

Rule 1002-2 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 (1) 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;
- (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 shall substantially conform to Local Bankruptcy Form 2 (Ex Parte Motion for Designation as Complex Chapter 11 Bankruptcy Case).

(c) Generally, requests for relief will be heard on at least forty-eight (48) hours’ notice to the parties specified in W.PA.LBR 1002-2(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. Upon the request of a party in interest, the Court may issue an order substantially in the form of Local Bankruptcy Form 3 (Initial Order for Complex Chapter 11 Bankruptcy Case).

(d) Any motion filed under this Local Bankruptcy Rule, together with notice providing the time by which any objection shall be filed and the date, time, and place of hearing, shall be served on:

- (1) the three (3) largest secured creditors;
- (2) any committee appointed under the Bankruptcy 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.