

**PROPOSED AMENDMENTS
TO LOCAL RULES AND FORMS
FOR THE 2012-13 REVIEW PERIOD**

REDLINE VERSION

PREPARED FOR PUBLIC COMMENT

Dated November 26, 2012

TABLE OF CONTENTS

I. PROPOSED AMENDMENTS TO LOCAL RULES

A.	W.PA.LBR 1001-1.....	4
B.	W.PA.LBR 1007-1.....	5
C.	W.PA.LBR 2002-1.....	6
D.	W.PA.LBR 2016-1	7
E.	W.PA.LBR 3002-2.....	11
F.	W.PA.LBR 3002-3.....	12
G.	W.PA.LBR 3002-5.....	14
H.	W.PA.LBR 4001-3.....	15
I.	W.PA.LBR 5005-8.....	16
J.	W.PA.LBR 5005-8.....	17
K.	W.PA.LBR 5007-1.....	18
L.	W.PA.LBR 5007-2.....	19
M.	W.PA.LBR 6004-1.....	20
N.	W.PA.LBR 7008-2.....	22
O.	W.PA.LBR 7008-3.....	23
P.	W.PA.LBR 8007-2.....	24
Q.	W.PA.LBR 9004-1.....	25
R.	W.PA.LBR 9019-3.....	26
S.	W.PA.LBR 9020-1.....	29
T.	W.PA.LBR 9020-2.....	30
U.	W.PA.LBR 9020-3.....	31
V.	W.PA.LBR 9020-4.....	33
W.	W.PA.LBR 9020-5.....	34
X.	W.PA.LBR 9020-6.....	35
Y.	W.PA.LBR 9020-7.....	36
Z.	W.PA.LBR 9037-1.....	37

II. PROPOSED AMENDMENTS TO FORMS

AA.	PAWB FORM 7	39
BB.	PAWB FORM 10	40
CC.	PAWB FORM 12	47
DD.	PAWB FORM 23	48
EE.	PAWB FORM 24	50
FF.	PAWB FORM 37	51
GG.	PAWB FORM 38	52
HH.	PAWB FORM 39	53
II.	PAWB FORM 40	55
JJ.	PAWB FORM 41	56
KK.	PAWB FORM 42	58
LL.	PAWB FORM 43	60
MM.	PAWB FORM 44	61
NN.	PAWB FORM 45	62
OO.	PAWB FORM 46	63

Rule 1001-1 CITATION OF LOCAL BANKRUPTCY RULES (W.PA.LBR)

(a) The Local Bankruptcy Rules of the United States Bankruptcy Court for the Western District of Pennsylvania (hereinafter “the Court”) shall be cited as W.PA.LBR _____ - __ [Local Bankruptcy Rule number]. The citations in the Local Bankruptcy Rules may be modified to correspond to changes in the Bankruptcy Code, Official Forms, and Federal Rules of Bankruptcy Procedure.

(b) The Court may issue General Orders adopting new or revised local rules on an interim basis (“Interim Local Bankruptcy Rules”) when the Court determines that expediting the implementation of the corresponding change is in the best interest of the Court, the bar and the public. Interim Local Bankruptcy Rules shall be cited as W.PA.ILBR _____ - __ [Interim Local Bankruptcy Rule number].

Rule 1007-1 MAILING MATRICES

(a) For purposes of this Local Bankruptcy 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 nondebtor parties to executory contracts or unexpired leases in which a debtor is a party.

(1) If the debtor is a corporation, the Mailing Matrix shall include the names and addresses, including ZIP Codes, of all current officers and directors.

(2) If a debtor is a partnership, the Mailing Matrix shall include the names and addresses, including ZIP Codes, of all general and limited partners.

(3) If a debtor is a limited liability company, the Mailing Matrix shall include the names and addresses, including ZIP Codes, of all members and managers.

(b) 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 located in the Local Bankruptcy Rules section of the Court’s website. When the Internal Revenue Service is a party, the debtor shall include the name and address of the IRS Insolvency Unit at the address listed in the Address Appendix located in the Local Bankruptcy Rules section of the Court’s website.

(c) Mailing Matrices shall be filed electronically, unless a party is not represented by an attorney (*pro se*) or has been granted by order of Court permission to file the Mailing Matrix on paper.

(d) In all voluntary cases, the Mailing Matrix is due when the petition is filed. If the Mailing Matrix is not timely filed, the case will be dismissed automatically by the Court. An order extending the time to file the bankruptcy schedules or other documents needed to complete the bankruptcy petition shall not constitute an extension of time to file the Mailing Matrix unless so stated in the order.

(e) At the time of filing the petition, the debtor shall file on the Case Management/Electronic Case Files System (“CM/ECF System”) Local Bankruptcy Form 29 (Notice Regarding Filing of Mailing Matrix). After docketing Local Bankruptcy Form 29, the debtor shall upload the Mailing Matrix into the CM/ECF System as a text file (with a .txt extension). Mailing Matrices shall be stricken if not filed in a text (.txt) format.

(f) If one (1) or more creditors is added to the creditor maintenance system in CM/ECF, the debtor shall file Local Bankruptcy Form 30 (Notice Regarding Modification to Mailing Matrix) on the CM/ECF System. After docketing Local Bankruptcy Form 30, the debtor shall upload into the CM/ECF System a supplemental Mailing Matrix as a text file containing only the names and addresses of the added creditors.

(g) The debtor is to assure that the Mailing Matrix is kept current and accurate at all times.

Rule 2002-1 CERTIFICATES OF SERVICE

(a) Any entity who serves a document in satisfaction of a notice requirement shall file a certificate of service with the Clerk within seven (7) calendar days after the date of service. A certificate of service of any document in an expedited matter shall be filed immediately after service is made.

(b) Service in paper copy format shall be made on each ~~any~~ party in interest who is not a Notice of Electronic Filing (NEF) recipient. ~~has not received electronic notice as authorized in these Rules.~~

(c) The certificate of service shall conform substantially to Local Bankruptcy Form 7 (Certificate of Service).

(d) It is the responsibility of the filer to compare the actual NEF generated by CM/ECF upon filing the document with the list of NEF recipients identified in the certificate of service. The filer shall file an amended certificate of service where there is a discrepancy between the original certificate of service and the actual NEF.

Rule 2016-1 PROFESSIONAL FEES AND EXPENSES

(a) Fee applications are required in all cases, except those originally filed chapter 7 cases where counsel for the debtor is compensated via a lump sum payment prior to filing, and in those chapter 13 cases when counsel opts for compensation pursuant to the “no-look fee” provisions of this Local Bankruptcy Rule.

(b) No compensation or expenses will be allowed, or paid by the estate or any third-party source, to any professional for services rendered in any case unless:

- (1) a motion to approve employment has been filed; and
- (2) an order granting the motion has been entered ~~prior to performing the services for which payment is requested~~, except that counsel for debtors in chapter 13 cases are not required to file such a motion or obtain such an order.

(c) An application for fees and expenses filed pursuant to W.PA.LBR 2016-1(b) shall include 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 by the application;
- (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, the retention agreement, an itemization of fees and expenses paid from any source other than the debtor’s estate, a copy of the attorney disclosure statement previously filed pursuant to Fed. R. Bankr. P. 2016, attached as exhibits;
- (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”), attached to the Application. Regardless of the approach utilized, 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;
 - (A) 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 documents, etc.

- (B) If a Chronological Listing is provided, a separate summary of time and service by category shall be attached, and each category shall be given an identifying number. This identifying number shall be placed beside each chronological entry to identify the category number into which it falls. A separate category shall be included in the summary for preparation of the fee application and another for all administrative services such as file maintenance, docket review, typing, filing and service of documents, etc.;
- (6) an itemization of the expenses for which reimbursement is requested:
 - (A) Expenses shall be billed and allowed only at actual cost without overhead or add-ons; and
 - (B) If compensation for travel time is requested, unless appropriate, special circumstances are set forth, typically only fifty percent (50%) of the applicable hourly rate of the professional will be allowed for travel;
 - (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) a summary cover sheet substantially conforming to Local Bankruptcy Form 9 (Summary Cover Sheet). A fee application filed without a completed cover sheet shall be dismissed without prejudice to refileing;
 - (10) a proposed order of Court;
 - (11) in complex chapter 11 cases, a spreadsheet which reflects all fees that are requested pursuant to the application and a cumulative total for professional by category; and
 - (12) if the Court enters an administrative fee order in a particular case, the terms of the order shall govern;
- (d) All entries in a fee application shall:
 - (1) list each service or task separately and state in increments not exceeding one-tenth (1/10) of an hour 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;

- (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 attendance at a hearing or trial;
- (4) identify any document with specificity if the service involves preparation of that document; and
- (5) include all other information necessary to a full understanding of the services performed and the person and time involved.

(e) Unless leave to seek interim compensation has been allowed by order of the Court, all fee applications filed in chapter 7 cases will be considered only after:

- (1) the trustee in the case has filed a final account;
- (2) there has been a proposed order of final distribution submitted for the Court's consideration in which the allowed fees are included; and
- (3) notice has been given to all parties in interest of:
 - (A) the last date to file objections thereto; and
 - (B) the hearing date and time, if any.

(f) The maximum attorney fee is presumed to be \$3,700.00, otherwise referred to as the "no-look fee." When the fee charged by counsel is less than or equal to the no-look fee, no fee application is required. Furthermore, the no-look fee:

- (1) shall include any retainer received;
- (2) is exclusive of allowable and reasonable expenses incurred by counsel; and
- (3) does not preclude the award of additional fees by the Court upon the filing of a fee application; however, in order to "opt out" of the no-look fee provisions of this Local Bankruptcy Rule:
 - (A) counsel shall enter into a written fee agreement which shall provide the alternative of opting out of the no-look fee compensation option and for payment of additional fees in the event of unforeseen, future case complications; and
 - (B) to the extent counsel seeks such additional compensation, counsel is required to file a cumulative fee application subject to the other provisions of this Local Bankruptcy Rule.

(g) If counsel opts to be paid via the no-look fee, counsel shall nevertheless advise and represent the debtor(s) in a manner consistent with applicable professional standards and be required to perform all matters necessary to properly and timely complete the bankruptcy case, including the following services:

- (1) the debtor(s) will be interviewed by counsel and appropriately briefed on the chapter 13 process;
- (2) accurate and complete schedules, statements of financial affairs, and related documents will be prepared by counsel;
- (3) all documents will be explained;
- (4) counsel will file a chapter 13 plan that meets with the requirements of Local Bankruptcy Form 10 (Chapter 13 Plan) and is capable of confirmation;
- (5) in addition to the first meeting of creditors, counsel will attend all hearings and will remain counsel of record until the case is either completed or dismissed, unless the Court has issued an order discharging the attorney as counsel of record;
- (6) counsel will file all motions and objections contemplated in the confirmed plan in a timely fashion; and
- (7) counsel will complete representation without additional charge to the debtor(s) for the duration of the chapter 13 case.

(h) Counsel fees paid through the chapter 13 plan shall be at the monthly rate and level set forth in the plan.

(i) Additional fees may be paid through the chapter 13 plan if either:

- (1) the confirmed chapter 13 plan contemplated such fees without decreasing the percentage or amount originally to be paid to other creditors through the plan, and proper application for allowance and payment is filed and approved; or
- (2) in instances where the additional fees are not contemplated in the plan, assuming the plan is amended within fourteen (14) days after the application for fees is allowed and such fees are paid from plan resources without decreasing the percentage or amount to be paid to other creditors through the plan.

(j) Notwithstanding W.PA.LBR 2016-1(i), the Court recognizes that additional services provided by debtor's counsel may provide a benefit to the estate. Upon counsel's request, the Court may determine that the benefit to the estate warrants a diminution in the dividend paid to unsecured creditors and an amendment to the plan is not necessary. In such cases, any fee application filed shall specify:

- (1) in detail, the benefit received by the estate; and
- (2) whether and to what extent the unsecured creditors would receive a lower dividend under the existing plan if the fee application were granted and the fees were paid by the trustee from debtor's plan payments.

Rule 3002-2 AMENDING CLAIMS

- (a) All amended claims shall include:
- (1) a caption indicating that the document is an amendment to a prior claim, i.e., “Amendment to Claim No. _____, Filed by _____”; and
 - (2) a clear description of the material added or deleted; and
 - (3) a certificate of service by the creditor that notice has been served on the debtor, trustee, and any creditor and attorney for the creditor originally on the claim.

(b) Amendments made for the sole purpose of redacting personal identifiers pursuant to Fed. R. Bankr. P. 9037 shall comply with the requirements of W.PA.LBR 9037-1, and shall not be combined with any other amendment of the claim.

Rule 3002-3 ADDITIONAL REQUIREMENTS FOR CLAIMS IN CHAPTER 12 AND 13 CASES

(a) Subject to the requirements of Fed. R. Bankr. P. 9037, the following shall be included in the claim form:

- (1) Creditor's account number conspicuously stated.
- (2) Sufficient identification of collateral.
- (3) A holder of a claim secured by real property shall separately state the following:
 - (A) arrearage, late fees, attorney's fees and foreclosure costs incurred through the date of filing of the debtor's bankruptcy petition, principal balance, applicable interest rate and amount of the regular monthly payment.
 - (B) if regular payment includes an escrow component, it shall be clearly identified and the amount stated.
 - (C) the Mortgage and Note and any Assignments of Claim shall be attached to the claim.
 - (D) any postpetition arrearage shall be separately stated and itemized.

(b) Claims resulting from the rejection of an executory contract shall be filed and served on the chapter 13 trustee, the debtor, and debtor's attorney, if represented, by the later of the claims bar date or thirty (30) days after the date of rejection. Executory contracts may be rejected in the confirmed plan.

(c) Any creditor who asserts a deficiency shall file a proof of claim or amend a filed proof of claim to assert the deficiency.

(d) If an amended proof of claim is filed after the deadline for filing claims, such claim shall be served by the creditor on the chapter 13 trustee, the debtor, and debtor's attorney, if represented.

(e) All objections to the amended proof of claim shall be filed and served within ~~fourteen (14)~~ ninety (90) days after service ~~plus an additional three (3) days if served by mail.~~

(f) The chapter 13 trustee will promptly place all funds intended for a specific creditor on reserve:

- (1) upon notice from an assignor or transferee that a claim has been transferred;
- (2) whenever the trustee receives:
 - (A) a returned check;
 - (B) a statement from a creditor indicating that the account has been assigned;
 - (C) a statement from a creditor indicating that the account has been paid in full; or

(D) any other statement from a creditor indicating that the creditor is not owed anything on a claim; or

(3) in any circumstance where a creditor seeks to change the payee name for a claim.

(g) Within twenty-one (21) days of placing funds on reserve, the chapter 13 trustee shall file a “Notice of Funds on Reserve” with the Court which certifies that the debtor(s), the original creditor, the putative creditor, and if known, counsel for the debtor(s), original creditor and putative creditor were served with the Notice and the date of such service.

(h) No funds will be distributed by the chapter 13 trustee to any purported assignee or transferee without a “transferred proof of claim” filed in accordance with Fed. R. Bankr. P. 3001(e) and notice issued in accordance therewith by the Clerk with an opportunity to object.

(i) Transferred or assigned proofs of claim shall include the following:

(1) the case number;

(2) the claim to be paid;

(3) the nature of the collateral supporting the claim;

(4) the appropriate address for payment;

(5) copies of all assignments and authorizations for loan service applicable to the transfer and in support of the claim.

(j) Copies of each proof of claim and each amended, assigned, and/or transferred proof of claim, including all attachments, shall be served on the chapter 13 trustee, the debtor, and the debtor’s counsel, if represented.

Rule 3002-5 NOTICE OF POSTPETITION FEES, EXPENSES, AND CHARGES

(a) A holder of a claim: (i) for rent for debtor's residence or (ii) secured by a security interest in the debtor's assets asserting recovery against the debtor and/or against the debtor's assets for fees, expenses, or charges, incurred in connection with the claim after the bankruptcy case was filed, shall file a separate "Notice of Postpetition Fees, Expenses, and Charges," which:

- (1) shall be filed as a supplement to the holder's proof of claim;
- (2) shall be served no later than one hundred eighty (180) days after the date when the fees, expenses, or charges are incurred;
- (3) shall not be subject to Fed. R. Bank. P. 3001(f);
- (4) shall be served on the debtor(s), counsel to the debtor(s), and the chapter 13 trustee;
- (5) need not be filed if fees, expenses, and charges were included in a previously filed "Notice of Mortgage Payment Change"; and
- (6) if not timely filed, shall result in the disallowance of any additional sums claimed by the creditor for the period in question.

(b) After a Notice of Postpetition Fees, Expenses, and Charges is docketed, the Court will issue an order requiring the debtor(s) within twenty-one (21) days to file:

- (1) an amended chapter 13 plan;
- (2) a declaration certifying that the existing chapter 13 plan is sufficient to pay the modified debt; or
- (3) an objection to the Notice of Postpetition Fees, Expenses, and Charges.

(c) If a Notice of Postpetition Fees, Expenses, and Charges is timely filed in the proper form and the debtor fails to timely file an objection, the payment change shall be allowed without further order, notice, or hearing. However, no payment change shall be implemented by the chapter 13 trustee until such time as the debtor or debtor's counsel files an amended chapter 13 plan or a declaration certifying that the existing chapter 13 plan is sufficient to pay the modified debt.

Rule 4001-3 RENT DEPOSITS

(a) A rent deposit submitted under 11 U.S.C. § 362(1)(1)(B) by a debtor filing a bankruptcy petition in the Court's electronic filing system shall be delivered to the Clerk within three (3) days of the filing date of the petition and shall be in the form of a cashier's check, certified check, attorney's client account check, or money order payable to the lessor.

(b) A rent deposit submitted under 11 U.S.C. § 362(1)(1)(B) by a debtor filing a bankruptcy petition conventionally on paper shall be filed at the same time as the petition. The deposit shall be in the form of a cashier's check, certified check, attorney's client account check, or money order payable to the lessor.

Rule 5005-5 CM/ECF SYSTEM PASSWORDS

(a) Each Filing User shall maintain control and security over his or her CM/ECF System log-in and password. A Filing User shall not voluntarily share, transfer or assign the use of his or her CM/ECF System log-in and/or password. A Filing User who suspects that his or her password has been compromised shall immediately notify the Clerk.

(b) Violation of this Local Bankruptcy Rule may result in ~~sanctions and/or~~ the termination of the Filing User's CM/ECF System account, sanctions and/or other disciplinary action at the discretion of the Court.

Rule 5005-8 NOTICE AND SERVICE

(a) The CM/ECF System automatically generates a Notice of Electronic Filing (“NEF”) when a document is filed. The NEF contains a hyperlink to the document filed and identifies by e-mail address each Filing User to whom the CM/ECF System automatically transmits the NEF. The generation of an NEF by the CM/ECF System creates a presumption of effective notice and service as to each Filing User identified in the NEF.

(b) By registering as a Filing User with the Court, a Filing User consents to electronic notice in the form of a CM/ECF System-generated NEF, and waives his or her right to receive notice by first-class mail, including, but not limited to, the entry of an order or judgment pursuant to Fed. R. Bankr. P. 9022.

(c) By registering as a Filing User with the Court, a Filing User consents to electronic service in the form of a CM/ECF System-generated NEF which contains a hyperlink to a PDF of the document(s) being served, and waives his or her right to right to service by personal service or first-class mail, except with regard to service of a summons and complaint pursuant to Fed. R. Bankr. P. 7004, a motion initiating a contested matter under Fed. R. Bankr. P. 9014, and/or a subpoena under Fed. R. Bankr. P. 9016.

(d) As to persons who are not Filing Users, notice and service shall be effectuated by nonelectronic means in accordance with all applicable Local Bankruptcy Rules and Federal Rules of Bankruptcy Procedure.

(e) A certificate of service shall identify the specific method of service upon each person served.

Rule 5007-1 REQUESTS FOR TRANSCRIPTS

- (a) Parties may request transcripts or an audio recording on cassette or compact disk by either filing a transcript request with the Clerk on a form available from the Clerk and the Court's website or by verbal request made to an Electronic Court Reporter Operator ("ECRO"). If a verbal request is made, the party requesting the transcript shall provide the ECRO with a written request containing the details of the request and payment as described below before the request will be processed.
- (b) W.PA.LBR 8006-1 shall apply to a request in connection with an appeal.
- (c) The requesting party shall provide the ECRO with:
- (1) the name of the case;
 - (2) the bankruptcy and motion or adversary numbers;
 - (3) the date of the hearing;
 - (4) the name of the Judge who heard the matter; and
 - (5) the requesting party's name, telephone number, and mailing address and/or e-mail address and/or fax number.
- (d) The ECRO shall estimate the cost of the transcript and the party requesting the transcript shall provide appropriate payment before the transcript request is processed. Checks written on a firm's business account will be accepted. Pro se litigants shall submit payment by money order, certified check, or cashier's check.
- (e) When the completed transcript is received by the ECRO, the ECRO shall notify the requesting party that the transcript is available and shall notify the requesting party whether the actual cost of the transcript exceeded the estimate. If the actual cost of the transcript exceeded the estimate, the transcript will not be released until the additional payment is made. If the actual cost is less than the amount paid, the excess amount will be refunded.
- (f) If the requesting party wants an expedited transcript, the requesting party shall notify the ECRO at the time the transcript is ordered. There is extra cost associated with expedited transcripts.
- (g) Requests to redact personal identifiers from transcripts shall comply with W.PA.LBR 9037-1.

~~Rule 5007-2—REQUESTS FOR REDACTION FROM TRANSCRIPTS~~

~~(a) Each party is responsible for reviewing transcripts for personal identifiers and redacting information as required by Fed. R. Bankr. P. 9037.~~

~~(b) Within seven (7) days of the filing of the transcript, any party intending to redact any portion of the transcript shall file Local Bankruptcy Form 35 (Notice of Intent to Request Redaction), which shall be served upon the transcriber and all parties in interest at the time of filing. The party requesting redaction shall serve upon the transcriber and all parties in interest Local Bankruptcy Form 36 (Redaction Request) within twenty-one (21) days after the original transcript was filed.~~

~~(c) Upon the transcriber's receipt of Local Bankruptcy Form 36 (Redaction Request), no unredacted copies of the transcript will be sold or otherwise made available. Transcribers shall file a redacted version of the transcript within thirty-one (31) days after the original transcript was filed.~~

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

(a) All sales of property not in the ordinary course of debtor's business shall be by motion, except where Fed. R. Bankr. P. 7001(2) or (3) is applicable.

(b) Unless a specific Judge employs the self-scheduling procedure, the Court will schedule any requested sale by separate order. If the seller anticipates that the sale hearing will take more than a limited time, the seller shall so notify the appropriate Court personnel.

(c) In the event of a sale not in the ordinary course of business, pursuant to Fed R. Bankr. P. 6004(f), the following shall apply:

- (1) The Notice of Sale ~~and publication of the Notice~~ shall contain the following information and shall be uploaded to the Electronic Access to Sales Information (EASI) system on the Court's website under "Notice of Sale":
 - (A) the case name and number and the adversary name and number or document number of the motion;
 - (B) a brief description of the property to be sold, such as "1988 Dodge Truck" for personalty, or in the case of realty, the complete street address, deed book volume, and page number;
 - (C) the date, time, and place of sale hearing;
 - (D) the date by which objections to the sale shall be filed and served;
 - (E) a statement of the amount of the initial offer and that higher or better offers will be considered at the hearing;
 - (F) the name, address, and telephone number of the person to contact for terms and conditions of sale or to examine the property; and
 - (G) hand money requirements at the time of the hearing.
- (2) Notice of any proposed sale shall be advertised by the seller by publication in a newspaper of general circulation in the county in which the property is located and in the Legal Journal of such county if one exists shall contain the case name and number, a brief description of the property to be sold, the date of the sale hearing, and a reference to the Court's EASI website where additional information regarding the sale shall be uploaded pursuant to subsection (c)(1). The publication shall be made no more than thirty (30) nor less than fourteen (14) calendar days before the scheduled date of sale. The sale shall also be placed on the Court's website.
- (3) Proofs of publication of the advertising shall be filed when received by movant. If a representation is made to the Court at the time of the sale hearing that publication was made but the proofs of publication are not yet received, the proofs of publication shall be filed upon receipt by the movant.

- (4) An itemized Report of Sale shall be filed with the Court within seven (7) calendar days of the date of consummation of the sale.
- (d) Notices shall meet the following requirements:
- (1) Other than to parties receiving notice via the CM/ECF System, the seller shall send the Notice of Sale by first-class mail to:
 - (A) the debtor and debtor's counsel;
 - (B) the trustee and trustee's counsel, if any;
 - (C) all indenture trustees and their counsel, if any;
 - (D) lien holders;
 - (E) all creditors;
 - (F) all committees appointed pursuant to the Bankruptcy Code or to their authorized agents and their counsel, if any;
 - (G) the United States as required by Fed. R. Bankr. P. 2002(j); and
 - (H) the United States trustee.
 - (2) The seller may file a motion, served on all creditors and parties in interest, to establish a procedure for selling less than substantially all the assets of the estate or those assets of less than substantial value. The motion to establish sale procedure may provide that the Notice of Sale be served on a limited list of creditors and parties in interest. Each such list shall be set forth with particularity in the motion to establish the sale procedure.
 - (3) Any notice required to be served under these procedures shall be addressed as directed in a request for notices filed with the Clerk, but if a different address is stated in a proof of claim duly filed, that address shall be used; otherwise, the address shown in the list of creditors in the schedules shall be used.

Rule 7008-2 CONSENT TO ENTRY OF FINAL ORDER OR JUDGMENT

(a) In any adversary proceeding or contested matter, the initial pleading, complaint, counterclaim, cross-claim, or third party complaint shall contain a statement that the proceeding is core or non-core, and without regard to whether the proceeding is alleged to be core or non-core, that the pleader does or does not consent to entry of final order or judgment by the Bankruptcy Court.

(b) If the pleader fails to indicate consent or non-consent to entry of final judgment in the initial document filed by such party, the initial pleader shall be deemed to consent to the entry of final judgment by the Bankruptcy Court without regard to whether the matter is core or non-core. Similarly, if the respondent or defendant to such contested matter or adversary proceeding does not in its answer or response object to entry of final judgment by the Bankruptcy Court, then such party also shall be deemed to have consented to entry of final judgment by the Bankruptcy Court.

(c) If the matter is one which the Bankruptcy Court cannot enter final judgment, then the Bankruptcy Court shall, upon trial of the matter in question, issue its proposed findings of fact and conclusions of law to the District Court pursuant to W.P.A.LBR. 7008-3.

Rule 7008-3 REVIEW OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW IN NON-CORE PROCEEDINGS

(a) A party objecting to the Bankruptcy Judge's proposed findings of fact and conclusions of law shall arrange for the transcription of the record or such portions of it as all parties may agree upon and file a Notice of Transcript Order within 14 days of the date the objection is filed.

(b) A party objecting to the Bankruptcy Judge's proposed findings or conclusions must file a motion to determine the portion of the record to be transcribed within 14 days of the date the objection is filed when the parties cannot agree. The objecting party shall arrange for the transcription of the record as determined by the Court and file a Notice of Transcript Order within 7 days of the date an order is entered on the motion.

(c) The Notice of Transcript Order shall comply with the caption requirements of W.PA.LBR. 9004-1, reference the date that the proposed findings of fact and conclusions of law were issued, provide the date and time of the hearing that will be transcribed, and provide the date that the transcript was ordered.

(d) A party objecting to the Bankruptcy Judge's proposed findings of fact and conclusions of law shall file all of the exhibits admitted into evidence as a single document prior to filing the objection. The objection shall identify all of the exhibits and the docket number at which the exhibits were filed.

(e) The Clerk shall transmit the proposed findings of fact and conclusions of law, the Clerk's notice to the parties, objections, and responses to the District Court without a transcript when the Notice of Transcript Order is not timely filed.

Rule 8007-2 TRANSMISSION OF THE RECORD ON APPEAL

In accordance with Miscellaneous Order # 12-284 of the District Court, the Clerk shall not transmit to the District Court paper copies of documents listed on designations of record on appeal. The Bankruptcy Court Clerk shall transmit the record on appeal by way of an e-mail to the District Court Clerk, identifying the corresponding Bankruptcy Court docket entry number of each document designated by the parties to the appeal and attaching electronic copies of the respective designations of the record. The District Court shall access the designated documents by way of the ECF and PACER systems.

Rule 9004-1 CAPTIONS OF PLEADINGS AND ORDERS

Except as specified herein, any document filed in the general case or miscellaneous docket of a bankruptcy proceeding, including, but not limited to, any proposed order, pleading, notice, declaration, motion, application, response, or reply, shall contain a caption substantially conforming to Official Form 16D (Caption for Use in Adversary Proceeding), 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.” 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 to which it pertains. The foregoing requirement as to captions shall not apply as to a bankruptcy petition and other related preliminary filings in a bankruptcy case (Official Forms 1 through 15, 18, 19, 21, 22, 23, 25, and 26, or any Supplement or Attachment thereto); Directors Procedural Forms 13S through 231A-B, 253; Local Bankruptcy Forms 1A-1B, 10, and 13; a chapter 11 plan of reorganization; a plan of reorganization in a small business case; a chapter 12 plan; and a chapter 13 plan and related disclosure statements.

Rule 9019-3 MEDIATORS

(a) The Clerk shall establish and maintain a register of persons (the “Register”) qualified and designated by the Court to serve as mediators in the Mediation Program. The Chief Bankruptcy Judge shall appoint a Judge of this Court to serve as the “Mediation Program Administrator.” The Mediation Program Administrator or designee shall receive applications for designation to the Register, maintain the Register, track and compile reports on the Mediation Program, and otherwise administer the program.

(b) Each applicant shall submit to the Mediation Program Administrator a statement of professional qualifications, experience, training, and other information relevant to designation to the Register, using Local Bankruptcy Form 31 (Application for Admission to Bankruptcy Mediation Program Register).

(c) Each applicant shall agree to serve in a *pro bono* capacity for his or her initial mediation appointment. Thereafter, the applicant shall serve in a *pro bono* capacity for one out of every five subsequent appointments as a mediator. ~~accept at least one (1) *pro bono* appointment per year as assigned by the by the Mediation Program Administrator accept at least one (1) *pro bono* appointment per year as assigned by the Mediation Program Administrator. If after serving in a *pro bono* capacity insufficient mediation matters exist to allow for compensation, credit for *pro bono* service shall be carried into subsequent years in order to qualify the mediator to receive compensation for providing service as a mediator.~~

(d) Not later than March 1 of every year using Local Bankruptcy Form 31 (Application for Admission to Bankruptcy Mediation Program Register), each applicant accepted for designation to the Register shall reaffirm the continued existence and accuracy of the qualifications, statements, and representations made in the application, and file amendments as needed.

(e) The Court in its sole and absolute determination on any basis shall grant or deny an application. If the Court grants the application, the applicant’s name shall be added to the Register.

(f) A person shall be removed from the Register either at the person’s request or by Court order entered on the sole and absolute determination of the Court. If removed by Court order, the person shall be eligible to file an application for reinstatement after one (1) year.

(g) Before serving as a mediator, each person designated as a mediator shall take the following oath or affirmation:

“I, _____, do solemnly swear [or affirm] that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a mediator in the Mediation Program of the United States Bankruptcy Court for the Western District of Pennsylvania without respect to persons and will do so equally with respect to the poor and to the rich.”

(h) Upon assignment of a matter to mediation and unless special circumstances exist as determined by the Court, the parties shall select a mediator and may choose an alternate mediator from the Register whose appointment shall be authorized by the Court. If the parties fail to make such selection within the time frame as set by the Court, then the Court shall appoint a mediator and may appoint an alternate mediator.

(i) If the mediator is unable or elects not to serve, the mediator shall file and serve on all parties to the mediation and on the alternate mediator, within seven (7) calendar days after receipt of a Notice of Appointment, a Notice of Inability or Election Not to Accept the Appointment. The alternate mediator then shall become the mediator, if the alternate does not file and serve on all parties to the mediation a Notice of Inability or Election Not to Accept the Appointment within seven (7) calendar days after receipt of the original mediator's Notice of Inability or Election Not to Accept the Appointment. If neither the mediator nor the alternate mediator can serve, the Court shall appoint another mediator and alternate mediator.

(j) Any person selected as a mediator may be disqualified for bias or prejudice in the same manner that a Judge may be disqualified under 28 U.S.C. § 144. Any person selected as a mediator shall be disqualified in any matter where 28 U.S.C. § 455 would require disqualification if that person were a Judge.

(k) Promptly after receiving Notice of Appointment, the mediator shall make inquiry sufficient to determine whether there is a basis for disqualification under W.P.A.LBR 9019-3(j). The inquiry shall include, but shall not be limited to, a search for conflicts of interests in the manner prescribed by the applicable rules of professional conduct for attorney mediators, and by the applicable rules pertaining to the mediator's profession for nonattorney mediators. Within seven (7) calendar days after receiving Notice of Appointment, the mediator shall file with the Court and serve on the parties to the mediation either (1) a statement that there is no basis for disqualification under W.P.A.LBR 9019-3(j), and that the mediator has no actual potential conflict of interest, or (2) a Notice of Withdrawal.

(l) A party to the mediation who believes that the assigned mediator and/or the alternate mediator has a conflict of interest shall promptly bring the issue to the attention of the mediator and/or the alternate mediator, as applicable, and to the other parties to the mediation. If the mediator does not withdraw, and the movant is dissatisfied with this decision, the issue shall be brought to the Court's attention by the mediator or any of the parties to the mediation. The Court shall take such action as the Court deems necessary or appropriate to resolve the alleged conflict of interest.

(m) Aside from proof of actual fraud or unethical conduct, there shall be no liability on the part of, and no cause of action shall arise against, any person who is appointed as a mediator pursuant to this Local Bankruptcy Rule on account of any act or omission in the course and scope of such person's duties as a mediator.

(n) Once eligible to serve as a mediator for compensation, which shall be at reasonable rates and subject to judicial review, the mediator may require compensation or reimbursement of expenses as agreed by the parties to the mediation. Prior Court approval shall also be required if the estate is to be charged. If the mediator consents to serve without compensation, and at the conclusion of the first full day of the mediation conference, it is determined by the mediator and the parties to the mediation that additional time will be both necessary and productive in order to complete the mediation, then:

- (1) if the mediator consents to continue to serve without compensation, the parties to the mediation may agree to continue the mediation conference; and
- (2) if the mediator does not consent to continue to serve without compensation, the mediator's fees and expenses shall be on such terms as are satisfactory to the mediator and the parties to the mediation, subject to Court approval.

(o) Where the parties have agreed to pay mediation fees and expenses, they shall share equally all such fees and expenses unless the parties to the mediation agree to some other allocation. The Court may, in the interest of justice, determine a different allocation.

(p) If the Court determines that a party to a matter assigned to mediation cannot afford to pay the fees and costs of the mediator, the Court may appoint a mediator to serve *pro bono* as to that party.

Rule 9020-1 LOSS MITIGATION PROGRAM

(a) The Loss Mitigation Program (“LMP”) is a structured forum for debtors and creditors to reach consensual resolutions when residential property is at risk of foreclosure.

(b) For purposes of the LMP, the following definitions apply:

- (1) “loss mitigation” includes the full range of solutions that may prevent either the loss of a debtor’s property to foreclosure, increased costs to the lender, or both, including but not limited to, loan modification, loan refinance, forbearance, short sale, or surrender of the property in full satisfaction.
- (2) “debtor” means any individual debtor in a case filed under Chapter 7, 11, 12 or 13 of the Bankruptcy Code, including joint debtors.
- (3) “property” means any real property used as a principal residence in which an eligible debtor holds an interest.
- (4) “loan” means any mortgage, lien or extension of money or credit secured by eligible property, regardless of whether the loan is considered to be subprime or non-traditional, was in foreclosure prior to the bankruptcy filing, is the first or junior mortgage or lien on the property, and/or has been pooled, securitized or assigned to a creditor or trustee.
- (5) “creditor” refers to any mortgage holder, assignee, servicer or trustee of an eligible loan.
- (6) “Core LMP Package” refers collectively to all of the forms and documentation that the creditor requires in order to initiate the assessment of loss mitigation options.
- (7) “Portal” refers to a secure online service that allows LMP documents to be submitted, retrieved and tracked. A list of approved Portals and related information shall be posted on the Court’s website.
- (8) “Loss Mitigation Order” refers to an order of Court commencing the LMP and setting certain deadlines applicable to the participants, substantially in the form of Local Bankruptcy Form 41.

(c) Unless otherwise ordered by the Court, the Local Bankruptcy Rules apply to the LMP, including but not limited to the caption requirements set forth in W.PA.LBR 9004-1, the certificate of service requirements set forth in W.PA.LBR 2002-1 and the notice requirements set forth in W.PA.LBR 5005-8.

(d) The confidentiality provisions of mediation set forth in W.PA.LBR 9019-5 shall apply to the LMP process.

Rule 9020-2 LOSS MITIGATION PROGRAM COMMENCEMENT

(a) At any time after the commencement of the case until three (3) days before the first date scheduled for the First Meeting of Creditors, the debtor may request the commencement of the LMP by filing a motion substantially in the form of Local Bankruptcy Form 39, or the creditor may request the commencement of the LMP by filing a motion substantially in the form of Local Bankruptcy Form 40.

(b) A proposed Loss Mitigation Order substantially in the form of Local Bankruptcy Form 41 shall be attached to any motion to commence the LMP.

(c) The deadline for filing an objection to a motion to commence the LMP is fourteen (14) days from the filing of the motion. Objections shall identify with specificity the grounds for the objection. If no objection is filed, the Court may enter a Loss Mitigation Order without further notice or hearing.

Rule 9020-3 LOSS MITIGATION PROGRAM PARTICIPATION & DUTIES

(a) The debtor and creditor are the primary LMP participants. Any interested party may request by motion, or the Court may on its own direct, that a co-debtor, additional creditors or other third parties participate in the LMP in furtherance of pursuing a global resolution.

(b) The Chapter 13 Trustee may participate in the LMP to the extent that such participation would be consistent with the Chapter 13 Trustee's duties under the Bankruptcy Code.

(c) LMP sessions may be conducted in person, telephonically, online via the Portal, or by videoconference. Prior to the conclusion of each LMP session, the participants shall determine whether additional sessions are necessary. If additional sessions are necessary, the participants shall schedule the next session and establish a precise schedule for exchanging all required information and documentation.

(d) The debtor and creditor shall have a person with full settlement authority present during each LMP session. During a status conference or settlement conference with the Court, a person with full settlement authority shall attend the conference in person unless participation by telephone or videoconference is expressly authorized by the Court.

(e) LMP participants shall negotiate in good faith. A party failing to participate in good faith may be subject to sanctions.

(f) A debtor who files a motion to commence the LMP (Local Bankruptcy Form 39), shall immediately make adequate protection payment to the creditor in an amount that is at least sixty percent (60%) of the monthly principal and interest payment that is contractually due, plus one hundred percent (100%) of any required monthly escrow payment. If the creditor objects to the amount of the adequate protection payment proposed by the debtor, after adequate notice, the Court shall hold a hearing to consider the objection.

(g) If the debtor is required to direct adequate protection payments to a different address than the debtor utilized prior to the filing of the bankruptcy case, the creditor shall promptly advise the debtor of the correct address and any other requirements to ensure the proper posting and processing of the payments.

(h) If a relief from stay motion pursuant to section 362(d) is pending when a Loss Mitigation Order is entered or if such a motion is filed during the LMP period, the Court may condition the stay upon compliance by the debtor with the fulfillment of the debtor's obligations under the Loss Mitigation Order. If the debtor fails to comply with the LMP process or the Loss Mitigation Order, the creditor may apply to terminate the Loss Mitigation Order pursuant to W.PA.LBR 9020-5.

(i) In a Chapter 13 case, the Chapter 13 Trustee may recommend entry of an Interim Confirmation Order substantially in the form of Local Bankruptcy Form 43 pending the resolution of the LMP process. Under the terms of the Interim Confirmation Order, distribution to administrative, priority, and secured creditors, including the payment of arrearages, if any, and adequate protection, may

be set forth, and a date for a Confirmation Hearing, consistent with the terms of the Loss Mitigation Order, shall be fixed.

Rule 9020-4 LOSS MITIGATION PROGRAM DEADLINES

(a) The LMP commences upon the entry of a Loss Mitigation Order. The Court, at its discretion, may alter any of the deadlines set forth in this section. Where there is a conflict between the Loss Mitigation Order and these Rules, the Order governs.

(b) Within fourteen (14) days after the entry of the Loss Mitigation Order, the creditor shall ensure that it has registered and posted its entire Core LMP Package on the Portal.

(c) Within thirty-five (35) days after the entry of the Loss Mitigation Order, the debtor shall submit a completed Core LMP Package via the Portal.

(d) Within ten (10) business days after the debtor's submission of the Core LMP Package, the creditor shall designate, via the Portal, a specific individual who, on behalf of the creditor, is responsible for communicating with the debtor about the Core LMP Package in order to arrive at a Package that the creditor deems complete. The creditor shall provide the designee's name, title, email address and either a direct telephone number or direct extension. The creditor shall immediately notify the debtor if there is a substituted designee and/or any change in the designee's contact information.

(e) Within sixty (60) days after the entry of the Loss Mitigation Order, the debtor, on notice to and in cooperation with the creditor, shall submit a status report substantially in the form of Local Bankruptcy Form 42. If the status report includes a request for an extension of the LMP period, the debtor shall attach a proposed order substantially in the form of Local Bankruptcy Form 44. The status report shall include a printout of the account history page from the Portal.

(f) Within fourteen (14) days after the final conclusion of the LMP period, the debtor, on notice to and in cooperation with the creditor, shall submit a final report substantially in the form of Local Bankruptcy Form 46, setting forth the outcome of the LMP effort. The final report shall include a printout of the account history page from the Portal.

Rule 9020-5 LOSS MITIGATION PROGRAM DURATION

(a) The initial LMP period shall be ninety (90) days unless otherwise specified in the Loss Mitigation Order.

(b) A request to extend the LMP period shall either be set forth in a status report pursuant to W.PA.LBR 9020-4(e) or be requested by way of a motion setting forth all factual reasons in support of the request, with an attached proposed order substantially in the form of Local Bankruptcy Form 44.

(c) A request to terminate the LMP process shall be made by way of a motion setting forth all factual reasons in support of the request, with an attached proposed order substantially in the form of Local Bankruptcy Form 45.

(d) Requests to extend or terminate the LMP process shall be served on all parties in interest, including, where applicable, the trustee or Chapter 13 Trustee.

(e) The deadline for objecting to a request to extend or terminate the LMP process is three (3) business days from the service of the request.

(f) Where a timely objection is filed, the Court may schedule a hearing to determine whether granting the relief requested is appropriate under the circumstances.

(g) Upon the entry of an order terminating the LMP process, the creditor may file a motion seeking relief from stay.

Rule 9020-6 LOSS MITIGATION PROGRAM RESOLUTION

(a) LMP participants shall seek Court approval of any agreement reached during the LMP process, including, but not limited to, a stipulation, sale, plan of reorganization, amended plan of reorganization, or loan modification, by way of a motion that complies with W.PA.LBR 9010-3 and W.PA.LBR 9019-1.

(b) Dismissal of the bankruptcy case shall not be made a requirement of an agreement reached through the LMP.

(c) Consent to the resolution shall be acknowledged in writing by an authorized representative of the creditor, the debtor, and the debtor's attorney, if applicable.

(d) In a Chapter 13 case in which a loan modification has been agreed upon, the debtor shall file a motion to approve the loan modification, on fourteen (14) days' notice to the Chapter 13 Trustee and to all creditors whose claims are secured by liens against the residence. A copy of the loan modification agreement must accompany the motion. The proposed order shall provide the following, where applicable:

(1) If the loan modification approved by the Court impacts on the provisions of the debtor's Chapter 13 plan, a modified plan shall be filed within ten (10) days of the entry of the order approving the loan modification.

(2) If the loan modification approved by the Court results in a material change in the debtor's expenses, the debtor shall file an amendment to the impacted schedules reflecting income and expenses (Schedules I and J) within ten (10) days of the entry of the order approving the loan modification.

(e) Where a debtor is represented by counsel, a resolution may be approved by the Court without further notice, or upon such notice as the Court directs. Where a debtor is not represented by counsel, a resolution shall not be approved until after the Court has conducted a hearing at which the debtor shall appear in person.

Rule 9020-7 LOSS MITIGATION PROGRAM FEES, COSTS & CHARGES

(a) Use of the Portal requires the debtor to pay a fee of twenty-five dollars (\$25) to the administrator of the Portal. If use of the Portal creates an undue hardship, the debtor may file a motion specifying why the use of the Portal creates an undue hardship and requesting permission to exchange documents and communications conventionally with the creditor.

(b) If a proposed LMP resolution provides for a creditor to receive payment or reimbursement of any fee, cost or charge that arose from the LMP process, all such fees, costs and charges shall be disclosed to the debtor, the trustee, the U.S. Trustee, and to the Court prior to approval of the resolution. Counsel for the creditor is entitled to receive a reasonable fee for all work involved in connection with the mortgage modification, including requesting and reviewing documents, and shall clearly delineate such fee in the resolution or by amended proof of claim.

(c) Counsel for the debtor is entitled to receive reasonable compensation for all work involved in connection with the LMP process and shall file an application for allowance of attorney fees and costs with the Court, or alternatively accept a “no look” fee in the amount of \$1,000.00 to be paid as an administrative expense. Debtor’s counsel may also treat the Portal fee of twenty-five dollars (\$25) as an administrative expense.

Rule 9037-1 **REDACTION OF PERSONAL IDENTIFIERS**

(a) Parties to transcripts and filers of any documents on the docket or claims register are responsible for reviewing each document in advance for personal identifiers and redacting information as required by Fed. R. Bankr. P. 9037.

(b) If, despite subsection (a), personal identifiers are disclosed in a filed document, the applicable corrective steps shall be taken, including:

(1) If the document is a transcript:

(A) Within seven (7) days of the filing of the transcript, any party intending to redact any portion of the transcript shall file Local Bankruptcy Form 35 (Notice of Intent to Request Redaction of Transcript), with an attached certificate of service demonstrating that Form 35 was served upon the transcriber, all persons whose testimony was transcribed, the debtor and all persons whose personal identifiers are to be redacted.

(B) The party requesting redaction shall serve upon the transcriber, all persons whose testimony was transcribed, the debtor and all persons whose personal identifiers were redacted, Local Bankruptcy Form 36 (Transcript Redaction Request) within twenty-one (21) days after the original transcript was filed. Local Bankruptcy Form 36 shall not be filed on the docket.

(C) Upon the transcriber's receipt of Local Bankruptcy Form 36 (Transcript Redaction Request), no unredacted copies of the transcript shall be sold or otherwise made available.

(D) Transcribers shall file a redacted version of the transcript within thirty-one (31) days after the original transcript was filed.

(2) If the document is a proof of claim:

(A) Regardless of whether the case is open or closed, the creditor shall immediately file a redacted claim on the claims register as an amended claim in compliance with the requirements of W.PA.LBR 3002-2(a).

(B) If the case is open at the time of the amendment, the creditor shall file Local Bankruptcy Form 37 ("Request to Restrict Public Access to Claim").

(C) If the case is closed at the time of the amendment, the creditor shall file a motion to reopen, and pay the corresponding reopening fee. The creditor shall attach Local Bankruptcy Form 37 to the motion to reopen.

(D) The creditor shall attach to Local Bankruptcy Form 37 a certificate of service demonstrating that Form 37 was served upon the debtor and all persons whose personal identifiers were redacted.

(3) Any other document filed on the docket:

(A) If the case is open at the time of the request, the filer of the original document shall file Local Bankruptcy Form 38 (“Request to Restrict Public Access to [specify document]”).

(B) If the case is closed at the time of the amendment, the filer of the original document shall file a motion to reopen, and pay the corresponding reopening fee. The movant shall attach Local Bankruptcy Form 38 to the motion to reopen.

(C) The movant shall attach to Local Bankruptcy Form 38 a certificate of service demonstrating that Form 38 was served upon the debtor and all persons whose personal identifiers were redacted.

(c) Amendments to any filed documents made to redact personal identifiers pursuant to Fed. R. Bankr. P. 9037 shall not be combined with any other amendment to the original document.

(d) Motions requesting the Court to restrict public access to a document shall not be combined with any other motion, except for a motion to reopen pursuant to subsections (b)(2)(C) or (b)(3)(B).

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

In Re: : Bankruptcy No.
: Chapter
Debtor :
:
:
Movant : Related to Document No.
:
:
v. : Hearing Date and Time:
:
:
Respondent (if none, then "No Respondent") :

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 full name, email addresses, and where applicable the full name of the person or entity represented, of for each parties served by electronic transmission notice is will be listed under the heading "Service by NEF Electronic Notification," and those the full name and complete postal address for each party served by mail, is 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

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

UNLESS PROVIDED BY PRIOR COURT ORDER THE OFFICIAL PLAN FORM MAY NOT BE MODIFIED

PLAN FUNDING

Total amount of \$ _____ per month for a plan term of _____ months shall be paid to the Trustee from future earnings as follows:

Table with 4 columns: Payments: Transfer, By Income Attachment, Directly by Debtor, By Automated Bank. Rows for D#1 and D#2 with dollar amounts.

(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 (a)(1)(C) pre-confirmation adequate protection payments.
Level Three: Monthly ongoing mortgage payments, ongoing vehicle and lease payments, installments on professional fees, and post-petition utility claims
Level Four: Priority Domestic Support Obligations

~~Level Five: — Post petition utility claims.~~

Level ~~Six~~ Five: Mortgage arrears, secured taxes, rental arrears, vehicle payment arrears.

Level ~~Seven~~ Six: — All remaining secured, priority and specially classified claims, miscellaneous secured arrears.

Level ~~Eight~~ Seven: Allowed general unsecured claims.

Level ~~Nine~~ Eight: Untimely filed unsecured claims for which the Debtor has not lodged an objection.

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. PERSONAL PROPERTY 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 3b, 4b, 5b or 8b. 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.(a) 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)

3.(b). *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

4.(a) Claims to be paid at plan level three (for vehicle payments, do not use “pro rata” but instead, state the monthly payment to be applied to the claim):

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

4(b) Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C) (Use only if claim qualifies for this treatment under the statute, and if claims are to be paid at level two prior to confirmation, and moved to level three after confirmation):

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

PAWB FORM 10 (03/12)

Page 3

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

5.(a) Claims to be paid at plan level three (for vehicle payments, do not use “pro rata”; instead, state the monthly payment to be applied to the claim)

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

5.(b) Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C) (Use only if claim qualifies for this treatment under the statute, and if claims are to be paid at level two prior to confirmation, and moved to level three after confirmation):

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 OR TO SURRENDER OF COLLATERAL; FOLLOWING SPECIFY DATE OF SURRENDER

7. THE DEBTOR PROPOSES TO AVOID LIMIT THE LIENS OF THE 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.

8.(a) Claims to be paid at plan level three (for vehicle payments, do not use “pro rata”; instead, state the monthly payment to be applied to the claim):

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)

8.(b) Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C) (Use only if claim qualifies for this treatment under the statute, and if claims are to be paid at level two prior to confirmation, and moved to level three after confirmation):

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. If this payment is for prepetition arrearages only, check here: As to "Name of Creditor," specify the actual payee, e.g. PA SCUDU, etc.

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 are payable to _____. In addition to a retainer of \$_____ already paid by or on behalf of the Debtor, the amount of \$_____ is to be paid at the rate of \$_____ per month. Including any retainer paid, a total of \$_____ has been approved pursuant to a fee application. An additional \$_____ will be sought through a fee application to be filed and approved before any additional amount will be paid thru the Plan.

13. OTHER PRIORITY CLAIMS TO BE PAID IN FULL

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

14. POST-PETITION UTILITY MONTHLY PAYMENTS. This provision completed only if utility provider has agreed to this treatment.

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. If the following is intended to be treated as long term continuing debt treatment pursuant to Section 1322(b)(5) of the Bankruptcy Code, check here:

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

Debtor(s) ESTIMATE that a total of \$_____ will be available for distribution to unsecured, non-priority creditors. Debtor(s) UNDERSTAND that a MINIMUM of \$_____ shall be paid to unsecured, non-priority creditors in order to comply with the liquidation alternative test for confirmation. The total pool of funds estimated above is NOT the MAXIMUM amount payable to this class of creditors. Instead, the actual pool of funds available for payment to these creditors under the plan base will be determined only after audit of the plan at time of completion. 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 (s) 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:~~ Local Bankruptcy Form 24 (Debtor's Certification of Discharge Eligibility) within forty-five (45) days after making the final plan payment.

- ~~(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. FALSE CERTIFICATIONS SHALL SUBJECT THE SIGNATORIES TO SANCTIONS UNDER FED.R.BANK.P. 9011.

Attorney Signature _____

Attorney Name and Pa. ID # _____

Attorney Address and Phone _____

Debtor Signature _____

Debtor Signature _____

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

In Re: : Bankruptcy No.
: :
Debtor(s) : :
: Chapter
: :
Movant (s) : :
: :
: Related to Document No.
v. : :
: :
Respondent(s) :

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: _ _ _ - _ _ - _ _ _ _ _

Debtor’s address:

Debtor’s 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.

NOTE: BECAUSE THIS NOTICE DISCLOSES THE DEBTOR’S FULL SOCIAL SECURITY NUMBER, IT IS TO BE MAILED TO THE EMPLOYER BUT SHALL NOT BE FILED WITH THE BANKRUPTCY COURT.

DATE: _____

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

(Typed Name)

(Address)

(Phone No.)

List Bar I.D. and State of Admission

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

In Re: _____ : Bankruptcy No.
_____ :
Debtor _____ :
_____ :
_____ :
Movant _____ :
_____ : Related to Document No.
v. _____ :
_____ :
Respondent(s) _____ :

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 to determine if a default order has been signed and the hearing canceled.

3. The following applications for compensation have been filed:

Table with 2 columns: Applicants, Compensation or Fees Expenses. Rows include Trustee, Attorney for Trustee, Attorney for Debtor, Attorney for Creditors' Committee, and Other (Specify).

4. The trustee's account shows total receipts of \$ _____
and total disbursements of \$ _____
for a balance on hand of \$ _____

~~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.~~

_____ John J. Horner, Clerk
_____ United States Bankruptcy Court

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

In Re:	:	Bankruptcy No.
	:	
Debtor(s)	:	
	:	Chapter 13
Trustee, or Debtors(s), Movant	:	
	:	
v.	:	
	:	
Respondents	:	

DEBTOR’S CERTIFICATION OF DISCHARGE ELIGIBILITY

1. The Debtor has made all payments required by the Chapter 13 Plan.
2. Include whichever one of the two following statements applies: [The Debtor is not required to pay any Domestic Support Obligations] OR [The Debtor is required to pay Domestic Support Obligations and the Debtor has paid any amounts payable under a Court Order or Statute that were due on or before the date of this Certification (including amounts due before the petition was filed, but only to the extent provided for in the Plan).]
3. The Debtor is entitled to a discharge under the terms of Section 1328 of the Bankruptcy Code. The Debtor has not received a prior discharge in a bankruptcy case within the time frames specified in Section 1328(f)(1) of the Bankruptcy Code. Section 1328(h) of the Bankruptcy Code does not render the Debtor ineligible for a discharge.
4. On [date], at docket number [number], Debtor complied with Federal Rule of Bankruptcy Procedure 1007(c) by filing a Certification of Completion of Postpetition Instructional Course in Personal Financial Management, with the Certificate of Completion attached to the form.

This Certification is being signed under penalty of perjury by (include whichever one of the two following statements applies):[Debtor(s), and Debtor(s) carefully examined and understand each of the Bankruptcy Code sections referenced in this Certification.] OR [counsel for Debtor(s). Undersigned Counsel duly questioned Debtor(s) about the statements in this Certification and verified the answers in support of this Certification.]

Date: _____

Signed: _____

Name of Filer - Typed

Address of Filer

Email Address of Filer

Phone Number of Filer

Bar I.D. and State of Admission

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

In Re:	:	Bankruptcy No.
	:	Adversary Proceeding No.
Debtor	:	
	:	Chapter
	:	
Movant	:	
	:	
	:	Related to Claim No.
v.	:	
	:	
	:	
Respondent (if none, then "No Respondent")	:	

REQUEST TO RESTRICT PUBLIC ACCESS TO CLAIM

Pursuant to W.PA.LBR 9037-1 and understanding that the redaction of any information other than the identifiers specifically enumerated in Fed. R. Bankr. P. 9037 requires a separate motion and Court approval, under penalty of perjury, the **UNDERSIGNED HEREBY CERTIFIES** that:

1. [creditor's name] filed a proof of claim, Claim No. [specify the number of the unredacted claim] in the above-captioned case on [date of filing original claim] which contains one or more of the identifiers enumerated in Fed. R. Bankr. P. 9037.
2. On [date of filing the redacted claim], [creditor's name] filed an amended claim on the claims register in compliance with W.PA.LBR 3002-2(a), a copy of which is attached hereto, and the only change made to the original claim is the redaction of personal identifiers.
3. I am requesting that the Court take whatever steps are necessary to restrict public access to the unredacted claim.

Date: _____

Signed: _____

On behalf of: _____
Name of Creditor

Name of Filer - Typed

Address of Filer

Email Address of Filer

Phone Number of Filer

Bar I.D. and State of Admission

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

In Re: _____ : Bankruptcy No.
_____ : Adversary Proceeding No.
Debtor _____ :
_____ : Chapter
_____ :
Movant _____ :
_____ :
_____ : Related to Document No.
v. _____ :
_____ :
_____ :
Respondent (if none, then "No Respondent") _____ :

REQUEST TO RESTRICT PUBLIC ACCESS TO [specify document]

Pursuant to W.PA.LBR 9037-1 and understanding that the redaction of any information other than the identifiers specifically enumerated in Fed. R. Bankr. P. 9037 requires a separate motion and Court approval, underpenalty of perjury, the **UNDERSIGNED HEREBY CERTIFIES** that:

1. A [specify the document to be redacted] was filed in the above-captioned case on [date of filing original document] at document # [state the docket entry number] which contains one or more of the identifiers enumerated in Fed. R. Bankr. P. 9037.

2. Attached hereto is an amended version of the [specify the document], and the only change made to the original document is the redaction of personal identifiers.

3. I am requesting that the Court accept the attached [specify the document] in substitution for the unredacted version, and to take whatever steps are necessary to restrict public access to the unredacted version.

Date: _____

Signed: _____

Name of Filer - Typed

Address

Email Address

Phone No.

Bar I.D. and State of Admission

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

In Re:	:	Bankruptcy No.
	:	Chapter
Debtor	:	
	:	
	:	Related to Document No.
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
	:	
Respondent (if none, then "No Respondent")	:	

REQUEST FOR LOSS MITIGATION – BY THE DEBTOR

I am/ We are the debtor(s) in this case and hereby request loss mitigation with respect to:

Property _____ address: _____

Creditor is the holder of: first mortgage or second mortgage.

I/We will make adequate protection payments to the above creditor each month in the following amount during the loss mitigation period, pursuant to forth in *W.PA.LBR 9020-3(f)*:

Creditor _____ Amount: \$ _____ Due date: _____

I understand that if the court orders loss mitigation in this case I am required to comply with the Court’s *Loss Mitigation Program (LMP)* set forth in *W.PA.LBR 9020-1 thru 9020-7* and will participate in good faith. I understand that Loss Mitigation is voluntary, and that I am not required to enter into any agreement or settlement with any other party as part of this Loss Mitigation, and understand that no other party is required to enter into any agreement or settlement with me. I also understand that I am not required to request dismissal of this case as part of any resolution or settlement that is offered or agreed to during the Loss Mitigation Period. I also certify that the property in question consists only of real property in which I hold an interest used as a principal residence.

Date: _____
_____ Debtor

Date: _____
_____ Joint Debtor (if any)

Debtor Information:

Print full name: _____

Mailing address: _____

Telephone number: _____

Email address (if any): _____

Debtor's Attorney Information:

Name: _____

Address: _____

Telephone number: _____ Fax number: _____

Creditor Information: (if known)

Name: _____

Address: _____

Telephone number: _____ Fax number: _____

Email address (if any): _____

Creditor's Attorney Information: (if known)

Name: _____

Address: _____

Telephone number: _____ Fax number: _____

Email address (if any): _____

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

In Re: _____ : Bankruptcy No.
_____ : Chapter
Debtor _____ :
_____ :
_____ :
Movant _____ : Related to Document No.
_____ :
_____ :
v. _____ : Hearing Date and Time:
_____ :
_____ :
Respondent (if none, then "No Respondent") :

REQUEST FOR LOSS MITIGATION – BY A CREDITOR

I am a creditor (including a holder, assignee, servicer or trustee of a mortgage or lien secured by property used by the debtor as a principal residence) of the debtor. I hereby request loss mitigation with respect to:

Property _____ address:

Creditor is the holder of a: ___ first mortgage or ___ second mortgage.

I have reviewed the Court's *Loss Mitigation Program (LMP)* set forth in *W.PA.LBR 9020-1 thru 9020-7* and understand that if the Court orders loss mitigation in this case I will be bound by the Loss Mitigation Procedures and will participate in good faith. I will not require the debtor to request or cause dismissal of this case as part of any resolution or settlement that is offered or agreed to during the Loss Mitigation Period.

Date: _____
Signature _____

Creditor Information:

Name: _____

Title: _____

Firm or Company: _____

Telephone number: _____ Fax number: _____

Email address (if any): _____

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

In Re:	:	Bankruptcy No.
	:	Chapter
Debtor	:	
	:	
	:	Related to Document No.
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
	:	
Respondent (if none, then "No Respondent"):	:	

LOSS MITIGATION ORDER

A *Notice of Request For Loss Mitigation* was filed by _____(specify whether Debtor or Creditor, and if Creditor then include the Creditor's full name)_____ on _____. The Parties have had notice and an opportunity to object and the Court has reviewed any objections filed thereto. Therefore,

AND NOW, this _____ day of _____, **2012**, it is hereby **ORDERED** that:

(1) The following parties are directed to participate in the Court's *Loss Mitigation Program (LMP)* set forth in *W.PA.LBR 9020-1* thru *9020-7*.

Debtor: _____

Creditor: _____

(2) **During the Loss Mitigation Period**, the Debtor shall make adequate protection payments in the amount of \$ _____ per month to the Creditor or the Creditor's designee pursuant to *W.PA.LBR 9020-3(g)*.

(3) **Within fourteen (14) days from the entry of this Order**, the Creditor shall register and post its entire Core LMP Package on the Portal.

(4) **Within thirty-five (35) days from the entry of this Order**, the Debtor shall upload a completed Core LMP Package through the Portal.

(5) **Within ten (10) business days of the borrower's submission of a completed Core LMP Package**, the Creditor shall acknowledge receipt and designate a single point of contact for Debtor's review.

(6) ***Within sixty (60) days from the entry of this Order***, the Debtor shall file and serve upon all interested parties Local Bankruptcy Form 42 (Loss Mitigation Status Report).

(7) ***Ninety (90) days from the entry of this Order***, the Loss Mitigation Period shall terminate unless extended pursuant to *W.PA.LBR 9020-5*.

(8) ***Within fourteen (14) days of the termination of the Loss Mitigation Period***, the Debtor shall file and serve upon all interested parties Local Bankruptcy Form 46 (Loss Mitigation Final Report).

United States Bankruptcy Judge

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

In Re:	:	Bankruptcy No.
	:	Chapter
Debtor	:	
	:	
	:	Related to Document No.
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
	:	
Respondent (if none, then "No Respondent")	:	

LOSS MITIGATION STATUS REPORT

This *Loss Mitigation Status Report* and the attached printout of the account history page from the Portal are submitted pursuant to *W.PA.LBR 9020-4(e)* on behalf of the Debtor(s) and in cooperation with the creditor(s) named below.

Part I: General Information

- A. Provide a detailed description of the property:

- B. Provide the following information for each creditor associated with the property identified in subsection (A), above:
 - 1. Full name and address of the creditor:

 - 2. Full name, address, telephone number and Bar ID No. of the creditor's attorney:

 - 3. Full name and complete contact information of person with settlement authority for the creditor:

- C. If the debtor has applied for a loan modification outside of the Court's Loss Mitigation program, then provide the following information:
 - 1. Date of the loan modification application:

 - 2. Status of the application:

D. If the debtor has applied for relief under a residential mortgage foreclosure program, then provide the following information:

1. County and State where relief was sought:

2. Status of the application:

E. Identify in detail any additional liens against the property:

Part II: Loss Mitigation Progress

A. The Loss Mitigation process was commenced by a *Loss Mitigation Order* dated [_____, ____ 20__], entered at document number [____], in the above-captioned case.

B. The debtor is making adequate protection payments in the amount of \$ [_____] per [_____].

C. If the debtor is requesting an extension of the Loss Mitigation Period at this time, then:

1. Set forth the specific reasons for requesting an extension:

2. Attach a proposed order substantially in the form of Local Bankruptcy Form 44.

Date: _____

Signed: _____

On behalf of: _____
Name of Debtor

Name of Filer - Typed

Address of Filer

Email Address of Filer

Phone Number of Filer

Bar I.D. and State of Admission

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

In Re:	:	Bankruptcy No.
	:	Chapter
Debtor	:	
	:	
	:	Related to Document No.
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
	:	
Respondent (if none, then "No Respondent")	:	

INTERIM CONFIRMATION ORDER

The Court finds that interim confirmation of the Chapter 13 Plan is in the best interest of the Debtor(s) and the Parties-in-Interest. Therefore,

AND NOW, this _____ day of _____, 20__, it is hereby **ORDERED** that:

(1) The Chapter 13 Plan dated _____ is approved on an interim basis only. The Plan is subject to final confirmation and further Order of the Court. All of the rights of all parties are reserved until the final confirmation hearing.

(2) The Chapter 13 Trustee is authorized to make distribution, with a percentage fee, on account of the following claims:

- (a) allowed attorneys' fees;
- (b) secured creditors;
- (c) priority creditors, and
- (d) adequate protection payments provided for in the debtor's Chapter 13 plan.

(3) The arrearage claim of the Creditor _____ shall be paid by the Chapter 13 Trustee, as provided in the plan or as designated in the proof of claim, pending the termination of the Loss Mitigation Period.

(4) The Debtor(s) shall make periodic payments until further Order of the Court as follows: \$_____ per month, beginning _____.

(5) A hearing on final confirmation is scheduled for _____ at _____.

United States Bankruptcy Judge

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

In Re:	:	Bankruptcy No.
	:	Chapter
Debtor	:	
	:	
	:	Related to Document No.
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
	:	
Respondent	:	
(if none, then "No Respondent"):	:	

ORDER

A *Loss Mitigation Order* dated _____, was entered in the above matter at Document No. _____. On _____, a *Request for Extension* of the loss mitigation period was filed by _____ Debtor(s)/Creditor _____ at Document No. _____.

AND NOW, this _____ day of _____, 20____, it is hereby **ORDERED, ADJUDGED AND DECREED** that the loss mitigation period is *extended up to and including* _____, 20_____.

United States Bankruptcy Judge

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

In Re: _____ : Bankruptcy No.
: Chapter
Debtor :
: Related to Document No.
Movant :
: v. : Hearing Date and Time:
: Respondent :
(if none, then "No Respondent") :

ORDER

A *Loss Mitigation Order* dated _____, was entered in the above matter at Document No. _____. On _____, a *Motion Requesting the Terminating the Loss Mitigation Program* was filed by _____ Debtor(s)/Creditor _____ at Document No. _____.

AND NOW, this _____ day of _____, 20____, it is hereby **ORDERED, ADJUDGED AND DECREED** that the loss mitigation program in this case is *terminated, effective _____, 20_____.*

United States Bankruptcy Judge

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

In Re:	:	Bankruptcy No.
	:	Chapter
Debtor	:	
	:	
	:	Related to Document No.
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
	:	
Respondent (if none, then "No Respondent")	:	

LOSS MITIGATION FINAL REPORT

This *Loss Mitigation Final Report* is submitted pursuant to *W.PA.LBR 9020-4(f)* on behalf of the Debtor(s) and in cooperation with the creditor named below.

Part I: General Information

- A. Provide a full description of the property:

- B. Full name and address of creditor:

- C. Full name, address, telephone number and Bar ID No. of creditor's attorney:

Part II: Outcome

The Loss Mitigation process commenced by the *Loss Mitigation Order* dated [_____, ____ 20__], entered at document number [____], in the above-captioned case, resulted in:

- | | |
|--|--|
| <input type="checkbox"/> Loan Modification | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Stay Relief | <input type="checkbox"/> Addressed through the Chapter 13 Plan |
| <input type="checkbox"/> Deed in Lieu of Foreclosure | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Sale of the Property | <input type="checkbox"/> Other: [describe in detail] |

Date: _____

Signed: _____

On behalf of: _____
Name of Debtor

Name of Filer - Typed

Address of Filer

Email Address of Filer

Phone Number of Filer

Bar I.D. and State of Admission

United States Bankruptcy Court Western District of Pennsylvania

Additional Modifications Made in January, 2013 to Pending Amendments to Local Bankruptcy Rules and Forms Based on Responses by District Court and Public Comments

The following changes were made to the proposed amended local rules and forms issued on November 28, 2012:

Rule 1001(b)

Rule 1001(b): Deleted Rule subpart

Rule 3002-3(e)

Rule 3002-3(e) was modified to state: "All objections to the amended proof of claim shall be filed and served within ninety (90) days after the amended proof of claim is filed and served."

Rule 6004-1 (c)(2)

The last sentence of Rule 6004-1 (c)(2) was removed as being duplicative.

Rule 7008-2

Rule 7008-2, Consent to Entry of Final Order or Judgment, was deleted in its entirety.

The following rule, Review of Proposed Findings of Fact and Conclusions of Law in Non-Core Proceedings, was renumbered as Rule 7008-2.

Rule 9020-6(d)

Proposed Rule 9020-6(d) originally stated: "In a Chapter 13 case in which a loan modification has been agreed upon, the debtor shall file a motion to approve the loan modification, on fourteen (14) days' notice to the Chapter 13 Trustee and to all creditors whose claims are

secured by liens against the residence. A copy of the loan modification agreement must accompany the motion. The proposed order shall provide the following, where applicable:"

Proposed Rule 9020-6(d) has been modified to state: "In a Chapter 13 case in which a loan modification has been agreed upon, the debtor shall file a motion to approve the loan modification, which shall be served immediately on the Chapter 13 Trustee and all creditors whose claims are secured by liens against the residence. A copy of the loan modification agreement shall accompany the motion. The proposed order shall provide the following, where applicable:"