruptcy Court;
2. pursuant to Fed.R.Bankr.P. 5011, a motion for withdrawal of the reference in order to conduct a jury trial in the District Court; or
3. a motion to extend time to file a consent or motion for withdrawal of the reference.

D. The failure to comply with this Local Rule shall be deemed to be a waiver of trial by jury in the Bankruptcy Court.

**Rule 9015-2 JURY SELECTION SYSTEM**

A. The plan for random selection of jurors adopted by the United States District Court for the Western District of Pennsylvania with the approval of its reviewing panel under 28 U.S.C. §1863 governs jury selection by the United States Bankruptcy Court for the Western District of Pennsylvania.

B. The Clerk of the Bankruptcy Court shall request that the Clerk of the District Court furnish a sufficient number of jurors for use in scheduled jury trials. If not selected or serving in the Bankruptcy Court, such jurors shall be released to the District Court for continued utilization.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

C. The Clerk of the Bankruptcy Court shall cooperate with the Clerk of the District Court in the implementation of those jury utilization techniques which are employed by the District Court in the interest of efficient and economical use of jurors.

#### **Rule 9019-1 SETTLEMENTS**

A motion requesting Court approval of a settlement must delineate the reasons for settling the matter. A concise summary of the proposed settlement that fully describes its terms and the reason for settlement must be filed as an attachment to the motion requesting Court approval of the settlement. The summary of the proposed settlement shall contain a complete caption and be signed by the moving party or counsel to the moving party. Movant shall attach a copy of the summary to the order scheduling the hearing when it is issued by the Court. Movant shall then serve the order and summary as directed by the Court order.

#### **Rule 9019-2 MEDIATION**

The Court Procedures Manual shall govern mediation procedures.

#### **Rule 9070-1 EXHIBITS**

All exhibits, models, or diagrams, documentary or physical, introduced at a trial or hearing shall be withdrawn by the parties to the litigation or their counsel within ~~ten (10)~~ fourteen (14)\* calendar days after final judgment, order or other final disposition of the trial or hearing, whichever is later. If the exhibits, models, or diagrams are not removed within the ~~10-day~~ 14-day\* period, the Clerk shall destroy them or make such other disposition of them as the Clerk may deem appropriate. It shall be the responsibility of counsel to produce any and all exhibits as designated on appeal.

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\* As amended in General Orders #2009-8 and #2009-10, effective December 1, 2009.

# **Local Forms of The United States Bankruptcy Court**



**for  
The Western District of Pennsylvania**

**Adopted July 1, 2004  
Effective June 1, 2010**

**LOCAL FORMS  
OF THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

The Honorable M. Bruce McCullough, Chief Judge

The Honorable. Judith K. Fitzgerald

The Honorable Thomas P. Agresti

The Honorable Jeffery A. Deller

The Honorable Warren W. Bentz

The Honorable Bernard Markovitz

John J. Horner, Clerk

**LOCAL FORMS  
OF THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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OUTDATED



LOCAL BANKRUPTCY FORM NO. 1

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

In Re

BANKRUPTCY NO.

Debtor

DECLARATION RE: ELECTRONIC FILING OF
PETITION, SCHEDULES & STATEMENTS

PART I - DECLARATION OF PETITIONER

I, \_\_\_\_\_, and I, \_\_\_\_\_,
the undersigned debtor, certify that the information I give to my attorney for the preparation of the petition, statements, schedules and mailing matrix
is true and correct. I consent to my attorney sending my petition, this declaration, statements and schedules to the United States Bankruptcy Court. I
understand that this DECLARATION RE: ELECTRONIC FILING is to be submitted to the Clerk once all schedules have been electronically
docketed but, in any event, no later than 14\* days following the date the petition was electronically filed unless the time is extended by order of
court. I understand that failure to timely submit the signed original of this DECLARATION will result in dismissal of my case pursuant to 11 U.S.C.
§ 707(a)(3) without further notice.

[ ] [If petitioner is an individual] I declare under penalty of perjury that the information provided in this petition and the social security
number(s) listed below are true and correct:

Name of Debtor \_\_\_\_\_ Debtor has a social security number and it is: \_\_\_\_\_
Check here if Debtor does not have a social security number: \_\_\_\_\_

Name of Joint Debtor \_\_\_\_\_ Joint Debtor has a social security number and it is: \_\_\_\_\_
Check here if Joint Debtor does not have a social security number: \_\_\_\_\_

[ ] [If petitioner is a corporation or partnership] I declare under penalty of perjury that the information provided in this petition is true and
correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter
specified in this petition.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_ (Type Debtor name here) (Joint Debtor, if applicable, type name)
Title: \_\_\_\_\_ (Corporate or Partnership Filing)
Phone Number of Signer \_\_\_\_\_ Address of Signer \_\_\_\_\_

PART II - DECLARATION OF ATTORNEY

I further declare that before filing any document I will have examined the debtor's petition and that the information is complete and correct
to the best of my knowledge, information and belief. The debtor will have signed this form before I submit the petition, schedules, statements and
mailing matrix. I will give the debtor a copy of all forms and information to be filed with the United States Bankruptcy Court, and have followed all
other requirements for electronic case filing. I further declare that I have examined the above debtor's petition, schedules, and statements and, to the
best of my knowledge, information and belief, they are true, correct, and complete. If debtor is an individual, I further declare that I have informed
the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, and have explained the relief available
under each such chapter. This declaration is based on all information of which I have knowledge.

[ ] Check box if debtor is a servicemember as defined by the Servicemembers Civil Relief Act of 2003. If debtor becomes entitled to
protections from the Act during the bankruptcy case, he shall file an affidavit advising the Court within ten (10) fourteen (14)\* days of the date of his
change in status.

Dated: \_\_\_\_\_ Attorney for Debtor (Signature)
Typed Name
Address
Phone No.
List Bar I.D. and State of Admission

\* As amended in General Orders #2009-8 and #2009-10,
effective December 1, 2009

LOCAL BANKRUPTCY FORM NO. 1A

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

In Re

BANKRUPTCY NO.

Debtor

**DECLARATION RE: ELECTRONIC FILING OF PETITION, SCHEDULES & STATEMENTS  
FOR INDIVIDUAL DEBTOR NOT REPRESENTED BY COUNSEL**

I, \_\_\_\_\_, and I, \_\_\_\_\_,  
the undersigned debtor, certify that the Bankruptcy petition, statements, schedules and mailing matrix presented to the Clerk for filing is true and correct. I understand that this DECLARATION RE: ELECTRONIC FILING is to be submitted to the Clerk once all schedules have been filed but, in any event, no later than ~~15~~ 14\* days following the date the petition was filed unless the time is extended by order of court. I understand that failure to timely submit the signed original of this DECLARATION will result in dismissal of my case pursuant to 11 U.S.C. § 707(a)(3) without further notice.

Check box if debtor is a servicemember as defined by the Servicemembers Civil Relief Act of 2003. If debtor becomes entitled to protections from the Act during the bankruptcy case, he shall file an affidavit advising the Court within ~~ten (10)~~ fourteen (14)\* days of the date of his change in status.

I declare under penalty of perjury that the information provided in this petition and the social security number(s) listed below are true and correct:

\_\_\_\_\_  
Signature of Debtor      Debtor has a social security number and it is: \_\_\_\_\_  
Check here if Debtor does not have a social security number: \_\_\_\_\_

\_\_\_\_\_  
Signature of Joint Debtor      Joint Debtor has a social security number and it is: \_\_\_\_\_  
Check here if Joint Debtor does not have a social security number: \_\_\_\_\_

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No.

\* As amended in General Order #2009-8 and #2009-10, effective December 1, 2009.

**LOCAL BANKRUPTCY FORM NO. 2**

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

IN RE:

Bankruptcy No.

Debtor(s)

Chapter 11

**EX PARTE MOTION FOR DESIGNATION  
AS COMPLEX CHAPTER 11 BANKRUPTCY CASE**

This bankruptcy case was filed on \_\_\_\_\_. The undersigned party in interest believes that this case qualifies as a Complex Chapter 11 Bankruptcy Case pursuant to Local Rules because:

- \_\_\_\_\_ There is a need for emergency consideration of the following "First Day" motions.
- \_\_\_\_\_ The debtor has total debt of more than \$\_\_\_\_\_ million and unsecured non-priority debt of more than \$\_\_\_\_\_ million.
- \_\_\_\_\_ There are more than \_\_\_\_\_ parties in interest in this case.
- \_\_\_\_\_ Claims against the debtor are publicly traded.
- \_\_\_\_\_ Equity interests in the debtor are publicly traded.
- \_\_\_\_\_ Other: (Substantial explanation is required. Attach additional sheets if necessary.)

DATE: \_\_\_\_\_

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission

**LOCAL BANKRUPTCY FORM NO. 3**

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

IN RE:

Bankruptcy No.  
Chapter 11

Debtor(s)

**INITIAL ORDER FOR COMPLEX CHAPTER 11 BANKRUPTCY CASE**

This bankruptcy case was filed on \_\_\_\_\_. An Ex Parte Motion for Designation as a Complex Chapter 11 Case was filed. After review of the initial pleadings filed in this case, the Court concludes that this is a Complex Chapter 11 Case and issues this scheduling order.

1. The Debtor shall maintain a Service List identifying the parties that must be served whenever a motion or other pleading requires notice. Upon establishment of such a list, notices of motions and other matters will be limited to the parties on the Service List.
  - a. The Service List shall initially include the Debtor, Debtor's counsel, counsel for the unsecured creditors' committee, U.S. Trustee, all secured creditors, the 20 largest unsecured creditors, any indenture trustee, and any party that files a request for notice.
  - b. Any party in interest that wishes to receive notice, other than as listed on the Service List, shall be added to the Service List merely by request filed of record with the Clerk and served on the Debtor and Debtor's counsel.
  - c. Parties on the Service List are encouraged to give a fax number or e-mail address for service of process and parties are encouraged to authorize service by fax or e-mail. Consent to fax or e-mail service may be included in the party's notice of appearance and request for service.
  - d. The Service List shall be filed within 3 calendar days after entry of this Order. Debtors shall update the Service List and file with the Clerk a copy of the updated Service List upon request of a party to be added.
2. The Court hereby establishes the following dates and times for hearing all motions and other matters in this case in Courtroom \_\_\_\_\_ at \_\_\_\_\_.
3. If a matter is properly noticed for hearing and the parties reach agreement on a settlement of the dispute prior to the hearing, the parties may announce the settlement at the scheduled hearing. If the Court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, the Court may approve the settlement at the hearing without further notice of the terms of the settlement.
4. The debtor shall give notice of this Order to all parties in interest within 5 ~~7~~\* calendar days. If any party in interest objects to the provisions of this Order, that party shall file and serve a motion for reconsideration and proposed order within ~~10~~ 14\* days of the date of this Order articulating the objection and the relief requested.

Date: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge

\* As amended in General Order #2009-8 and #2009-10, effective December 1, 2009.

ABROGATED

OUTDATED

**LOCAL BANKRUPTCY FORM NO. 5**

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

**CHAPTER 13 BUSINESS CASE QUESTIONNAIRE**

Local Rule 1007-4 requires Chapter 13 Debtors that are self-employed (including Debtors acting as landlords), to complete and submit this Questionnaire to the Trustee along with all documents set forth in the Checklist which follows the signature page of the Questionnaire. You must answer all items in the Questionnaire. Use a separate page if additional room is needed, but be sure to reference the additional page next to the item you are answering. All information must be complete and organized. Failure to provide detailed and accurate information may result in the Trustee filing a motion to dismiss your case.

- You must send this completed Questionnaire along with all required attachments to Ronda J. Winnecour, Trustee, U.S. Steel Tower, Suite 3250, 600 Grant Street, Pittsburgh, PA 15219 so that it reaches the Trustee at least ~~15~~ 14\* days prior to your first scheduled meeting of creditors. If you fail to do so, the Trustee may require your appearance at an additional meeting or file a motion to dismiss your case.
- Do Not File this Questionnaire with the Clerk of the Bankruptcy Court
- The Questionnaire must be dated.
- The Questionnaire must contain the original signature of all Debtors in the case.
- A copy of the Questionnaire should be kept by the Debtor for future reference.
- If you have questions concerning this Questionnaire, please contact your attorney.

Debtor (s)' Name(s) \_\_\_\_\_

Chapter 13 Case # \_\_\_\_\_

Name of Business \_\_\_\_\_

List all past names used by Business \_\_\_\_\_

Location where business is operated \_\_\_\_\_

Description of Business Activities/Type of Business \_\_\_\_\_

What circumstances led you to file this bankruptcy? \_\_\_\_\_

How do you expect these circumstances to change so that you will be able to fund a Chapter 13 Plan? \_\_\_\_\_

\* As amended in General Order #2009-8 and #2009-10, effective December 1, 2009.

1. Type of Business Organization, circle one:

Corporation      Sole Proprietorship      Partnership      Other

Has business ever been incorporated? \_\_\_\_\_ Yes      \_\_\_\_\_ No

Date business began \_\_\_\_\_

Federal ID number (if applicable) \_\_\_\_\_ State ID number \_\_\_\_\_

2. If your business is a Partnership, please answer (a) to (c) below:

(a) Names of Partners \_\_\_\_\_  
\_\_\_\_\_

(b) Percentage of your ownership: Debtor \_\_\_\_\_ %      Joint Debtor \_\_\_\_\_ %

(c) Is there a written partnership agreement? \_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, please include a copy of the agreement with this Questionnaire when you return it to the Trustee.

3. If your business is a Corporation, please answer (a) to (g) below:

(a) Who are the shareholders? \_\_\_\_\_  
\_\_\_\_\_

(b) How many shares have been issued and are outstanding? \_\_\_\_\_

(c) What is your percentage ownership? Debtor \_\_\_\_\_ %      Joint Debtor \_\_\_\_\_ %

(d) State of incorporation \_\_\_\_\_

(e) Is the corporation in good standing with the Secretary of State? \_\_\_\_\_ Yes      \_\_\_\_\_ No

If no, why not? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(f) Fair Market Value of Corporate Assets, including going concern value \$ \_\_\_\_\_

Basis of value \_\_\_\_\_

(g) Amount of Corporate Debts \$ \_\_\_\_\_

4. Is the business cyclical? \_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, when is the busy season? \_\_\_\_\_

If yes, when is the slow season? \_\_\_\_\_

5. Do you have an accountant or bookkeeper? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, please provide the name, address and phone number of this individual \_\_\_\_\_  
\_\_\_\_\_

Do you understand that you are required to file monthly operating reports with the Court and serve the Trustee with a copy by the 15th of each month that you are in bankruptcy? \_\_\_\_\_ Yes \_\_\_\_\_ No

6. Are all tax returns which should have been filed to this point in time filed? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If no, list years that are delinquent, type of return owed, and entity to which return is owed:

<u>Year</u>	<u>Entity(s) and Type of Return Due</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Do you understand that while you are in Chapter 13, you are individually responsible for keeping current with all of your post-petition business as well as personal tax obligations? \_\_\_\_\_ Yes \_\_\_\_\_ No

Do you understand that the Court in this District has entered a General Order which requires all delinquent tax returns to be filed within 60 days from the date that you filed your bankruptcy case?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

7. Have you filed estimated quarterly income tax returns with the IRS? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, please provide copies of the last 3 estimated returns filed, with proof of payment.  
If no, explain why not \_\_\_\_\_  
\_\_\_\_\_

8. Does the business have employees? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, how many? \_\_\_\_\_ Are any of these persons related to you? \_\_\_\_\_ Yes \_\_\_\_\_ No  
Does the business withhold from their wages? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, where do you deposit the withholdings and how often?  
i. \_\_\_\_\_  
ii. \_\_\_\_\_

Please provide copies of proof of payment of employee withholding taxes for the 3 months prior to the month that your case was filed.



Do you understand that you must keep the withholding funds separate from your general operating funds?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If you do not withhold, how are the employees compensated? \_\_\_\_\_

Do you have subcontractors? \_\_\_\_\_ Yes \_\_\_\_\_ No

Are 1099s issued? \_\_\_\_\_ Yes \_\_\_\_\_ No

9. Is your business required to collect sales tax? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, has your business collected and remitted sales taxes on a regular basis? \_\_\_\_\_ Yes \_\_\_\_\_ No

If no, explain why \_\_\_\_\_

Do you understand that you must keep the sales tax funds separate from your general operating funds?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Please provide copies of proof of payment of sales taxes for 3 months prior to the month your case was filed.

10. Are you leasing office space? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, answer (a) to (e) below:

(a) Address of Property \_\_\_\_\_

(b) Landlord's Name and Address \_\_\_\_\_

(c) Monthly Rental Payment \$ \_\_\_\_\_

(d) Term of lease \_\_\_\_\_

(e) Do you wish to continue the lease? \_\_\_\_\_ Yes \_\_\_\_\_ No

11. Does the business lease business equipment or autos? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, answer (a) to (e) below:

(a) Description of leased/rented items? \_\_\_\_\_

(b) Person or entity's name and address from which items are rented or leased \_\_\_\_\_

(c) Payment terms \_\_\_\_\_

(d) Term of lease \_\_\_\_\_

(e) Do you wish to continue the lease? \_\_\_\_\_ Yes \_\_\_\_\_ No

12. Does the business have any outstanding contracts? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe \_\_\_\_\_

13. If you rent real property owned by you to others, please complete the following:

<u>Address of Tenant</u>	<u>Date Lease Began</u>	<u>Date Lease Ends</u>	<u>Amt. Monthly Rent</u>
--------------------------	-------------------------	------------------------	--------------------------


14. Is the business required to have any business licenses or permits? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please list: \_\_\_\_\_

If yes, are licenses/permits current? \_\_\_\_\_ Yes \_\_\_\_\_ No

15. Does the business carry the following insurance policies?

Commercial Liability? \_\_\_\_\_ Yes \_\_\_\_\_ No Policy No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Workmans Compensation ? \_\_\_\_\_ Yes \_\_\_\_\_ No Policy No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Fire Building? \_\_\_\_\_ Yes \_\_\_\_\_ No Policy No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Fire Contents? \_\_\_\_\_ Yes \_\_\_\_\_ No Policy No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Automobile Coverage? \_\_\_\_\_ Yes \_\_\_\_\_ No Policy No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Liquor liability? \_\_\_\_\_ Yes \_\_\_\_\_ No Policy No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

List Others \_\_\_\_\_

Are all policies current? \_\_\_\_\_ Yes \_\_\_\_\_ No

List insurance agency(s) \_\_\_\_\_

\_\_\_\_\_

Do you know that in order to continue the operation of your business, it is your responsibility to obtain and maintain comprehensive liability insurance for the operation for your business?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

16. Does the business keep inventory on hand? \_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, what would you estimate the market value of your inventory to be? \$ \_\_\_\_\_

When was the last physical count of your inventory? \_\_\_\_\_

What was the value of the inventory at that time? \$ \_\_\_\_\_

Please provide a list of your inventory.

17. What is the balance of the business accounts receivable? \$ \_\_\_\_\_

What amount of the receivables is reasonably collectible? \$ \_\_\_\_\_

Please provide a copy of your accounts receivable ledger.

Have you pledged your receivables, rents, profits, or other cash as collateral for any loans?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, please identify \_\_\_\_\_

Do you understand that if you have borrowed money from any creditor and as security or collateral for the loan you have pledged accounts receivables, rents, or other cash, you may not use the accounts receivables, rents or cash without express written consent from the Creditor, or an order from the Bankruptcy Court allowing the use?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

18. If you were to buy your business today, how much would you pay for it? \$ \_\_\_\_\_

I/We declare under penalty of perjury that the foregoing statement of information is true and correct to the best of my/our knowledge, information, and belief.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Debtor's signature

\_\_\_\_\_  
Joint Debtor's signature

**CHECKLIST OF DOCUMENTS  
THAT MUST BE RETURNED WITH YOUR QUESTIONNAIRE**

You must send copies of the following documents to Ronda J. Winnecour, the Trustee, along with your completed Questionnaire within ~~15~~ 14\* days before the first scheduled §341 meeting date. Failure to do so may cause the Trustee to require your attendance at an additional meeting or file a motion to dismiss your case.

- \_\_\_\_\_ Operating statements showing income and expenses for the business for the twelve (12) months prior to the time of filing your bankruptcy case.
- \_\_\_\_\_ Bank statements for all accounts for the twelve (12) months prior to the time of filing your bankruptcy case.
- \_\_\_\_\_ Federal income tax returns with all accompanying schedules for the two years prior to filing your bankruptcy case.
- \_\_\_\_\_ State income tax returns with all accompanying schedules for the two years prior to filing your bankruptcy case.
- \_\_\_\_\_ Appraisals or other third party valuations of real estate, equipment, inventories and other business property listed in your bankruptcy schedules.
- \_\_\_\_\_ Financial statements furnished to third parties such as banks and trade creditors within the two (2) years prior to filing your bankruptcy case, including but not limited to the balance sheet, income statement and cash flow statement.
- \_\_\_\_\_ Current schedule of accounts receivable and accounts payable.
- \_\_\_\_\_ Current insurance policies that cover the assets listed in your bankruptcy schedules.
- \_\_\_\_\_ The business's check register for the three (3) months prior to filing your bankruptcy case.
- \_\_\_\_\_ If your business has employees, proof of payment of employee withholding taxes for the 3 months prior to the month your case was filed.
- \_\_\_\_\_ If your business is required to collect and remit sales taxes, proof of payment of sales taxes for the 3 months prior to the month your case was filed.
- \_\_\_\_\_ The last three federal quarterly income tax returns with proof of payment.
- \_\_\_\_\_ Any partnership agreement that exists.
- \_\_\_\_\_ List of your inventory and equipment.

\* As amended in General Order #2009-8 and #2009-10, effective December 1, 2009.

**MONTHLY OPERATING REPORT FOR CHAPTER 13 CASES**

Debtor's name \_\_\_\_\_

Case No. \_\_\_\_\_

Month \_\_\_\_\_

Year \_\_\_\_\_

Gross receipts for month: \_\_\_\_\_  
(If more than one source, list each) \_\_\_\_\_  
\_\_\_\_\_

TOTAL GROSS RECEIPTS: \$ \_\_\_\_\_

Business expenses paid:

Description	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

TOTAL EXPENSES: \$ \_\_\_\_\_

NET PROFIT OR (LOSS) FOR MONTH: \$ \_\_\_\_\_

Reports for each month are due by the 15th day of the following month and should be mailed to:  
Chapter 13 Trustee, U.S. Steel Tower, Suite 3250, 600 Grant Street, Pittsburgh, PA 15219

USE ADDITIONAL SHEETS IF NEEDED

**BANKRUPTCY RULE 2015 AND SECTION 1304 (c)  
DUTY OF CHAPTER 13 DEBTORS ENGAGED IN A BUSINESS  
TO KEEP RECORDS, MAKE REPORTS AND GIVE NOTICE OF CASE**

Bankruptcy Rule 2015 and Section 1304 (c) of the Bankruptcy Code requires debtors engaged in business that file a Chapter 13 bankruptcy petition to:

- Keep a record of receipts and the disposition of money and property received.
- File with the Court, the Trustee, and with any governmental unit charged with responsibility for collection or determination of any tax arising out of such operation, periodic reports and summaries of the operation of the business, including a statement of receipts and disbursements, which shall include a statement, if payments are made to employees, or the amounts of deductions for all taxes required to be withheld or paid for on behalf of employees and the place where these amounts are deposited.
- As soon as possible after the commencement of the case, give notice of the case to every entity known to be holding money or property subject to withdrawal, including every bank, savings or buildings and loan association, public utility company, and the landlord with whom the debtor has a deposit, and to every insurance company which has issued a policy having a cash surrender value payable to the debtor, except that notice need not be given to any entity who has knowledge or has previously been notified of the case.

**LOCAL BANKRUPTCY FORM NO. 6**

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

IN RE

Bankruptcy No.

Debtor(s)

Chapter

**AMENDMENT COVER SHEET**

Amendment(s) to the following petition, list(s), schedule(s), or statement(s) are transmitted herewith:

\_\_\_\_\_ Voluntary Petition *Specify reason for amendment:*

Official Form 6 Schedules (Itemization of Changes Must Be Specified)

\_\_\_\_\_ Summary of Schedules

\_\_\_\_\_ Schedule A - Real Property

\_\_\_\_\_ Schedule B - Personal Property

\_\_\_\_\_ Schedule C - Property Claimed as Exempt

\_\_\_\_\_ Schedule D - Creditors holding Secured Claims

Check one:

\_\_\_\_\_ Creditor(s) added

\_\_\_\_\_ NO creditor(s) added

\_\_\_\_\_ Creditor(s) deleted

\_\_\_\_\_ Schedule E - Creditors Holding Unsecured Priority Claims

Check one:

\_\_\_\_\_ Creditor(s) added

\_\_\_\_\_ NO creditor(s) added

\_\_\_\_\_ Creditor(s) deleted

\_\_\_\_\_ Schedule F - Creditors Holding Unsecured Nonpriority Claims

Check one:

\_\_\_\_\_ Creditor(s) added

\_\_\_\_\_ NO creditor(s) added

\_\_\_\_\_ Creditor(s) deleted

\_\_\_\_\_ Schedule G - Executory Contracts and Unexpired Leases

Check one:

\_\_\_\_\_ Creditor(s) added

\_\_\_\_\_ NO creditor(s) added

\_\_\_\_\_ Creditor(s) deleted

\_\_\_\_\_ Schedule H - Codebtors

\_\_\_\_\_ Schedule I - Current Income of Individual Debtor(s)

\_\_\_\_\_ Schedule J - Current Expenditures of Individual Debtor(s)

\_\_\_\_\_ Statement of Financial Affairs

\_\_\_\_\_ Chapter 7 Individual Debtor's Statement of Intention

\_\_\_\_\_ Chapter 11 List of Equity Security Holders

\_\_\_\_\_ Chapter 11 List of Creditors Holding 20 Largest Unsecured Claims

\_\_\_\_\_ Disclosure of Compensation of Attorney for Debtor

\_\_\_\_\_ Other: \_\_\_\_\_

**NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES**

Pursuant to Fed.R.Bankr.P. 1009(a) and Local Rule 1009-1, I certify that notice of the filing of the amendment(s) checked above has been given this date to the U.S. Trustee, the trustee in this case, and to entities affected by the amendment as follows:

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Debtor(s) [or *pro se* Debtor(s)]

\_\_\_\_\_  
(Typed Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone No.)

\_\_\_\_\_  
List Bar I.D. and State of Admission

Note: An amended matrix of creditors added by the amendment must be submitted on disk with the amendment. Attorneys filing electronically on the Case Management/Electronic Case Filing System may add creditors to the case electronically.

OUTDATED



**LOCAL BANKRUPTCY FORM NO. 7**

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

In Re:	:	Bankruptcy No.
	:	
Debtor	:	Chapter
	:	
Movant	:	Document No.
	:	
v.	:	Hearing Date and Time:
	:	
Respondent (if applicable)	:	

**CERTIFICATE OF SERVICE OF (Specify Document Served)**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on (date) \_\_\_\_\_.

The type(s) of service made on the parties( first class mail, electronic notification, hand delivery, or another type of service) was: \_\_\_\_\_.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification" and those served by mail will be listed under the heading "Service by First Class Mail."

EXECUTED ON:

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Typed Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No.  
\_\_\_\_\_  
List Bar I.D. and State of Admission

**LOCAL BANKRUPTCY FORM NO. 8**

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

IN RE: \_\_\_\_\_ )  
 ) Bankruptcy No.  
 )  
Debtor(s) \_\_\_\_\_ ) Chapter  
 )

**DECLARATION IN LIEU OF AFFIDAVIT  
Regarding Request To Be Added to the Mailing Matrix**

I am the Attorney for \_\_\_\_\_, a creditor in the above captioned bankruptcy case, and I am authorized by this creditor to make the accompanying request for notices. The new address should be used instead of the existing address, and added to the matrix. I have reviewed the mailing matrix on file in this case and I hereby certify that the request for notices being filed herewith replaces the creditor's address listed on the matrix, supersedes and cancels all prior requests for notice by the within named creditor, and:

*Please check the appropriate box*

- that there are no other requests to receive notices on behalf of this creditor, or
- that the following prior request(s) for notice by or on behalf of this creditor shall be deleted from the matrix:

\_\_\_\_\_  
Creditor's Name

\_\_\_\_\_  
Creditor's Address

\_\_\_\_\_  
City, State and Zip

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_.  
(Date)

\_\_\_\_\_  
Signature of Attorney For Creditor

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission

LOCAL BANKRUPTCY FORM NO. 9

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

IN RE: ) Bankruptcy No. \_\_\_\_\_  
)  
) Chapter \_\_\_\_  
Debtor(s) )  
) Document/ Adversary No. \_\_\_\_\_

SUMMARY COVER SHEET  
FEES AND EXPENSES APPLICATION FILED ON BEHALF OF

\_\_\_\_\_

1. Your applicant was appointed on \_\_\_\_\_.  
(Attach a copy of the order approving appointment.)
2. Your applicant represents \_\_\_\_\_.
3. The total amount of the compensation requested is \$\_\_\_\_\_ for the period from \_\_\_\_\_ to \_\_\_\_\_.
4. The compensation is \_\_\_\_\_.  
(State whether interim or final compensation.)
5. A retainer of \$\_\_\_\_\_ was paid on \_\_\_\_\_.
6. The amount of compensation previously requested is \$\_\_\_\_\_.
7. The amount of compensation previously approved is \$\_\_\_\_\_.
8. The amount of compensation previously paid is \$\_\_\_\_\_.
9. The total amount of expenses for which reimbursement is sought is \$\_\_\_\_\_ and is for the period from \_\_\_\_\_ to \_\_\_\_\_.
10. The amount of expenses previously requested is \$\_\_\_\_\_.
11. The amount of expenses previously approved is \$\_\_\_\_\_.
12. The amount of expenses previously paid is \$\_\_\_\_\_.
13. The blended hourly rate for this application is \$\_\_\_\_\_.
14. Other factors bearing on fee application:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_\_

By: \_\_\_\_\_

Signature

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission

**APPENDIX  
EXAMPLE OF CATEGORY LISTING OF  
TIME AND SERVICES**

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

Acme Shoe Company

Bankruptcy No. \_\_\_\_\_  
Chapter 11  
Document No. \_\_\_\_\_

**PART "A"**

Category Listing of time and services or tasks by category on behalf of Acme Shoe Company, Debtor, during the period from May 1, 1985 to the closing of the case.

CATEGORY 1. - Sale of real estate at 320 Grant Avenue, Pittsburgh, PA to Jones Company for \$ \_\_\_\_\_ including negotiations with purchaser, drafting Agreement of Sale, lien search, preparation and filing of Motion and Order for sale, hearing on sale and closing on sale and preparation and filing of report of sale. After payment of all liens and expenses of sale the estate netted \$ \_\_\_\_\_ .

<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION OF SERVICE</u>	<u>HOURS</u>
5/1/85	RB	Conference with Jones Company representatives re: potential purchase of 320 Grant Avenue	
5/3/85	RB	Preparation of Agreement of Sale for 320 Grant Avenue	

TOTAL IN CATEGORY 1:

CATEGORY 2. - Distribution to Creditors per Order of August 14, 2002, including preparation and filing of Motion, obtaining Order of Court and making the distribution of \$ \_\_\_\_\_ to priority creditors and \$ \_\_\_\_\_ as a \_\_\_\_\_ % distribution to Class 4 general creditors.

<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION OF SERVICE</u>	<u>HOURS</u>
9/17/85	JS	Review & Sign Distribution Checks	
9/18/85	JS	Covering letters to all creditors, Anderson, Wagner, Bernstein & Debtor re the distribution	

TOTAL IN CATEGORY 2:

CATEGORY 3. - Tax returns and tax refund including arranging for filing of final returns, numerous calls and letters to Pennsylvania Department of Revenue resulting in tax refund of \$12,435.04.

5/02/85 JS Telephone Call: Virginia Vatz  
of Pa. Dept. of Revenue re tax  
refund

5/04/85 JS Letter: PA Dept. of Revenue  
re status of tax returns

TOTAL IN CATEGORY 3:

TOTAL TIME IN ALL CATEGORIES:

DISBURSEMENTS

6/24/85 JS Copy Expense

8/23/85 JS Copy Expense and postage on distribution

TOTAL DISBURSEMENTS:

BILLING SUMMARY

JS	Hrs.	Min.	\$135.00	\$
RB	Hrs.	Min.	\$125.00	-
CLIENT TOTAL				\$
CURRENT BILLING:				\$
CURRENT EXPENSES:				
TOTAL AMOUNT DUE:				\$

**EXAMPLE OF CHRONOLOGICAL SUMMARY OF TIME  
AND SERVICES WITH A PART "B" DESCRIBING THE CATEGORIES**

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

Acme Shoe Company

Bankruptcy No. \_\_\_\_\_  
Chapter \_\_\_\_\_  
Document No. \_\_\_\_\_

**PART A**

CHRONOLOGICAL SUMMARY OF TIME AND SERVICES  
RENDERED ON BEHALF OF DEBTOR DURING PERIOD  
FROM MAY 1, 1985 TO CONCLUSION OF CASE

<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION OF SERVICE</u>	<u>HOURS</u>
5/1/85	RB	Conference with Jones Co. representative re: potential purchase of 320 Grant Avenue	
5/2/85	JS	Telephone call: Virginia Vatz and Pa. Dept. of Revenue re tax refund	
5/3/85	RB	Preparation of Agreement of Sale for 320 Grant Avenue	
5/4/85	JS	Letter: Pa. Dept. of Dept. of Revenue re: status of tax claim	
9/17/85	JS	Review & Sign: Distribution checks	
9/18/85	JS	Covering letters to all creditors, Anderson, Wagner, Bernstein & Debtor re: the distributions	

TOTAL HOURS

		<u>DISBURSEMENTS</u>
6/24/85	JS	Copy Expense \$
8/23/85	JS	Copy Expense and postage on distribution \$
TOTAL DISBURSEMENTS		\$

BILLING SUMMARY

JS	2 Hrs. 0 Min.	\$135.00	\$
RB	2 Hrs. 0 Min.	\$125.00	
CLIENT TOTAL			\$
CURRENT BILLING:			\$
CURRENT EXPENSES:			
TOTAL AMOUNT DUE:			\$

**PART "B"**

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

Category Listing of time and services on behalf of Acme Shoe Company, Debtor, during the period from May 1, 1985 to the closing of the case.

- |      |  |      |      |
|------|--|------|------|
| I.   | <u>Category 1.</u> - Sale of real estate at 320 Grant Avenue, Pittsburgh, PA to Jones Company for \$30,000.00 including negotiations with purchaser, drafting Agreement of Sale, lien search, preparation and filing of Motion and Order for sale, hearing on sale and closing on sale and preparation and filing of report of sale. After payment of all liens and expenses of sale the estate netted \$24,500.00 | hrs. | min. |
| II.  | <u>Category 2.</u> - Distribution to Creditors per Order of August 14, 1985, including preparation and filing of Motion, obtaining Order of Court and making the distribution of \$36,533.61 to priority creditors and \$21,794.45 as a 4% distribution to Class 4 general creditors   | hrs. | min. |
| III. | <u>Category 3.</u> - Tax returns and tax refund including arranging for filing of final returns, numerous calls and letters to Pennsylvania Department of Revenue resulting in tax refund of \$12,435.04   | hrs. | min. |
|      | TOTAL  | hrs. |      |

LOCAL BANKRUPTCY FORM NO. 10

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

Bankruptcy Case Number \_\_\_\_\_

Debtor#1: \_\_\_\_\_ Last Four (4) Digits of SSN: \_\_\_\_\_

Debtor#2: \_\_\_\_\_ Last Four (4) Digits of SSN: \_\_\_\_\_

Check if applicable [ ] Amended Plan [ ] Plan expected to be completed within the next 12 months

CHAPTER 13 PLAN DATED \_\_\_\_\_
COMBINED WITH CLAIMS BY DEBTOR PURSUANT TO RULE 3004

PLAN FUNDING

Total amount of \$ \_\_\_\_\_ per month for a plan term of \_\_\_\_\_ months shall be paid to the Trustee from future earnings as follows:
Payments: By Income Attachment Directly by Debtor By Automated Bank Transfer
D#1 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
D#2 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
(Income attachments must be used by Debtors having attachable income) (SSA direct deposit recipients only)

Estimated amount of additional plan funds from sale proceeds, etc.: \$ \_\_\_\_\_
The Trustee shall calculate the actual total payments estimated throughout the plan.
The responsibility for ensuring that there are sufficient funds to effectuate the goals of the Chapter 13 plan rests with the Debtor.

PLAN PAYMENTS TO BEGIN: no later than one month following the filing of the bankruptcy petition.

FOR AMENDED PLANS:

- i. The total plan payments shall consist of all amounts previously paid together with the new monthly payment for the remainder of the plan's duration.
ii. The original plan term has been extended by \_\_\_\_\_ months for a total of \_\_\_\_\_ months from the original plan filing date;
iii. The payment shall be changed effective \_\_\_\_\_.
iv. The Debtor (s) have filed a motion requesting that the court appropriately change the amount of all wage orders.

The Debtor agrees to dedicate to the plan the estimated amount of sale proceeds: \$ \_\_\_\_\_ from the sale of this property (describe) \_\_\_\_\_. All sales shall be completed by \_\_\_\_\_. Lump sum payments shall be received by the Trustee as follows: \_\_\_\_\_.
Other payments from any source (describe specifically) \_\_\_\_\_ shall be received by the Trustee as follows: \_\_\_\_\_.

The sequence of plan payments shall be determined by the Trustee, using the following as a general guide:

- Level One: Unpaid filing fees.
Level Two: Secured claims and lease payments entitled to Section 1326 pre-confirmation adequate protection payments.
Level Three: Monthly ongoing mortgage payments, ongoing vehicle and lease payments, installments on professional fees.
Level Four: Priority Domestic Support Obligations
Level Five: Post-petition utility claims.
Level Six: Mortgage arrears, secured taxes, rental arrears, vehicle payment arrears.
Level Seven: All remaining secured, priority and specially classified claims, miscellaneous secured arrears.
Level Eight: Allowed general unsecured claims.
Level Nine: Untimely filed unsecured claims for which the Debtor has not lodged an objection.

\*Local Bankruptcy Form No. 10
(Revised March 18, 2008)



**1. UNPAID FILING FEES \_\_\_\_\_**

Filing fees: the balance of \$ \_\_\_\_\_ shall be fully paid by the Trustee to the Clerk of Bankruptcy Court from the first available funds.

**2. SECURED CLAIMS AND LEASE PAYMENTS ENTITLED TO PRECONFIRMATION ADEQUATE PROTECTION PAYMENTS UNDER SECTION 1326 (a)(1)(C)**

*Creditors subject to these terms are identified below within parts 3, 4, 5, 8 or 13.*

Timely plan payments to the Trustee by the Debtor(s) shall constitute compliance with the adequate protection requirements of Section 1326 (a)(1)(C). Distributions prior to final plan confirmation shall be made at Level 2. Upon final plan confirmation, these distributions shall change to level 3. Leases provided for in this section are assumed by the Debtor(s).

**3. LONG TERM CONTINUING DEBTS CURED AND REINSTATED, AND LIEN (if any) RETAINED**

Name of Creditor (include account #)	Description of Collateral (Address or parcel ID of real estate, etc.)	Monthly Payment (If changed, state effective date)	Pre-petition arrears to be cured (w/o interest, unless expressly stated)

*Long term debt claims secured by PERSONAL property entitled to §1326 (a)(1)(C) preconfirmation adequate protection payments:*

--	--	--	--

**4. SECURED CLAIMS TO BE PAID IN FULL DURING TERM OF PLAN, ACCORDING TO ORIGINAL CONTRACT TERMS, WITH NO MODIFICATION OF CONTRACTUAL TERMS AND LIENS RETAINED UNTIL PAID**

*Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C):*

Name of Creditor	Description of Collateral	Contractual Monthly Payment (Level 3)	Principal Balance Of Claim	Contract Rate of Interest

*Other Claims:*

Name of Creditor	Description of Collateral	Contractual Monthly Payment (Level 3)	Principal Balance Of Claim	Contract Rate of Interest

**5. SECURED CLAIMS TO BE FULLY PAID ACCORDING TO MODIFIED TERMS AND LIENS RETAINED**

*Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C):*

Name of Creditor	Description of Collateral	Modified Principal Balance	Interest Rate	Monthly Payment at Level 3 or Pro Rata

*Other Claims:*

Name of Creditor	Description of Collateral	Modified Principal Balance	Interest Rate	Monthly Payment at Level 3 or Pro Rata

**6. SECURED CLAIMS NOT PAID DUE TO SURRENDER OF COLLATERAL; SPECIFY DATE OF SURRENDER**

**7. THE DEBTOR PROPOSES TO AVOID OR LIMIT THE LIENS OF THE FOLLOWING CREDITORS:**

Name the Creditor and identify the collateral with specificity.	Name the Creditor and identify the collateral with specificity.

**8. LEASES. Leases provided for in this section are assumed by the debtor(s). Provide the number of lease payments to be made by the Trustee.**

*Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C):*

Name of Creditor (include account#)	Description of leased asset	Monthly payment amount and number of payments	Pre-petition arrears to be cured (Without interest, unless expressly stated otherwise)

*Other Claims:*

Name of Creditor (include account#)	Description of leased asset	Monthly payment amount and number of payments	Pre-petition arrears to be cured (Without interest, unless expressly stated otherwise)

**9. SECURED TAX CLAIMS FULLY PAID AND LIENS RETAINED**

Name of Taxing Authority	Total Amount of Claim	Type of Tax	Rate of Interest *	Identifying Number(s) if Collateral is Real Estate	Tax Periods

\* The secured tax claims of the Internal Revenue Service, Commonwealth of Pennsylvania and County of Allegheny shall bear interest at the statutory rate in effect as of the date of confirmation of the first plan providing for payment of such claims.

**10. PRIORITY DOMESTIC SUPPORT OBLIGATIONS:**

If the Debtor (s) is currently paying Domestic Support Obligations through existing state court order(s) and leaves this section blank, the Debtor (s) expressly agrees to continue paying and remain current on all Domestic Support Obligations through existing state court orders.

Name of Creditor	Description	Total Amount of Claim	Monthly Payment or Prorata

**11. PRIORITY UNSECURED TAX CLAIMS PAID IN FULL**

Name of Taxing Authority	Total Amount of Claim	Type of Tax	Rate of Interest (0% if blank)	Tax Periods

**12. ADMINISTRATIVE PRIORITY CLAIMS TO BE FULLY PAID**

- a. Percentage fees payable to the Chapter 13 Fee and Expense Fund shall be paid at the rate fixed by the United States Trustee.
- b. Attorney fees: payable to \_\_\_\_\_. In addition to a retainer of \$ \_\_\_\_\_ already paid by or on behalf of the Debtor, the amount of \$ \_\_\_\_\_ at the rate of \$ \_\_\_\_\_ per month.

**13. OTHER PRIORITY CLAIMS TO BE PAID IN FULL**

*Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C):*

Name of Creditor	Total Amount of Claim	Interest Rate (0% if blank)	Statute Providing Priority Status

*Other Claims:*

Name of Creditor	Total Amount of Claim	Interest Rate (0% if blank)	Statute Providing Priority Status

**14. POST-PETITION UTILITY MONTHLY PAYMENTS** (applicable only upon agreement between Debtor(s) and utility)

These payments comprise a single monthly combined payment for post-petition utility services, any post-petition delinquencies and unpaid security deposits. The claim payment will not change for the life of the plan. Should the utility file a motion requesting a payment change, the Debtor will be required to file an amended plan. These payments may not resolve all of the post-petition claims of the utility. The utility may require additional funds from the Debtor (s) after discharge.

Name of Creditor	Monthly Payment	Post-petition Account Number

**15. CLAIMS OF UNSECURED NONPRIORITY CREDITORS TO BE SPECIALLY CLASSIFIED**

Name of Creditor	Principal Balance or Long Term Debt	Rate of Interest (0% if blank)	Monthly Payments	Arrears to be Cured	Interest Rate on Arrears

**16. CLAIMS OF GENERAL, NONPRIORITY UNSECURED CREDITORS**

The Debtor (s) estimate that a total of \$\_\_\_\_\_ will be available for distribution to unsecured, non-priority creditors, and Debtor (s) admit that a minimum of \$\_\_\_\_\_ must be paid to unsecured non-priority creditors in order to comply with the liquidation alternative test for confirmation. The estimated percentage of payment to general unsecured creditors is \_\_\_\_\_%. The percentage of payment may change, based upon the total amount of allowed claims. Late-filed claims will not be paid unless all timely filed claims have been paid in full. Thereafter, all late-filed claims will be paid pro-rata unless an objection has been filed within 30 days of filing the claim. Creditors not specifically identified in Parts 1 - 15, above, are included in this class.

**GENERAL PRINCIPLES APPLICABLE TO ALL CHAPTER 13 PLANS**

This is the voluntary Chapter 13 reorganization plan of the Debtor (s). The Debtor (s) understand and agree that the Chapter 13 plan may be extended as necessary by the Trustee, to not more than 60 (sixty) months, in order to insure that the goals of the plan have been achieved. Property of the estate shall not re-vest in the Debtor until the bankruptcy case is closed.

The Debtor (s) shall comply with the tax return filing requirements of Section 1308, prior to the Section 341 Meeting of Creditors, and shall provide the Trustee with documentation of such compliance at or before the time of the Section 341 Meeting of Creditors. Counsel for the Debtor(s), or Debtor (if not represented by counsel), shall provide the Trustee with the information needed for the Trustee to comply with the requirements of Section 1302 as to notification to be given to Domestic Support Obligation creditors, and Counsel for the Debtor(s), or Debtor (if pro se) shall provide the Trustee with the calculations relied upon by Counsel to determine the Debtor (s)' current monthly income and disposable income.

As a condition to eligibility of the Debtor(s) to receive a discharge upon successful completion of the plan, Counsel for the debtor(s), or the debtor(s) if not represented by counsel, shall file with the Court a certification:

- (1) that the debtor(s) is entitled to a discharge under the terms of Section 1328 of the Bankruptcy Code;
- (2) specifically certifying that all amounts payable under a judicial or administrative order or, by statute, requiring the debtor(s) to pay a domestic support obligation that are due on or before the date of the certification (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid;
- (3) that the debtor(s) did not obtain a prior discharge in bankruptcy within the time frames specified in Section 1328(f)(1) or (2);
- (4) that the debtor(s) has completed an instructional course concerning personal financial management within the meaning of Section 1328(g)(1); and
- (5) that Section 1328(h) does not render the debtor(s) ineligible for a discharge.

All pre-petition debts are paid through the Trustee. Additionally, ongoing payments for vehicles, mortgages and assumed leases are also paid through the Trustee, unless the Court orders otherwise.

Percentage fees to the Trustee are paid on all distributions at the rate fixed by the United States Trustee. The Trustee has the discretion to adjust, interpret and implement the distribution schedule to carry out the plan. The Trustee shall follow this standard plan form sequence unless otherwise ordered by the Court.

The provisions for payment to secured, priority and specially classified creditors in this plan shall constitute claims in accordance with Bankruptcy Rule 3004. Proofs of claim by the Trustee will not be required. The Clerk shall be entitled to rely on the accuracy of the information contained in this plan with regard to each claim. If the secured, priority or specially classified creditor files its own claim, then the creditor's claim shall govern, provided the Debtor (s) and Debtor (s)' counsel have been given notice and an opportunity to object. The Trustee is authorized, without prior notice, to pay claims exceeding the amount provided in the plan by not more than \$250.

Any Creditor whose secured claim is modified by the plan, or reduced by separate lien avoidance actions, shall retain its lien until the plan has been fully completed, or until it has been paid the full amount to which it is entitled under applicable non-bankruptcy law, whichever occurs earlier. Upon payment in accordance with these terms and successful completion of the plan by the Debtor (s), the creditor shall promptly cause all mortgages and liens encumbering the collateral to be satisfied, discharged and released

Should a pre-petition Creditor file a claim asserting secured or priority status that is not provided for in the plan, then after notice to the Trustee, counsel of record, (or the Debtor (s) in the event that they are not represented by counsel), the Trustee shall treat the claim as allowed unless the Debtor(s) successfully objects.

Both of the preceding provisions will also apply to allowed secured, priority and specially classified claims filed after the bar date. LATE-FILED CLAIMS NOT PROPERLY SERVED ON THE TRUSTEE AND THE DEBTOR(S)' COUNSEL OF RECORD (OR DEBTOR, IF PRO SE) WILL NOT BE PAID. The responsibility for reviewing the claims and objecting where appropriate is placed on the Debtor.

**BY SIGNING THIS PLAN THE UNDERSIGNED, AS COUNSEL FOR THE DEBTOR(S), OR THE DEBTOR(S) IF NOT REPRESENTED BY COUNSEL, CERTIFY THAT I/WE HAVE REVIEWED ANY PRIOR CONFIRMED PLAN(S), ORDER(S) CONFIRMING PRIOR PLAN(S), PROOFS OF CLAIM FILED WITH THE COURT BY CREDITORS, AND ANY ORDERS OF COURT AFFECTING THE AMOUNT(S) OR TREATMENT OF ANY CREDITOR CLAIMS, AND EXCEPT AS MODIFIED HEREIN, THAT THIS PROPOSED PLAN CONFORMS TO AND IS CONSISTENT WITH ALL SUCH PRIOR PLANS, ORDERS AND CLAIMS.**

Attorney Signature \_\_\_\_\_

Attorney Name and Pa. ID # \_\_\_\_\_

Attorney Address and Phone \_\_\_\_\_

Debtor Signature \_\_\_\_\_

Debtor Signature \_\_\_\_\_

**LOCAL BANKRUPTCY FORM NO. 11**

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

IN RE:	:	Bankruptcy No.
Debtor(s)	:	
	:	Chapter 13
Trustee, and Debtor(s), Movants	:	
	:	Motion No. <input type="checkbox"/> WO-1
v.	:	Motion No. <input type="checkbox"/> WO-2
	:	
Respondent(s)	:	

**EX PARTE MOTION FOR ORDER TO PAY TRUSTEE PURSUANT TO WAGE ATTACHMENT**

\_\_\_\_\_, Chapter 13 Trustee, and the Debtor respectfully represent as follows:

1. A Chapter 13 case was filed.
2. It appears that the Debtor receives regular income which may be attached under 11 U.S.C. §1326 to fund the Chapter 13 Plan.
3. The likelihood of success in the case will be much greater if the Debtor's income is attached to fund the plan.

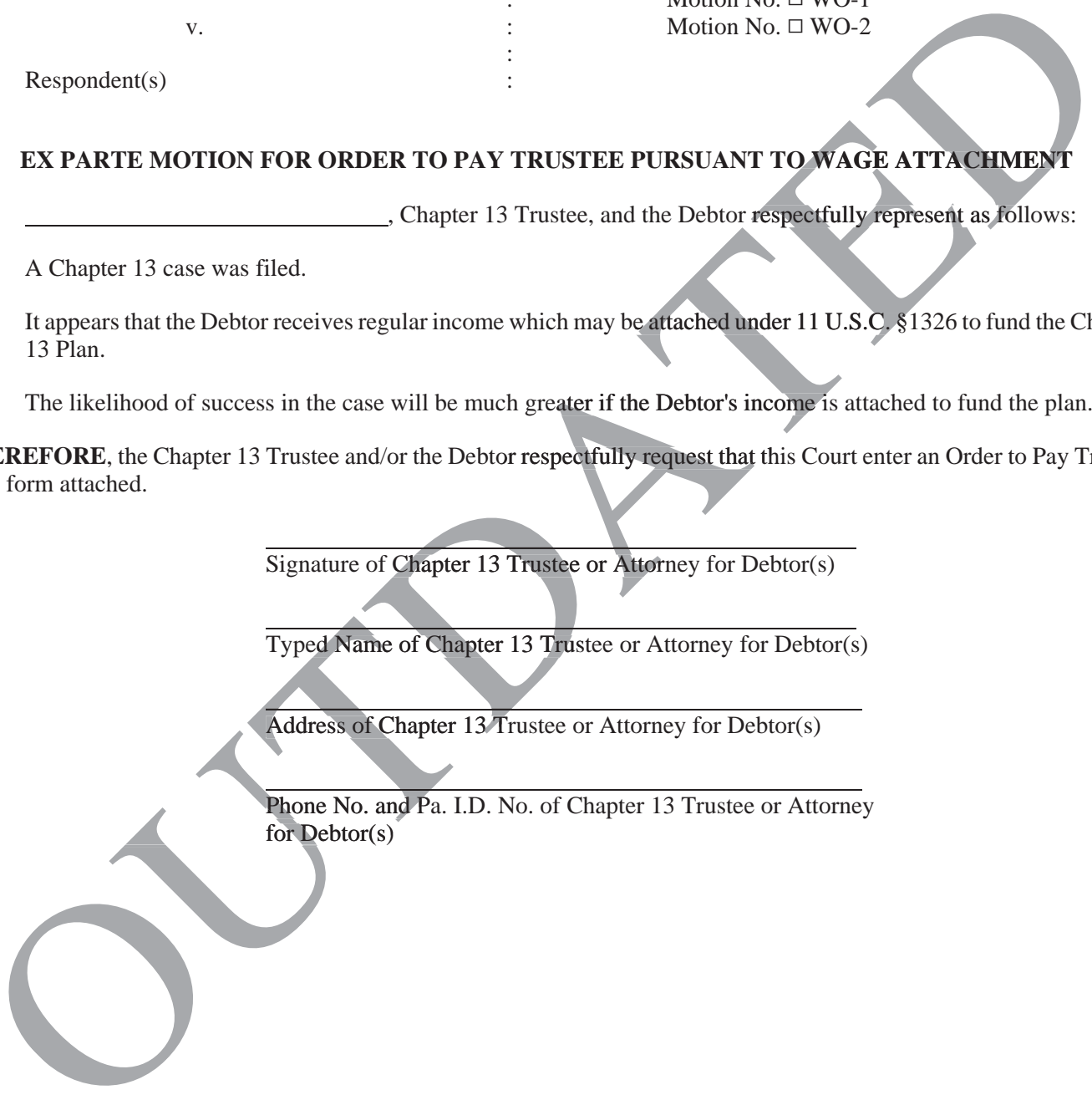
**WHEREFORE**, the Chapter 13 Trustee and/or the Debtor respectfully request that this Court enter an Order to Pay Trustee in the form attached.

\_\_\_\_\_  
Signature of Chapter 13 Trustee or Attorney for Debtor(s)

\_\_\_\_\_  
Typed Name of Chapter 13 Trustee or Attorney for Debtor(s)

\_\_\_\_\_  
Address of Chapter 13 Trustee or Attorney for Debtor(s)

\_\_\_\_\_  
Phone No. and Pa. I.D. No. of Chapter 13 Trustee or Attorney  
for Debtor(s)



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

IN RE: : Bankruptcy No.  
: :  
: : Chapter 13  
Standing Chapter 13 Trustee and Debtor(s), :  
Movants : Motion No.  WO-1  
: Motion No.  WO-2  
v. :  
: :  
Respondent(s) :

**ORDER TO PAY TRUSTEE PURSUANT TO WAGE ATTACHMENT**

The above-named Debtor(s) having filed a Chapter 13 petition and Debtor(s) or Trustee having moved to attach wages to fund the Chapter 13 Plan:

IT IS, THEREFORE, ORDERED that until further order of this Court, the entity from which the Debtor receives income:

shall deduct from that income the sum of \$\_\_\_\_\_, beginning on the next pay day following receipt of this order and shall deduct a similar amount each pay period thereafter, including any period for which the Debtor receives a periodic or lump sum payment as a result of vacation, termination, or other benefit arising out of present or past employment, or from any other benefits payable to the Debtor, and shall remit the deducted sums ON AT LEAST A MONTHLY BASIS to:

RONDA J. WINNECOUR  
CHAPTER 13 TRUSTEE, W.D. PA.  
POB 1132  
MEMPHIS, TN 38101-1132

IT IS FURTHER ORDERED that the above-named entity shall notify the Chapter 13 Trustee if the Debtor's income is terminated and the reason therefore.

IT IS FURTHER ORDERED that the Debtors shall serve this order and a copy of the Notification of Debtor's Social Security Number, Local Form No. 12, that includes the debtor's full social security number on the above-named entity. Debtor shall file a certificate of service regarding service of the order and local form, but the social security number shall not be included on the certificate.

IT IS FURTHER ORDERED that all remaining income of the Debtor, except the amounts required to be withheld for taxes, social security, insurance, pension, or union dues shall be paid to the Debtor in accordance with usual payment procedures.

IT IS FURTHER ORDERED THAT NO OTHER DEDUCTIONS FOR GARNISHMENT, WAGE ASSIGNMENT, CREDIT UNION, OR OTHER PURPOSE SHALL BE MADE FROM THE INCOME OF DEBTOR WITH THE SOLE EXCEPTION OF ANY SUPPORT PAYMENTS.

IT IS FURTHER ORDERED that this order supersedes previous orders made to the above-named entity in this case.

IT IS FURTHER ORDERED that the above-named entity shall not charge any fee to the Debtor for the administration of this attachment order, except as may be allowed upon application to and order of this Court.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
United States Bankruptcy Judge

**LOCAL BANKRUPTCY FORM NO. 12**

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

IN RE )  
 )  
 )  
 Debtor(s) )  
 )  
 )  
 )  
 )  
 )

Bankruptcy No. \_\_\_\_\_  
Chapter \_\_\_\_\_  
Related to Document No. \_\_\_\_\_

**NOTIFICATION OF DEBTOR'S SOCIAL SECURITY NUMBER**

Name of employer or other party subject to wage attachment:

Debtor's name:

Debtor's nine digit social security number: \_\_\_\_\_

Debtors address:

Debtors phone number:

This notification is accompanied by a Wage Attachment Order issued by a United States Bankruptcy Judge regarding attachment of the debtor's wages. The debtor's social security number is being provided to assist in complying with the court order.

Date: \_\_\_\_\_

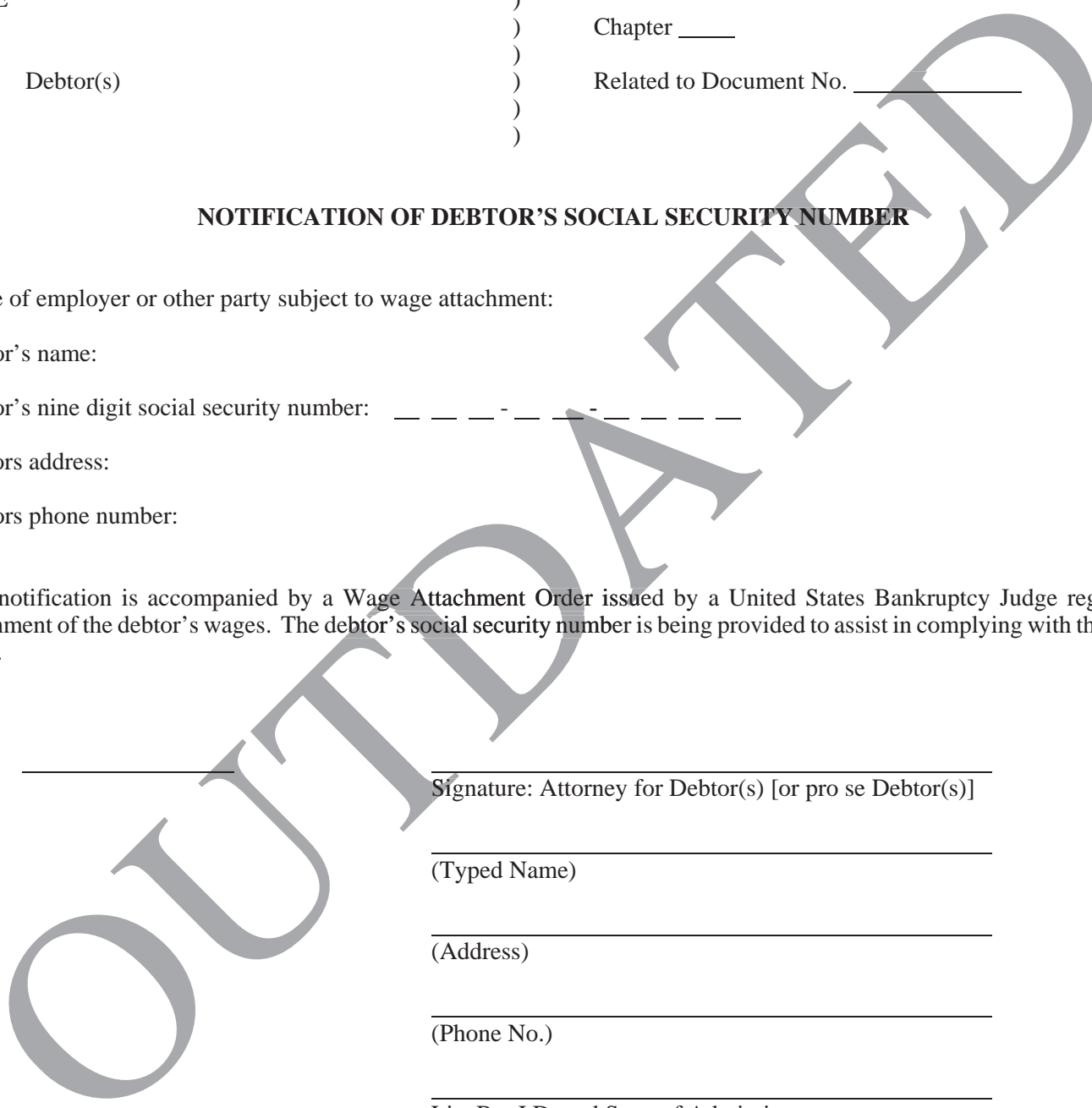
Signature: Attorney for Debtor(s) [or pro se Debtor(s)]

\_\_\_\_\_  
(Typed Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone No.)

\_\_\_\_\_  
List Bar I.D. and State of Admission





**LOCAL BANKRUPTCY FORM NO. 13**

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

In Re:

Bankruptcy No.

**DISCLOSURE STATEMENT  
TO ACCOMPANY PLAN DATED \_\_\_\_\_**

Chapter 11 Small Business (Check box only if debtor has elected to be considered a small business under 11 U.S.C. §1121(e))

Debtor furnishes this disclosure statement to creditors in the above-captioned matter pursuant to Bankruptcy Code §1125 to assist them in evaluating debtor's proposed Chapter 11 plan, a copy of which is attached hereto. Creditors may vote for or against the plan of reorganization. Creditors who wish to vote must complete their ballots and return them to the following address before the deadline noted in the order approving the disclosure statement and fixing time. The Court will schedule a hearing on the plan pursuant to 11 U.S.C. §1129.)

Address for return of ballots:

**I. Background**

1. Name of Debtor
  
2. Type of Debtor (individual, partnership, corporation)
  
3. Debtor's Business or Employment
  
4. Date of Chapter 11 Petition

5. Events that Caused the Filing :
  
6. Anticipated Future of the Company & Source of this Information and Opinion
  
7. Summarize all Significant Features of the Plan Including When and How Each Class of Creditor Will Be Paid and What, If Any, Liens Will Be Retained By Secured Creditors or Granted to Any Creditor Under the Plan
  
8. Are All Monthly Operating Statements Current and on File With The Clerk of Court?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
  
If Not, Explain:
  
9. Does the plan provided for releases of nondebtor parties? Specify which parties and terms of release.
  
10. Identify all executory contracts that are to be assumed or assumed and assigned.
  
11. Has a bar date been set? Yes \_\_\_\_\_ No \_\_\_\_\_  
(If not, a motion to set the bar date has been filed simultaneously with the filing of this disclosure statement.)
  
12. Has an election under 11 U.S.C. §1121(e) has been filed with the Court to be treated as a small business?  
Yes \_\_\_\_\_ No \_\_\_\_\_
  
13. Specify property that will be transferred subject to 11 U.S.C. §1146(c).

II. Creditors

A. Secured Claims

SECURED CLAIMS

<b>Creditor</b>	<b>Total Amount Owed</b>	<b>Arrearages</b>	<b>Type of Collateral Priority of Lien (1, 2, 3)</b>	<b>Disputed (D) Liquidated (L) Unliquidated (U)</b>	<b>Will Liens Be Retained Under the Plan? (Y) or (N)</b>
<b>TOTAL</b>	<b>\$</b>	<b>\$</b>			

B. Priority Claims

PRIORITY CLAIMS

Creditor	Total Amount Owed	Type of Collateral	(D) (L) (U) *
<b>TOTAL</b>	\$		

\* Disputed (D), Liquidated (L), or Unliquidated (U)

C. Unsecured Claims

1.	Amount Debtor Scheduled (Disputed and Undisputed)	\$
2.	Amount of Unscheduled Unsecured Claims <sup>1</sup>	\$
3.	Total Claims Scheduled or Filed	\$
4.	Amount Debtor Disputes	\$
5.	Estimated Allowable Unsecured Claims	\$

D. Other Classes of Creditors

1.	Amount Debtor Scheduled (Disputed and Undisputed)	\$
2.	Amount of Unscheduled Claims <sup>1</sup>	\$
3.	Total Claims Scheduled or Filed	\$
4.	Amount Debtor Disputes	\$
5.	Estimated Allowable Claims	\$

E. Other Classes of Interest Holders

1.	Amount Debtor Scheduled (Disputed and Undisputed)	\$
2.	Amount of Unscheduled Claims <sup>1</sup>	\$
3.	Total Claims Scheduled or Filed	\$
4.	Amount Debtor Disputes	\$
5.	Estimated Allowable Claims	\$

---

<sup>1</sup> Includes (a.) unsecured claims filed by unscheduled creditors; (b.) that portion of any unsecured claim filed by a scheduled creditor that exceeds the amount debtor scheduled; and (c.) any unsecured portion of any secured debt not previously scheduled.

III. Assets

ASSETS

Assets	Value	Basis for Value Priority of Lien	Name of Lien Holder (if any) (Fair Market Value/ Book Value)	Amount of Debtor's Equity (Value Minus Liens)
<b>TOTAL</b>				<b>TOTAL</b>
\$				\$

1. Are any assets which appear on Schedule A or B of the bankruptcy petition not listed above?

If so, identify asset and explain why asset is not in estate:

2. Are any assets listed above claimed as exempt? If so attach a copy of Schedule C and any amendments.

**IV. SUMMARY OF PLAN**

1. Effective Date of Plan:
2. Will cramdown be sought? \_\_\_ Yes \_\_\_ No  
If Yes, state bar date: \_\_\_\_\_
3. Treatment of Secured **Non-Tax** Claims

**SECURED NON-TAX CLAIMS**

Name of Creditor	Class	Amount Owed	Summary of Proposed Treatment
<b>TOTAL</b>		\$	

4. Treatment of Secured Tax Claims

**SECURED TAX CLAIMS**

Name of Creditor	Class	Amount Owed	Summary of Proposed Treatment
<b>TOTAL</b>		\$	

5. Treatment of Administrative Non-Tax Claims<sup>2</sup>

ADMINISTRATIVE NON-TAX CLAIMS

Name of Creditor*	Amount Owed	Type of Debt**	Summary of Proposed Treatment and Date of First Payment

6. Treatment of Administrative Tax Claims

ADMINISTRATIVE TAX CLAIMS

Name of Creditor*	Amount Owed	Type of Debt**	Summary of Proposed Treatment and Date of First Payment

\* Identify and Use Separate Line for Each Professional and Estimated Amount of Payment  
 \*\* Type of Debt (P=Professional, TD=Trade, TX=Taxe)

<sup>2</sup>Include all §503(b) administrative claims.



7. Treatment of Priority Non-Tax

PRIORITY NON-TAX CLAIMS

Name of Creditor	Class	Amount Owed	Date of Assessment	Summary of Proposed Treatment

8. Treatment of Priority Tax Claims<sup>3</sup>

PRIORITY TAX CLAIMS

Name of Creditor	Class	Amount Owed	Date of Assessment	Summary of Proposed Treatment

<sup>3</sup>Include dates when any §507(a)(7) taxes were assessed.

9. Treatment of General Unsecured Non-Tax Claims

GENERAL UNSECURED NON-TAX CLAIMS

Creditor	Class	Total Amount Owed	Percent of Dividend
<b>TOTAL</b>		\$	

10. Treatment of General Unsecured Tax Claims

GENERAL UNSECURED TAX CLAIMS

Creditor	Class	Total Amount Owed	Percent of Dividend
<b>TOTAL</b>		\$	

11. Will periodic payments be made to unsecured creditors?

Yes \_\_\_\_\_ No \_\_\_\_\_ First payment to begin \_\_\_\_\_

If so:

Amount of each payment (aggregate to all unsecured claimants)

Estimated date of first payment:

Time period between payments:

Estimated date of last payment:

Contingencies, if any:

State source of funds for planned payments, including funds necessary for capital replacement, repairs, or improvements:

Other significant features of the plan:

Include any other information necessary to explain this plan:

V. Comparison of Plan with Chapter 7 Liquidation

If debtor's proposed plan is not confirmed, the potential alternatives would include proposal of a different plan, dismissal of the case or conversion of the case to Chapter 7. If this case is converted to Chapter 7, a trustee will be appointed to liquidate the debtor's non-exempt assets. In this event, all secured claims and priority claims, including all expenses of administration, must be paid in full before any distribution is made to unsecured claimants.

Total value of Chapter 7 estate (See Section III) \$

1. Less secured claims (See Section IV-2)

2. Less administrative expenses (See Section IV-3  
and include approximate Chapter 7 expenses) \$

3. Less other priority claims (See Section IV-4) \$

Total Amount Available for Distribution to Unsecured Creditors \$

Divided by total allowable unsecured claims of (See Section II C) \$

Percentage of Dividend to Unsecured Creditors:

Will the creditors fare better under the plan than they would in a Chapter 7 liquidation?

Yes \_\_\_\_\_ No \_\_\_\_\_

Explain:

VI. Feasibility

- A. Attach Income Statement for Prior 12 Months.
- B. Attach Cash Flow Statement for Prior 12 Months.
- C. Attach Cash Flow Projections for Next 12 Months.

Estimated amount to be paid on effective date of plan, including administrative expenses.

\$ \_\_\_\_\_

Show how this amount was calculated.

\$	Administrative Class
\$	Taxes
\$	Unsecured Creditors
\$ _____	UST Fees
<u>\$ _____</u>	<b>TOTAL</b>

What assumptions are made to justify the increase in cash available for the funding of the plan?

Will funds be available in the full amount for administrative expenses on the effective date of the plan? From what source? If not available, why not and when will payments be made?

Cash on hand \$ \_\_\_\_\_ (Current). Attach current bank statement.

Cash on hand \$ \_\_\_\_\_ (Estimated amount available on date of confirmation)

If this amount is less than the amount necessary at confirmation, how will debtor make up the shortfall?

**VII. Management Salaries**

**MANAGEMENT SALARIES**

<b>Position/Name of Person Holding Position</b>	<b>Salary at Time of Filing</b>	<b>Proposed Salary (Post-Confirmation)</b>

**VIII. Identify the Effect on Plan Payments and Specify Each of the Following:**

1. What, if any, litigation is pending?
  
2. What, if any, litigation is proposed or contemplated?

IX. Additional Information and Comments

IX. Certification

The undersigned hereby certifies that the information herein is true and correct to the best of my knowledge and belief formed after reasonable inquiry.

If Debtor is a corporation, attach a copy of corporate resolution authorizing the filing of this Disclosure Statement and Plan.

If Debtor is a general partnership, attach a copy of the consent agreement of all general partners to the filing of the bankruptcy.

\_\_\_\_\_  
Signature of Debtor  
or Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Debtor  
or Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Debtor's Counsel

\_\_\_\_\_  
Date



**OPTIONAL TABLE**

6. Treatment of Other Claims

N/A

**OTHER CLASSES OF CREDITORS**

Creditor	Class	Total Amount Owed	Percent of Dividend

A. Will periodic payments be made?

Yes \_\_\_ No \_\_\_  
If so:

- Amount of each payment (aggregate to all claimants)
- Estimated date of first payment
- Time period between payments
- Estimated date of last payment
- Contingencies, if any:

\$ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OPTIONAL TABLE**

7. Treatment of Interest Holders (Other Than Equity Holders)

**OTHER CLASSES OF INTEREST HOLDERS**

Creditor	Class	Total Amount Owed	Percent of Dividend

8. Treatment of Equity Holders (Specify how the market test of *Bank of America National Trust and Savings Association v. 203 North LaSalle Street Partnership*, 526 U.S. 434, 110 S.Ct. 1411 (1999), is met)

**EQUITY HOLDERS**

Creditor	Class	Total Amount Owed	Percent of Dividend

A. Will periodic payments be made?  
 Yes \_\_\_ No \_\_\_

If so:  
 Amount of each payment (aggregate to all claimants) \$ \_\_\_\_\_  
 Estimated date of first payment \_\_\_\_\_  
 Time period between payments \_\_\_\_\_  
 Estimated date of last payment \_\_\_\_\_  
 Contingencies, if any: \_\_\_\_\_

1994

**HISTORIC SUMMARY**

POST PETITION PERIODS	MONTH ONE	MONTH TWO	MONTH THREE	MONTH FOUR	MONTH FIVE	MONTH SIX	MONTH SEVEN	MONTH EIGHT	MONTH NINE	MONTH TEN	MONTH ELEVEN	MONTH TWELVE
1. TOTAL CASH FLOW FROM OPERATIONS:	\$10,000	\$12,000	\$14,000	\$9,000	\$15,000	\$18,000	\$14,000	\$22,000	\$35,000	\$30,000	\$38,000	\$36,000
2. LESS TOTAL DISBURSEMENTS EXCLUDING PAYMENTS TO CREDITORS IN A PLAN:	\$10,000	\$14,000	\$12,000	\$10,000	\$12,000	\$15,000	\$12,500	\$16,000	\$30,000	\$23,000	\$30,000	\$30,000
3. TOTAL NET CASH FLOW:	0	(2,000)	2,000	(1,000)	3,000	3,000	1,500	6,000	5,000	7,000	8,000	6,000

**DEFINITIONS**

TOTAL CASH FLOW FROM OPERATIONS:

THE TOTAL AMOUNT OF FUNDS COLLECTED IN A SPECIFIC PERIOD FROM CASH SALES, COLLECTION OF ACCOUNTS RECEIVABLE, AND OTHER INCOME, EXCLUDING LOANS PROCEEDS, CASH CONTRIBUTIONS FROM INSIDERS, AND SALES TAXES COLLECTED.

TOTAL DISBURSEMENTS EXCLUDING PAYMENTS TO CREDITORS IN A PLAN:

THE TOTAL DISBURSEMENTS IN A SPECIFIC PERIOD FOR PRODUCTION COSTS, GENERAL AND ADMINISTRATIVE COSTS, EXCLUDING PAYMENTS TO CREDITORS TO BE PAID UNDER THE TERMS OF

**PROJECTED SUMMARY**

POST PETITION PERIODS	MONTH ONE	MONTH TWO	MONTH THREE	MONTH FOUR	MONTH FIVE	MONTH SIX	MONTH SEVEN	MONTH EIGHT	MONTH NINE	MONTH TEN	MONTH ELEVEN	MONTH TWELVE
4. TOTAL PROJECTED CASH FLOW FROM OPERATIONS:	\$38,000	\$40,000	\$41,000	\$43,000	\$45,000	\$45,000	\$46,000	\$47,000	\$48,000	\$48,000	\$48,000	\$50,000
5. LESS TOTAL PROJECTED DISBURSEMENTS EXCLUDING PMTS TO CREDITORS IN A PLAN:	\$30,000	\$32,000	\$32,000	\$32,000	\$33,000	\$33,000	\$35,000	\$35,000	\$38,000	\$38,000	\$38,000	\$39,000
6. ANTICIPATED CASH FLOW AVAILABLE FOR PLAN:	8,000	8,000	9,000	11,000	12,000	12,000	11,000	12,000	10,000	10,000	10,000	11,000

**DEFINITIONS**

TOTAL PROJECTED CASH FLOW FROM OPERATIONS:

TOTAL AMOUNT OF PROJECTED FUNDS COLLECTED IN A SPECIFIC PERIOD FROM CASH SALES, COLLECTION OF ACCOUNTS RECEIVABLE, AND OTHER INCOME, EXCLUDING LOANS PROCEEDS, CASH CONTRIBUTIONS FROM INSIDERS, AND SALES TAXES COLLECTED.

TOTAL DISBURSEMENTS EXCLUDING PAYMENTS TO CREDITORS IN A PLAN:

TOTAL PROJECTED DISBURSEMENTS IN A SPECIFIC PERIOD FOR PRODUCTION COSTS, GENERAL AND ADMINISTRATIVE COSTS, EXCLUDING PAYMENTS TO CREDITORS TO BE PAID UNDER THE TERMS OF THE PROPOSED PLAN.

1994

PLAN FEASIBILITY

POST PETITION PERIODS	MONTH ONE	MONTH TWO	MONTH THREE	MONTH FOUR	MONTH FIVE	MONTH SIX	MONTH SEVEN	MONTH EIGHT	MONTH NINE	MONTH TEN	MONTH ELEVEN	MONTH TWELVE
ANTICIPATED RECEIPTS AVAILABLE FOR PLAN (SEE LINE 6, ABOVE):	\$8,000	\$8,000	\$9,000	\$11,000	\$12,000	\$12,000	\$11,000	\$12,000	\$10,000	\$10,000	\$10,000	\$11,000
LESS PROPOSED PLAN PAYMENTS (SEE SECTION IV):	\$5,000	\$5,000	\$5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,500	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
OVERAGE/(SHORTAGE)OF CASH FLOW AVAILABLE TO FUND PLAN:	3,000	3,000	4,000	6,000	7,000	7,000	5,500	7,000	5,000	5,000	5,000	6,000

LOCAL BANKRUPTCY FORM NO. 14

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

:  
:  
:  
:  
:  
:

Bankruptcy No: \_\_\_\_\_

REPORT FOR BANKRUPTCY JUDGES IN CASES TO BE CLOSED

CHAPTER 11 CASES

\_\_\_\_\_ Plan Confirmed

\_\_\_\_\_ Plan Not Confirmed

If plan was confirmed and the case is still in Chapter 11, what percentage dividend was (or is) to be paid under the plan to the general unsecured class of creditors: \_\_\_\_\_%

**Fees and Expenses** (actual past payments):

- \_\_\_\_\_ Trustee's Statutory Compensation
- \_\_\_\_\_ Fee for Attorney for Trustee
- \_\_\_\_\_ Fee for Attorney for Debtor
- \_\_\_\_\_ Fee for Attorney for Creditors' Committee
- \_\_\_\_\_ Expenses Awarded to Professionals (Detail Below)

- \_\_\_\_\_ Fee for Accountant
- \_\_\_\_\_ Fee for Broker
- \_\_\_\_\_ Fee for Auctioneer
- \_\_\_\_\_ Other (Detail Below)

I certify under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge, information, and belief and that all estimated payments have been designated appropriately as such.

DATE

PREPARER

SIGNATURE

LOCAL BANKRUPTCY FORM NO. 15

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

:  
:  
:  
:  
:

Bankruptcy No: \_\_\_\_\_

REPORT FOR BANKRUPTCY JUDGES IN CASES TO BE CLOSED  
CHAPTER 7 CASES

DATE PETITION FILED: \_\_\_\_\_

\_\_\_\_\_ Gross Cash Receipts \_\_\_\_\_ Total  
Disbursements

A. Fees and Expenses

_____ Trustee's Statutory Compensation	_____ Fee for Accountant
_____ Fee for Attorney for Trustee	_____ Fee for Broker
_____ Fee for Attorney for Debtor	_____ Fee for Auctioneer
_____ Fee for Attorney for Creditors' Committee	_____ Other
_____ Expenses Awarded to Professionals*	

B. Distributions

_____ Secured Creditors	_____ Equity Security Holders
_____ Priority Creditors	_____ Debtor
_____ Unsecured Creditors	_____ Others

Total Disbursements (sum of A & B): \_\_\_\_\_

If applicable, list portion of this total distributed by Trustee in Chapter other than Chapter 7 (DO NOT include Payments to Debtor): \_\_\_\_\_

ITEMIZATIONS (in dollars)

FEEES PAID TO OTHER PROFESSIONALS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXPENSES AWARDED TO PROFESSIONALS

_____ Trustee
_____ Attorney for Debtor
_____ Attorney for Trustee
_____ Attorney for Creditors' Committee
_____
_____
_____

DISTRIBUTIONS (OTHERS)

---

---

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I certify under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PREPARER

\_\_\_\_\_  
SIGNATURE

OUTDATED



**LOCAL BANKRUPTCY FORM NO. 16**

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

In Re: \_\_\_\_\_ )  
 )  
Debtor(s) \_\_\_\_\_ ) Bankruptcy No. \_\_\_\_\_ )  
 ) Adversary No. \_\_\_\_\_ )  
Plaintiff / Movant \_\_\_\_\_ )  
 )  
v. \_\_\_\_\_ )  
 )  
Defendant / Respondent \_\_\_\_\_ )  
 )  
 )

**CERTIFICATION THAT BRIEFING COMPLETED**

I hereby certify that briefs in the above-captioned matter have been filed by the parties or that the deadline for filing all briefs has expired and the matter is ready for trial or other disposition by the Court.

DATE: \_\_\_\_\_

By: \_\_\_\_\_

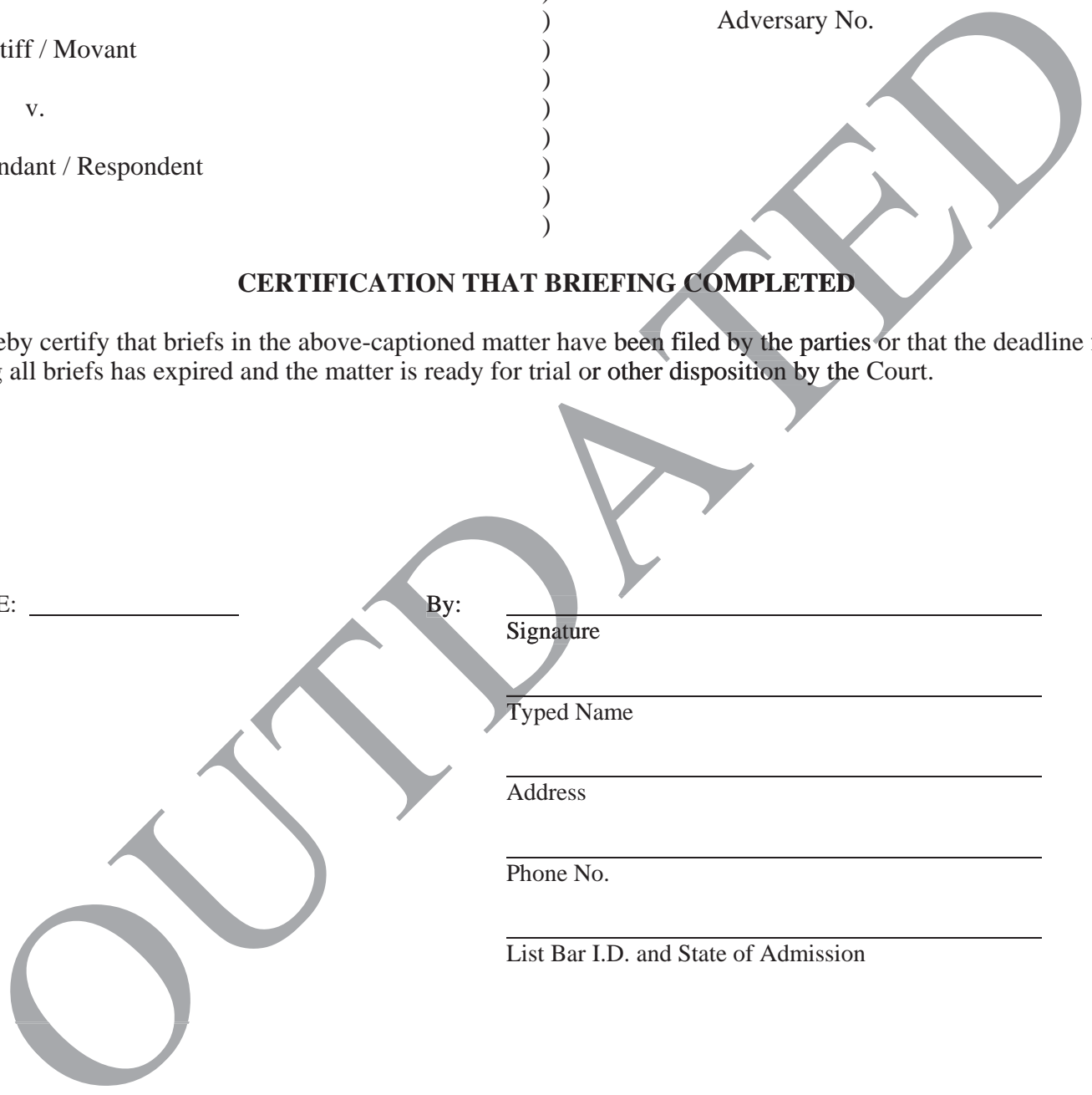
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission



**LOCAL BANKRUPTCY FORM NO. 17**

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

IN RE: )  
 ) Bankruptcy No. \_\_\_\_\_  
 ) Chapter \_\_\_\_\_  
 )  
 Debtor(s) ) Related to Document No. \_\_\_\_\_  
 )  
 )  
 Movant(s) )  
 )  
 v. )  
 )  
 Respondent(s) )

**MOTION FOR** \_\_\_\_\_

Dated \_\_\_\_\_

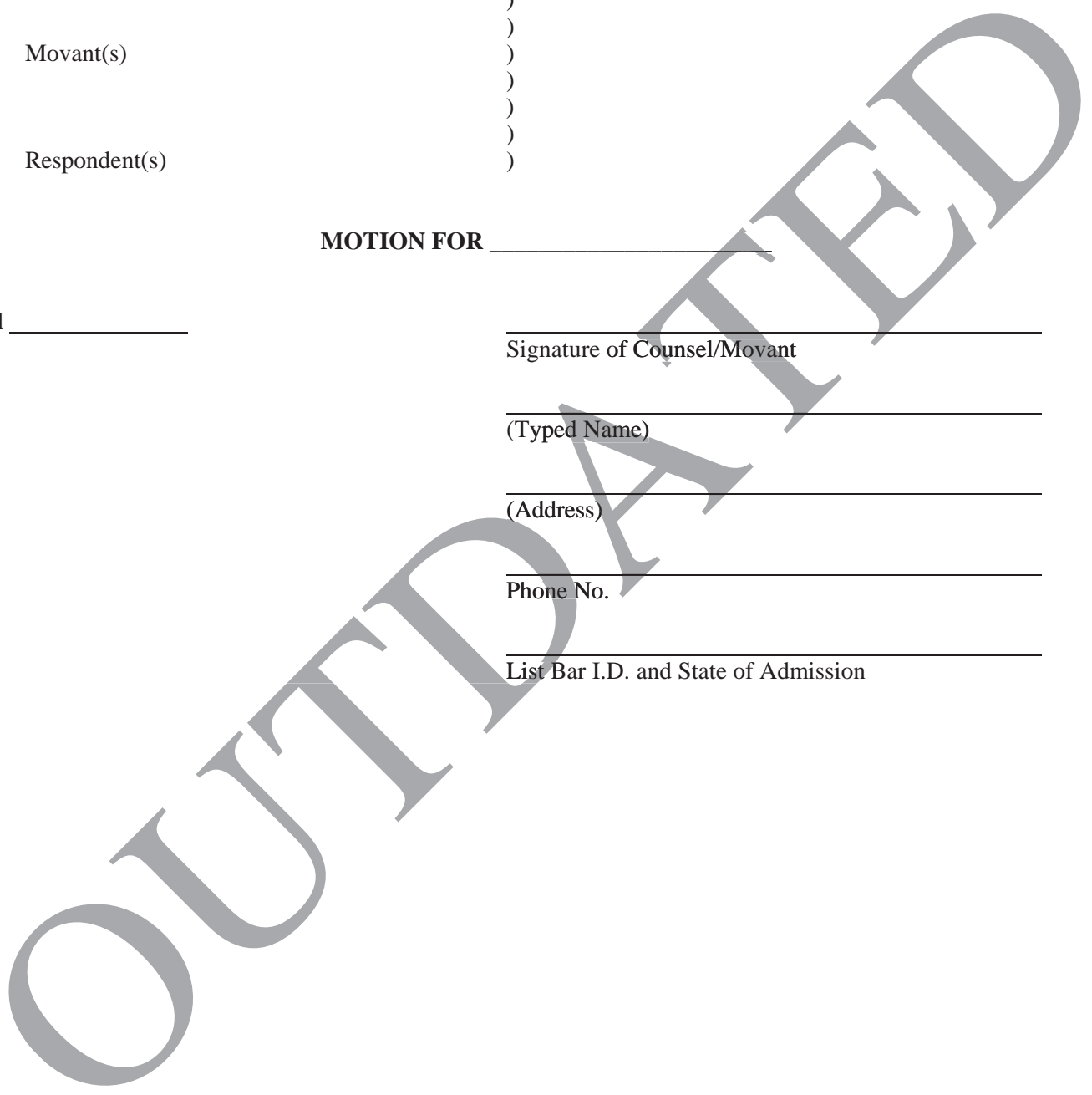
\_\_\_\_\_  
Signature of Counsel/Movant

\_\_\_\_\_  
(Typed Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission



LOCAL BANKRUPTCY FORM NO. 18

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	Bankruptcy No.
	:	Chapter
	:	
Debtor	:	
Movant	:	
	:	Related to Document No.
v.	:	
	:	
Respondent (if applicable)	:	Hearing Date and Time:

**MOTION FOR PRO HAC VICE ADMISSION**

- (1) This motion for admission *pro hac vice* is being filed on behalf of: (Applicant's name, firm name, address, phone number, email address, Bar I.D. Number and State of Admission) by (Movant's name as identified in Paragraph 4 below).
- (2) Applicant represents (Name and address of client). Accompanying this Motion is the required \$40 filing fee paid using the Movant's CM/ECF account at the time of filing.
- (3) Applicant is a member in good standing of the Bar of \_\_\_\_\_, is not the subject of any pending disciplinary matters, is personally familiar with the *Local Bankruptcy Rules* of the United States Bankruptcy Court for the Western District of Pennsylvania and shall abide by those *Local Bankruptcy Rules*.
- (4) Applicant will be associated with the following attorney acting in this matter as local counsel, who is a member of the Bar of the Bankruptcy Court for the Western District of Pennsylvania: (Movant's name, firm name, address, phone number, email address, Bar I.D. Number and State of Admission).
- (5) Applicant and Movant have read and shall comply with *Local Bankruptcy Rules 9010-1.B, 9010-1.C and 9010-1.D*.
- (6) Applicant has previously received *Pro Hac Vice* admission to this Court by Orders dated \_\_\_\_\_ in the following matters: (Applicant must identify each prior admission).

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
 Signature of Movant  
 \_\_\_\_\_  
 Typed Name  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 Phone No.  
 \_\_\_\_\_  
 List Bar I.D. and State of Admission

**LOCAL BANKRUPTCY FORM NO. 19**

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

B 281  
(12/94)

**United States Bankruptcy Court**  
\_\_\_\_\_ District Of \_\_\_\_\_

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_

Chapter \_\_\_\_\_

**APPEARANCE OF CHILD SUPPORT CREDITOR\*  
OR REPRESENTATIVE**

I certify under penalty of perjury that I am a child support creditor\* of the above-named debtor, or the authorized representative of such child support creditor, with respect to the child support obligation which is set out below.

Name:

Organization:

Address:

Telephone Number:

\_\_\_\_\_ X \_\_\_\_\_  
Date Child Support Creditor\* or Authorized Representative

**Summary of Child Support Obligation**

Amount in arrears:

\$ \_\_\_\_\_

If Child Support has been assigned:

Amount of Support which is owed  
under assignments:

\$ \_\_\_\_\_

Amount currently due per week or per month:  
on a continuing basis:

\$ \_\_\_\_\_  
(per week) (per month)

Amount owed primary child support  
creditor (balance not assigned):

\$ \_\_\_\_\_

**Attach an itemized statement of account**

\* Child support creditor includes both creditor to whom the debtor has a primary obligation to pay child support as well as any entity to whom such support has been assigned, if pursuant to Section 402(a)(26) of the Social Security Act or if such debt has been assigned to the Federal Government or to any State or political subdivision of a State.

**LOCAL BANKRUPTCY FORM NO. 20**

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

In Re:	)	
	)	Bankruptcy No. _____
Debtor	)	Adversary No. _____
	)	Document No. _____
Plaintiff/Movant	)	Chapter _____
	)	Hearing Date & Time:
v.	)	_____
	)	
Defendant/Respondent	)	

**NOTICE AND ORDER SETTING HEARING ON AN EXPEDITED BASIS**

**NOTICE IS HEREBY GIVEN THAT** an Expedited Motion for \_\_\_\_\_ has been filed in the above-referenced case by \_\_\_\_\_.

A hearing has been scheduled for \_\_\_\_\_ at \_\_\_\_\_ in \_\_\_\_\_.

Responses to the motion shall be filed with the Clerk of the Bankruptcy Court and served on parties in interest on or before \_\_\_\_\_.

A courtesy copy of all responses shall be delivered to chambers with the filing.

Service shall be made as directed below. A certificate of service shall be filed with the Clerk immediately.

_____	_____
Date	United States Bankruptcy Judge

Movant is to complete this notice and file it with the motion for expedited hearing and proposed order granting the substantive relief requested, leaving blank the hearing and response dates. If the Court determines that a hearing is necessary, response and hearing dates will be provided to movant. Movant shall serve a copy of this completed scheduling order and the motion by hand delivery or facsimile on the respondent, trustee, debtor, debtor's attorney, all secured creditors whose interests may be affected by the relief requested, U.S. Trustee and the attorney for any committee. If there is no committee counsel, serve all members of each committee. Movant shall deliver a paper copy of the motion and this notice of hearing to chambers.

**LOCAL BANKRUPTCY FORM NO. 21**

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

IN RE

Bankruptcy No.

Debtor(s)

Chapter

Movant(s)

Document No.

v.

Respondent(s)

**MOTION TO ABANDON PROPERTY FILED ON BEHALF OF \_\_\_\_\_**

AND NOW comes \_\_\_\_\_, by \_\_\_\_\_, and  
moves the court to enter an order as attached hereto abandoning the following property which is

burdensome to the estate in the following manner:

of inconsequential value and benefit to the estate in the following manner:

\_\_\_\_\_  
Signature of Counsel or Moving Party if Unrepresented

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission

LOCAL BANKRUPTCY FORM NO. 22

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA

In Re: \_\_\_\_\_ :  
 :  
 Debtor(s) \_\_\_\_\_ : Bankruptcy No. \_\_\_\_\_  
 : Chapter \_\_\_\_\_  
 Movant(s) \_\_\_\_\_ : Document No. \_\_\_\_\_  
 v. \_\_\_\_\_ :  
 Respondent \_\_\_\_\_ :

MOTION TO AVOID LIENS

AND NOW comes Debtor(s) \_\_\_\_\_,  *pro se*  by counsel, \_\_\_\_\_, and  
move(s) to enter the attached order avoiding the judicial lien(s) of \_\_\_\_\_,  
created on \_\_\_\_\_, which impair(s) an exemption to which the Debtor(s) is/are  
entitled, to-wit, \_\_\_\_\_, under [here insert statutory section allowing the  
exemption].

1. Information concerning the lien(s) to be avoided:

a. The amount of the lien(s): \$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

b. All other liens on the property, \_\_\_\_\_ \$ \_\_\_\_\_  
the amount of each lien, and by whom \_\_\_\_\_ \$ \_\_\_\_\_  
held are (use additional sheets \_\_\_\_\_ \$ \_\_\_\_\_  
if necessary): \_\_\_\_\_ \$ \_\_\_\_\_

c. The amount of exemption Debtor(s) could claim if there were no liens is: \$ \_\_\_\_\_

2. The total of (a) through (c) above is: \$ \_\_\_\_\_

3. The value of the Debtor's(s)' interest in  
the property if there were no liens would be: \$ \_\_\_\_\_

4. The amount of other liens that have been avoided in this case is: \$ \_\_\_\_\_

5. Liens not included in the above calculation (specify):

6. The lien(s) to be avoided fall under 11 U.S.C. 522(f)(1).

\_\_\_\_\_  
Signature of Counsel or Debtor(s) if *pro se*

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission

**LOCAL BANKRUPTCY FORM NO. 23**

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

In re  
Debtor

Bankruptcy Case No.

Hearing Date and Time:

**NOTICE OF FILING OF FINAL ACCOUNT OF TRUSTEE,  
OF HEARING ON APPLICATIONS FOR COMPENSATION,  
PROPOSED FINAL DISTRIBUTION AND PROPOSED ABANDONMENT OF PROPERTY**

TO THE CREDITORS:

1. **NOTICE IS GIVEN** that the final report and account of the trustee in this case has been filed and a hearing will be held by the court at the following place and time.

Address:

Room:  
Date and Time:

2. The hearing will be held to consider for approval the final report and account of the trustee, to act on applications for compensation, and to transact such other business as may properly come before the court. The objecting party must attend the hearing when an objection is filed. In all other cases, attendance by the debtor and creditors is welcomed but not required. The Court may determine that a hearing is not necessary and enter an Order by default if no objections are filed. Check the Calendar Section of the Court's Website at [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov) to determine if a default order has been signed and the hearing canceled.

3. The following applications for compensation have been filed:

<b>Applicants</b>	<b>Compensation or Fees</b>	<b>Expenses</b>
_____	\$ _____	\$ _____
Trustee	\$ _____	\$ _____
_____	\$ _____	\$ _____
Attorney for Trustee	\$ _____	\$ _____
_____	\$ _____	\$ _____
Attorney for Debtor	\$ _____	\$ _____
_____	\$ _____	\$ _____
Attorney for Creditors' Committee	\$ _____	\$ _____
_____	\$ _____	\$ _____
Other (Specify)		

4. The trustee's account shows total receipts of \$ \_\_\_\_\_  
and total disbursements of \$ \_\_\_\_\_  
for a balance on hand of \$ \_\_\_\_\_



**SECOND PAGE OF LOCAL BANKRUPTCY FORM NO. 23**

5. In addition to the compensation and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been filed in the total amount of \$\_\_\_\_\_. (State here only amount of liens and priority claims.)

General unsecured claims have been allowed in the amount of \$\_\_\_\_\_. The amount to be paid is:

\_\_\_\_\_

6. \_\_\_\_\_ The debtor has been discharged.  
\_\_\_\_\_ The debtor has not been discharged.  
\_\_\_\_\_ The debtor is a corporation.
7. Unless otherwise ordered by the Court, any property not administered by the trustee will be deemed abandoned. The trustee's motion to abandon the following property will be heard and acted upon:

8. Anyone objecting to the final account, final fee applications or the proposed order of distribution shall file the objection with the Clerk and serve a copy on the trustee and, if objecting to fees, serve a copy of the objection on the applicant. All objections shall be filed and served on or before 10 days before the scheduled hearing date.
9. The trustee's final SUMMARY OF PROPOSED DISTRIBUTION is attached.

Theodore S. Hopkins, Clerk  
United States Bankruptcy Court

OUTDATED

**LOCAL BANKRUPTCY FORM NO. 24**

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

In Re:	)	
	)	Bankruptcy No. _____
	)	Chapter _____
Debtor(s)	)	Document No. _____
	)	
Applicant	)	

**SUMMARY COVER SHEET AND NOTICE OF HEARING ON PROFESSIONAL FEES  
IN CHAPTERS 7 AND 13 ON BEHALF OF**

\_\_\_\_\_

To All Creditors and Parties in Interest:

1. Applicant represents \_\_\_\_\_
2. This is (check one)
  - \_\_\_\_\_ a final application
  - \_\_\_\_\_ an interim application
 for the period \_\_\_\_\_ to \_\_\_\_\_
3. Previous retainer paid to Applicant: \$ \_\_\_\_\_
4. Previous interim compensation allowed to Applicant: \$ \_\_\_\_\_
5. Applicant requests additional:
  - Compensation of \$ \_\_\_\_\_
  - Reimbursement of Expenses of \$ \_\_\_\_\_
6. A hearing on the Application will be held in Courtroom \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ m., on \_\_\_\_\_, \_\_\_\_\_.

7. Any written objections must be filed with the court and served on the Applicant on or before \_\_\_\_\_, \_\_\_\_\_, (fourteen (14) days from the date of this notice plus an additional three (3) days if served by mail). Copies of the application are available from the applicant.

Date of service:

\_\_\_\_\_  
Signature of Applicant or Attorney for Applicant

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission

(Note: 1. Scheduling dates in this Notice shall comply with Local Rules. 2. The full application need be served only upon Debtor, counsel for Debtor, the U.S. Trustee, and the trustee and counsel for the trustee.3. Applicant shall serve this Notice on all creditors and parties in interest including any person who has filed a request for notices. 4. A certificate of service shall be filed with this Notice and the application.)

**LOCAL BANKRUPTCY FORM NO. 25**

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

In Re: \_\_\_\_\_ :  
 :  
 Debtor \_\_\_\_\_ : Bankruptcy No.  
 : Chapter  
 : Document No.  
 Movant \_\_\_\_\_ : Hearing Date & Time:  
 :  
 v. \_\_\_\_\_ :  
 :  
 Respondent \_\_\_\_\_ :

**CERTIFICATION OF NO OBJECTION REGARDING  
(Insert Pleading Title and Document Number)**

The undersigned hereby certifies that, as of the date hereof, no answer, objection or other responsive pleading to the [Application/Motion] filed on \_\_\_\_\_ has been received. The undersigned further certifies that the Court's docket in this case has been reviewed and no answer, objection or other responsive pleading to the [Application/Motion] appears thereon. Pursuant to the Notice of Hearing, objections to the [Application/Motion] were to be filed and served no later than \_\_\_\_\_.

It is hereby respectfully requested that the Order attached to the [Application/Motion] be entered by the Court.

Dated: \_\_\_\_\_ By: \_\_\_\_\_

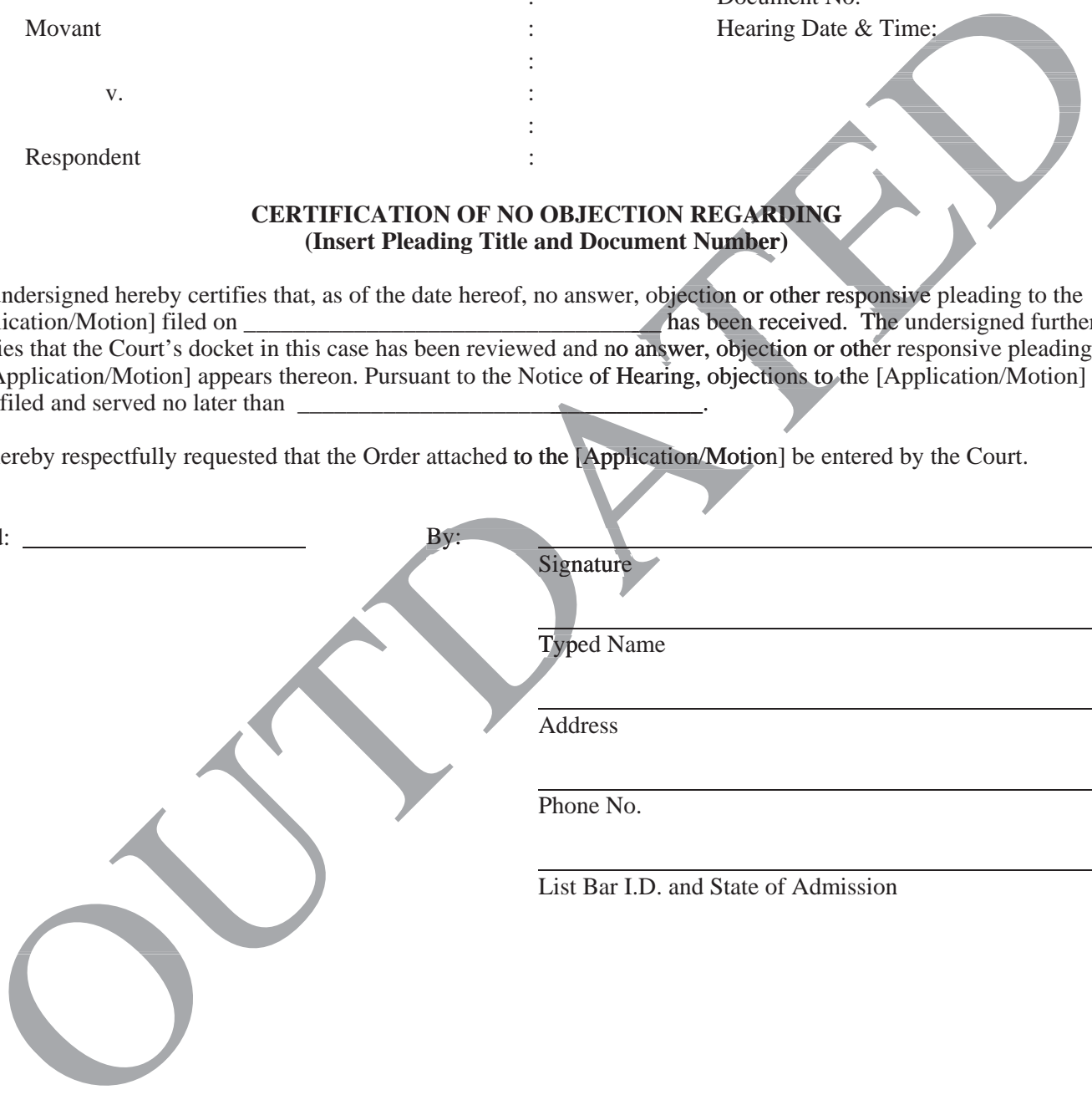
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission



**LOCAL BANKRUPTCY FORM NO. 26**

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

In Re:	:	
	:	Bankruptcy No.
Debtor	:	Chapter
	:	Document No.
Movant	:	Hearing Date & Time:
	:	
v.	:	
	:	
Respondent	:	

**SETTLEMENT AND CERTIFICATION OF COUNSEL REGARDING  
(Insert Pleading Title)**

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the [Application/Motion] filed on \_\_\_\_\_. (State "None" if no prior Motion or Application.)

The signature requirements of ECF Procedure #8 have been followed in obtaining the agreement of all parties and is reflected in the attached document.

The undersigned further certifies that:

- An agreed order and a black-lined version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.
- No other order has been filed pertaining to the subject matter of this agreement.
- The attached document does not require a proposed order.

Dated: \_\_\_\_\_

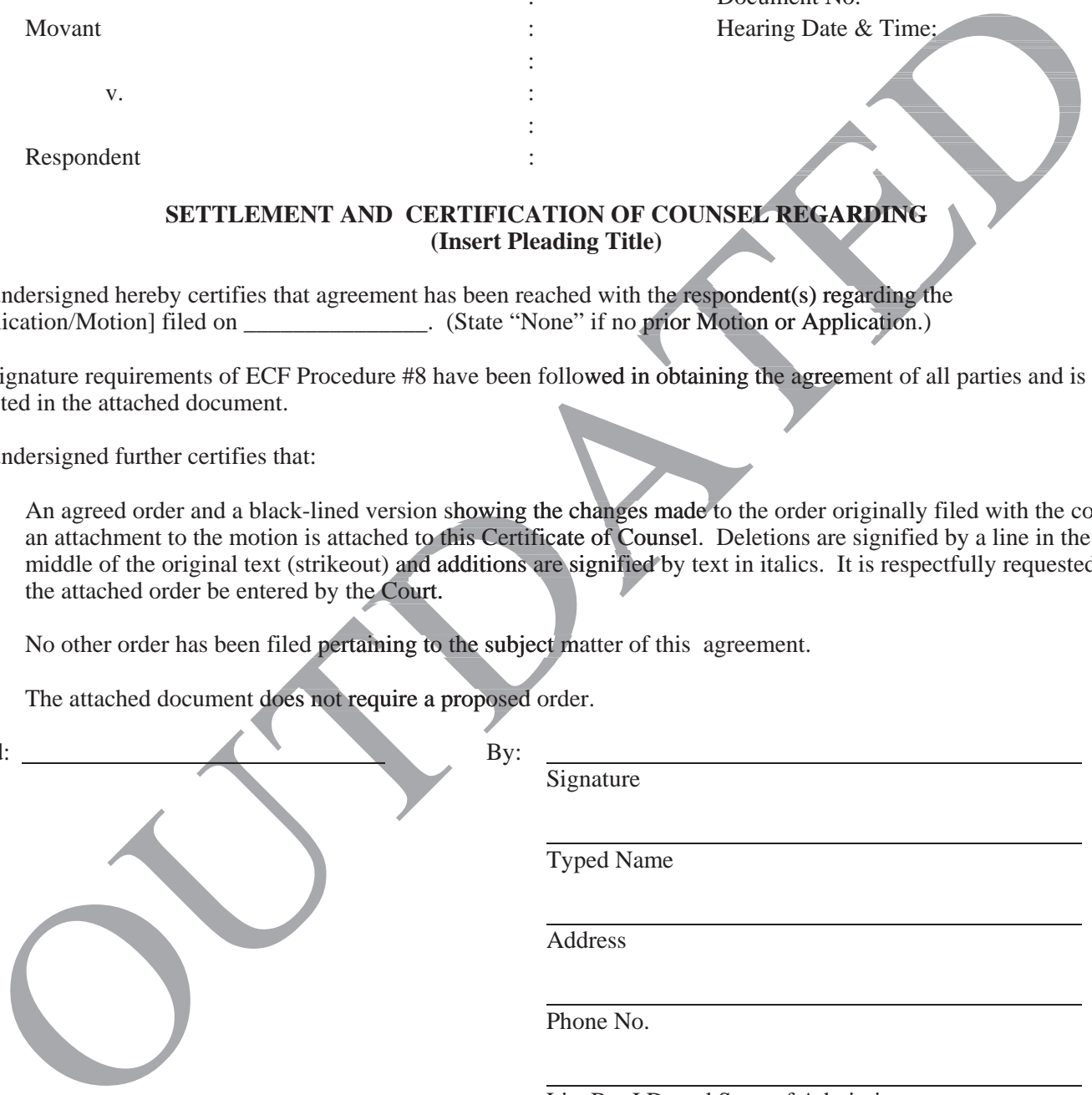
By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
List Bar I.D. and State of Admission



ABROGATED

OUTDATED

**LOCAL BANKRUPTCY FORM NO. 28**

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

In Re: \_\_\_\_\_ : Bankruptcy No.  
: \_\_\_\_\_  
Debtor(s) \_\_\_\_\_ : Adversary No.  
: \_\_\_\_\_

**DOCUMENT AND LOAN HISTORY ABSTRACT  
(COMPLETE A SEPARATE ABSTRACT FOR  
THE ORIGINAL TRANSACTION AND EACH ASSIGNMENT)**

***TYPE OF INSTRUMENT***

\_\_\_ Mortgage  
\_\_\_ Assignment  
\_\_\_ Lease  
\_\_\_ Other (describe) \_\_\_\_\_  
\_\_\_ Retail Installment Contract  
\_\_\_ UCC Financing Statement  
\_\_\_ Promissory Note / Security Agreement

***PARTIES***

\_\_\_\_\_  
\_\_\_\_\_  
Borrower/Lessee  
Lender/Lessor

***DATE OF INSTRUMENT*** \_\_\_\_\_ ***# OF PAGES*** \_\_\_\_\_

***ESSENTIAL TERMS***

\_\_\_\_\_ Original Principal Balance  
\_\_\_\_\_ Term  
\_\_\_\_\_ Interest Rate  
\_\_\_\_\_ First Payment Due  
\_\_\_\_\_ Payment Amount  
\_\_\_\_\_ Frequency of Payments (weekly, monthly, yearly, etc.)  
\_\_\_\_\_ First Payment Due Date  
Last Payment Applied to Installment due on \_\_\_\_\_  
\_\_\_\_\_ Amount in Arrears  
\_\_\_\_\_ Total Amount of Claim on Date of Filing of Petition  
\_\_\_\_\_ Total Amount of Claim on Date of Filing of Motion

***SECURED (LEASED) PROPERTY DESCRIPTION***

\_\_\_ Real Property    \_\_\_ Motor Vehicle    \_\_\_ Other  
\_\_\_\_\_ Address/Description

***Lien Recording***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Recorder of Deeds  
County/Commonwealth/State  
Secretary of State/Commonwealth/State  
Bureau of Motor Vehicles (Commonwealth/State \_\_\_\_\_)  
Other (Describe) \_\_\_\_\_  
Recording Date \_\_\_\_\_  
Book & Page/Instrument Number \_\_\_\_\_

***OTHER ESSENTIAL INFORMATION:***

***PROOF OF CLAIM FILED WITH CLERK, U.S. BANKRUPTCY COURT*** \_\_\_\_\_ (Yes/No)