

Local Bankruptcy Rules of the U.S. Bankruptcy Court

Local Rules and Forms Effective July 1, 2013



**for
the Western District of Pennsylvania**

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**LOCAL BANKRUPTCY RULES OF THE
U.S. BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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

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.

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

(a) These Rules supersede all previous local bankruptcy rules promulgated by this Court. They shall govern all applicable cases and proceedings brought in this Court after they take effect. They also shall apply to all proceedings pending at the time they take effect, in so far as just and practical.

(b) Local Bankruptcy Rules of general applicability also apply when there are specific rules governing a particular matter unless expressly stated otherwise in these Local Bankruptcy Rules or an order of Court.

(c) Where appropriate in order to correct errors, adjust scheduling, or to accomplish substantial justice, a Presiding Judge may modify the applicability of any Local Bankruptcy Rule in a particular case or matter.

(d) The provisions of the Local Bankruptcy Rules are severable, and if any Local Bankruptcy Rule or provision thereof shall be held to be unenforceable, other Local Bankruptcy Rules and provisions will not be affected.

Rule 1001-3 EFFECTIVE DATE OF RULES

These Rules shall take effect on March 1, 2012.

**PART I COMMENCEMENT OF CASE: PROCEEDINGS
RELATING TO PETITION AND ORDER FOR RELIEF**

Rule 1002-1 DIVISION OF BUSINESS

The Court operates in Divisions: the Pittsburgh Division and the Erie Division.

(a) The Pittsburgh Division of the Court is comprised of the Pittsburgh Counties and the Johnstown Counties. The counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland constitute the Pittsburgh Counties. The counties of Bedford, Blair, Cambria, Indiana, Somerset, and Clearfield constitute the Johnstown Counties.

(b) The Erie Division is comprised of the counties of Erie, Clarion, Elk, Jefferson, McKean, Warren, Crawford, Forest, Mercer, and Venango.

(c) The bankruptcy petition shall indicate the county of the debtor's residence, or principal place of business, as the case may be.

Rule 1002-2 COMPLEX CHAPTER 11 CASES

(a) A “Complex Chapter 11 Case” is defined as a case filed in the Western District of Pennsylvania under chapter 11 of the Bankruptcy Code that requires special scheduling and other procedures because of a combination of factors, including, but not limited to, one (1) or more of the following factors:

- (1) the need for expedited hearings for consideration of case management and administrative orders, the use of cash collateral, debtor in possession financing, retaining professionals on an interim basis, maintaining existing bookkeeping systems, paying employees wages and benefits, utility deposit orders for a limited period, and other matters vital to the survival of the business;
- (2) the size of the case;
- (3) the large number of parties in interest in the case;
- (4) the fact that claims against the debtor and/or equity interests in the debtor are publicly traded;
- (5) the need for special noticing and hearing procedures.

(b) To secure designation as a Complex Chapter 11 Case, the party shall file a motion. The motion shall substantially conform to Local Bankruptcy Form 2 (Ex Parte Motion for Designation as Complex Chapter 11 Bankruptcy Case).

(c) Generally, requests for relief will be heard on at least forty-eight (48) hours’ notice to the parties specified in W.P.A.LBR 1002-2(d). If immediate relief is requested, the Court, in its sole discretion, may preliminarily grant the relief requested without notice and hearing, provided, however, that the Court shall direct that any such order entered be served, together with a notice of objection and hearing dates, prior to entry of a final order. Upon the request of a party in interest, the Court may issue an order substantially in the form of Local Bankruptcy Form 3 (Initial Order for Complex Chapter 11 Bankruptcy Case).

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

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

(e) The Court may require agenda letters and paper copies of documents in complex cases.

Rule 1003-1 DESIGNATION OF PRINCIPAL IN INVOLUNTARY CASES

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

Rule 1006-1 FILING FEES, INSTALLMENT PAYMENTS

(a) In accordance with W.P.A.LBR 1017-2, the Court shall immediately issue an order of dismissal in any case where an installment payment has not been received by the due date unless, prior to the entry of any such order of dismissal, the debtor files an application to extend the installment payment schedule or requests in writing a hearing to show cause why the case should not be dismissed. The individual debtor and the attorney for the debtor are responsible for knowing the due dates of installment payments. The Clerk will not send reminders or notices that installment payments are due.

(b) Whenever a case is dismissed prior to the filing fees being paid in full, the debtor shall remit the balance of the fees to the Clerk within fourteen (14) days after the entry of the order of dismissal.

(c) A motion to reopen a case or to vacate an order of dismissal shall be accompanied by the filing fee for a motion to reopen a case and any balance due on the original filing fee for the bankruptcy petition.

Rule 1007-1 MAILING 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 1007-3 DISCLOSURE OF RELATED CASES AND PROCEEDINGS

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

(b) As used in this Local Bankruptcy Rule, the term “Related Case” includes, but is not limited to, bankruptcy cases, ancillary or miscellaneous proceedings, and adversary proceedings, whether or not presently pending, involving:

- (1) a spouse or former spouse of the debtor;
- (2) an affiliate (as defined by 11 U.S.C. § 101);
- (3) an insider (as defined by 11 U.S.C. § 101); or
- (4) the same debtor, entity, or person, including aliases or fictitious names used by that debtor, entity, or person, having previously filed a case or proceeding whether in this or any other district.

Rule 1007-4 PROOF OF INCOME

(a) The debtor shall file with the Clerk copies of the payment advices described in 11 U.S.C. § 521(a)(1)(B)(iv). Debtors shall file payment advices in accordance with Fed. R. Bankr. P. 9037, Privacy Protection for Filings Made with the Court, which instructs parties to redact personal information such as the first five (5) numbers of a debtor's Social Security number and personal identifying numbers such as employee identification numbers. If the debtor does not have the required payment advices, then the debtor shall file a certification with the Clerk explaining the reason payment advices are not available.

(b) Each individual debtor shall also report to the trustee not later than fourteen (14) days before the date first set for the first meeting of creditors any other source of income not listed on debtor's payment advices.

(c) Chapter 13 debtors that are self-employed (including debtors acting as landlords) shall submit a completed Local Bankruptcy Form 5 (Chapter 13 Business Case Questionnaire) to the trustee at least fourteen (14) days prior to the first scheduled meeting of creditors.

Rule 1007-5 DOMESTIC SUPPORT CERTIFICATION

Debtors in chapter 12 or chapter 13 cases who are subject to a domestic support obligation, whether the obligation arose before or after the commencement of the case, shall at the time of making the last payment called for under the plan:

(a) certify to the chapter 12 or chapter 13 trustee that all pre-filing and post-filing payments have been made on domestic support obligations substantially conforming to Local Bankruptcy Form 21 (Domestic Support Obligation Certification); and

(b) provide the chapter 12 or chapter 13 trustee with the name and address of any holders of a domestic support obligation, the name and address of the debtor responsible for the obligation, and the name and address of the most recent employer of the debtor responsible for the obligation substantially conforming to Local Bankruptcy Form 22 (Domestic Support Obligation Claim Holder Report).

Rule 1007-6 LIST OF 20 LARGEST UNSECURED CREDITORS

The List of 20 Largest Unsecured Creditors shall be filed with every voluntary chapter 11 petition. The bankruptcy case shall be dismissed if the List of 20 Largest Unsecured Creditors is not filed with the petition. In the event that there are fewer than twenty (20) creditors, the list shall so state.

Rule 1009-1 AMENDMENTS BY DEBTOR

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

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

(c) Each debt newly listed by an amendment to the schedules of liabilities shall also state when such debt was incurred and the amount and nature of such debt.

(d) All amendments shall include:

- (1) a caption indicating that the document is an “Amendment to [Note: Filer to specify.]”;
- (2) a clear description of the material added or deleted;
- (3) a certificate of service by the debtor or debtor’s attorney that notice has been given as required by the Federal Rules of Bankruptcy Procedure and these Local Bankruptcy Rules;
- (4) a supplemental Mailing Matrix and Local Bankruptcy Form 30 (Notice Regarding Modification to Mailing Matrix) shall be filed pursuant to W.PA.LBR 1007-1(f);
- (5) the payment of any fees required by 28 U.S.C. § 1930; and
- (6) a completed amendment cover sheet substantially conforming to Local Bankruptcy Form 6 (Amendment Cover Sheet).

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

(f) When the debtor files an amendment modifying the Social Security number, the amendment including the full Social Security number shall be served on creditors and all parties in interest. The amendment filed with the Court shall have the first five (5) numbers of the Social Security number redacted. The certificate of service filed with the amendment shall list the parties served and aver that the recipients received a copy of the amendment that included the full Social Security number. The caption of Official Form 21 (Statement of Social Security Number) shall be modified to include the word “amendment” at the end of the caption, and the completed form shall be submitted on paper, not filed, with the Clerk.

Rule 1017-1 DISMISSAL OR CONVERSION OF BANKRUPTCY CASE

(a) A motion to dismiss a voluntary or involuntary bankruptcy petition shall set forth the reasons for the dismissal. The motion shall also set forth whether any arrangement or agreement has been made with any creditor or other person in connection with such application for dismissal and the terms thereof. In addition, any payment or consideration received or anticipated, lump sum or otherwise, shall be identified.

(b) A motion filed by a party other than the debtor to convert a chapter 11 case to a chapter 7 or to dismiss the case shall be scheduled initially for a hearing at a motion Court time on notice by the movant upon all creditors or, at the option of the moving party, only upon:

- (1) counsel for debtor;
- (2) United States trustee;
- (3) any person who has filed a request for notices in the case;
- (4) the IRS Office of the District Counsel in Pittsburgh at the address listed in the Address Appendix located in the Local Bankruptcy Rules section of the Court's website;
- (5) the Commonwealth of Pennsylvania Department of Revenue at the address listed in the Address Appendix located in the Local Bankruptcy Rules section of the Court's website;
- (6) the Commonwealth of Pennsylvania Department of Labor and Industry, at the address listed in the Address Appendix located in the Local Bankruptcy Rules section of the Court's website;
- (7) other taxing body creditors;
- (8) all secured creditors;
- (9) the attorney for the creditors' and other committees or, if none, then on the seven (7) largest unsecured creditors.; and
- (10) creditors claiming they are owed domestic support obligation.

(c) A motion filed by a party other than the debtor to convert or dismiss a chapter 13 case shall be scheduled initially for a hearing before the Presiding Judge on a chapter 13 motions day.

(d) Upon the filing by the chapter 13 trustee of a Certificate of Default Recommending Dismissal of Case based upon plan payment defaults, the debtor shall file and serve a written response accompanied by documentation that at least one (1) full plan payment was sent to the chapter 13 trustee's lock box after the date of the Certificate of Default.

- (1) The debtor's failure to respond in accordance with the requirement of the order will result in the dismissal of the case without a hearing.
- (2) The response shall set forth in detail the basis for denial of the chapter 13 trustee's request for dismissal and any prospective plan changes designed to cure the existing default. Proof of one (1) full plan payment shall be attached to any response, including an amended plan.
- (3) If the response proposes that additional payments will be made prior to the hearing scheduled on the motion, verification of such payments shall be made to the Court contemporaneously with delivery of payment to the chapter 13 trustee.
- (4) If the response indicates that the plan payment is to be increased in order to cure the existing default, the new payment shall be identified in the response, and the plan shall be deemed amended as of the date of the response to include the adjusted payment.
- (5) If the response expresses the debtor's intent to amend the plan other than by a payment increase, the amended plan is to be filed along with the response and served on all parties in interest. Upon the filing of the amended plan, the Court shall cancel the hearing previously set for consideration of the chapter 13 trustee's request for dismissal, and a conciliation conference and plan confirmation hearing will be scheduled. If the debtor fails to make any plan payment prior to the conciliation conference and plan confirmation hearing, on Supplemental Certificate of Default filed and served by the chapter 13 trustee, the case will be dismissed and the hearing canceled.

Rule 1017-2 DISMISSAL OF BANKRUPTCY CASE FOR DEFICIENT FILING

(a) The Clerk shall serve electronically upon debtor's counsel, or by postal mail if the debtor is not represented by counsel, a Notice of Deficient Filing if the debtor fails to timely file all of the documents necessary to initiate the case as required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, these Local Bankruptcy Rules, and/or any order of this Court.

(b) Pursuant to the United States trustee's motion to dismiss, as authorized by General Order #91-1, the Notice of Deficient Filing will identify the filing deficiencies and set forth a date for dismissal of the case.

(c) At any time before the date set for entry of an order of dismissal, the debtor:

- (1) may file a motion requesting a hearing at which debtor shall show cause why the case should not be dismissed for deficiencies; or
- (2) may file a motion and proposed order seeking an extension of time to comply with the Notice of Deficient Filing.

Rule 1019-1 MAILING MATRIX IN CONVERTED CASES

Local Bankruptcy Form 30 (Notice Regarding Modification to Mailing Matrix) and a supplemental Mailing Matrix, which meets the requirements of W.PA.LBR 1007-1 and lists the names and addresses of nonscheduled prepetition and postpetition creditors and executory contract holders, shall be filed by the debtor. If the debtor is the filing party, then all postpetition creditors shall be served with a copy of the motion.

**PART II OFFICERS AND ADMINISTRATION; NOTICES; MEETINGS;
EXAMINATIONS; ELECTIONS; ATTORNEYS AND ACCOUNTANTS**

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 party in interest who is not a Notice of Electronic Filing (NEF) recipient.

(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 2002-2 DUTY TO MAINTAIN CURRENT ADDRESS

It is the responsibility of parties in interest and counsel to assure that their postal and e-mail addresses are kept current in each case pending entry of a final decree.

Rule 2004-1 EXAMINATION

(a) The purpose of this Rule is to avoid a motion and Court order for a 2004 examination unless an objection is filed.

(b) Before giving notice of a proposed examination, the movant shall confer with the proposed examinee (through counsel, if represented) to arrange for an agreeable date, place, and time for the examination. Failure by the movant to attempt to confer shall be grounds to quash under W.PA.LBR 2004-1(e).

(c) Not less than twenty-eight (28) days' written notice of a proposed examination shall be given to the entity to be examined, its counsel, and to other affected parties. The entity to be examined and other affected parties shall have fourteen (14) days after service to respond or object to the proposed examination. The notice shall apprise the party of the scope of the examination and categories of documents to be produced.

(d) If no response or objection is served, the notice to conduct an examination need not be filed, and the examination may occur as the parties agree.

(e) When an examinee or party in interest objects to the examination, the burden is on the party seeking the examination to file a motion to compel the examination, in accord with Fed. R. Bankr. P. 2004(a). A certificate shall be attached to any motion to compel explaining the efforts made to meet and confer and certifying that such efforts were unsuccessful. All parties in interest, including the examinee and its counsel, shall be served with the motion.

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

(g) This Rule does not apply to adversary proceedings and to contested matters.

(1) The discovery provisions of Part VII of the Local Bankruptcy Rules apply in adversary proceedings.

(2) Fed. R. Bankr. P. 9014 applies to discovery in contested matters.

Rule 2015-1 DUTY TO KEEP RECORDS, FILE REPORTS, AND MAKE PAYMENTS, INCLUDING TAXES

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

(b) For purposes of proper service, the party shall use the current address, if listed, in the Address Appendix located in the Local Bankruptcy Rules section of the Court's website.

(c) Any entity whose address is listed in the Address Appendix located in the Local Bankruptcy Rules section of the Court's website shall file a notice with the Clerk of any change of address necessary for the parties to comply with these Rules on or before the effective date of the change.

(d) Payments to the chapter 13 trustee shall be made in accordance with instructions provided by the chapter 13 trustee.

(e) Where applicable, a debtor in possession or a trustee in a chapter 11, a chapter 12 debtor, or a chapter 13 debtor case shall comply with the following:

- (1) All checks issued by a debtor in possession under chapter 11 shall bear the legend: "Debtor in Possession Account, Bankruptcy Case No. xx-xxxxx."
- (2) Any instrument used to make a chapter 12 or chapter 13 plan payment shall include the debtor's name and case number.
- (3) Keep current, and pay when due, all debts arising after the entry of the order for relief, including any debt arising from rentals or other money due on account of real estate leases and utility services, as well as any federal, state, and local employment, income, or other tax, as required by law.
- (4) Submit to the Pennsylvania Department of Revenue Bankruptcy Division, at the address listed on the Address Appendix, a certified or cashier's check in full payment of the following taxes in the manner hereafter set forth:
 - (A) all Pennsylvania sales tax collected pursuant to 72 P.S. § 7202 *et seq.* shall be remitted together with the proper tax returns, no later than the end of the seventh day following the last day of each month in which such sales taxes were required to be collected; and
 - (B) all employer withholding tax (personal income tax) withheld pursuant to 72 P.S. § 7316 *et seq.* shall be remitted together with the proper tax returns, no later than the end of the second business day after the payment of wages to employees.

- (5) Submit, no later than the last day of the month following the end of the calendar quarter, tax returns together with a certified or cashier's check in full payment of unemployment compensation employer taxes and, if required, employee contributions withheld, pursuant to 43 P.S. § 785 and § 781.4, to the Local Office of the Field Accounting Service of the Pennsylvania Department of Labor and Industry, Office of Unemployment Compensation Tax Services.
 - (6) In the case of self-employed debtors, submit estimated income tax payments by April 15, June 15, September 15, and January 15 to the IRS and Pennsylvania Department of Revenue Bankruptcy Division, respectively.
 - (7) Timely file all federal, state, and local tax returns with the applicable taxing bodies during the pendency of the bankruptcy case.
- (f) The debtor in possession or trustee in a chapter 11 case shall:
- (1) timely file all federal, state, and local tax returns with the applicable taxing bodies during the pendency of the bankruptcy case;
 - (2) file with the Clerk monthly statements of operations for the preceding month ("Monthly Operating Report") no later than the twentieth day of the next month. The initial Monthly Operating Report shall include:
 - (A) the name and location of each depository or place of investment holding funds of the estate;
 - (B) the applicable account number or numbers; and
 - (C) whether the debtor is operating on a "cash" or "accrual" basis.
- (g) After a confirmation order is entered, the reorganized debtor shall file quarterly reports until the case is closed.
- (h) A chapter 13 debtor engaged in business shall:
- (1) timely file all federal, state, and local tax returns with the applicable taxing bodies during the pendency of the bankruptcy case;
 - (2) serve the chapter 13 trustee with an initial chapter 13 "Business Case Questionnaire" on a form substantially in compliance with Local Bankruptcy Form 5 (Chapter 13 Business Case Questionnaire) at least fourteen (14) days prior to the first date set for the meeting of creditors. The initial questionnaire shall include:
 - (A) the name and location of each depository or place of investment holding funds of the estate;

- (B) the applicable account number or numbers; and
 - (C) whether the debtor is operating on a “cash” or “accrual” basis; and
- (3) beginning with the first full month following the petition filing and continuing monthly thereafter, serve the chapter 13 trustee with a “Report of Operations” no later than the twentieth day of the month covering each preceding month. The Reports of Operations shall not be filed with the Court.

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, 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.

**PART III CLAIMS AND DISTRIBUTION TO CREDITORS
AND EQUITY INTEREST HOLDERS; PLANS**

Rule 3002-1 FILING CLAIMS

(a) If the amendment adding creditor(s) to schedules is filed after the claims bar date has expired or will expire within thirty (30) days of the amendment, the affected creditor(s) shall file a proof of claim within thirty (30) days of the date notice of the amendment is sent.

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

(c) The Clerk shall notify parties in interest of the bar date when proofs of claims are required to be filed in the case.

(d) The Clerk shall set a bar date for governmental entities to file proofs of claim in each bankruptcy case filed in the Western District of Pennsylvania. The bar date shall be included on the docket of the case. The bar date for governmental entities shall not be modified when a case is converted to a different chapter of the Bankruptcy Code. Governmental entities shall file proofs of claim within the greater of one hundred eighty (180) days from the date the order for relief was first entered in the case or the bar date set for other creditors after conversion.

(e) The bar date for governmental entities shall not be modified when the chapter 7 trustee files a Notice of Assets and the Clerk notifies parties to file claims. Governmental entities shall file proofs of claim within the greater of one hundred eighty (180) days from the date the order for relief was first entered in the case or the proof of claim deadline date set for other creditors by the Clerk.

(f) Any entity filing more than ten (10) claims in a calendar year shall file claims electronically in the CM/ECF System.

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 ninety (90) days after the amended proof of claim is filed and served.

(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 3002-4 [RESERVED]

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 3003-1 PROOFS OF CLAIM BAR DATE IN CHAPTER 11 CASES

The deadline for creditors other than governmental units to file proofs of claim in chapter 11 cases is ninety (90) days after the first date set for the meeting of creditors.

Rule 3011-1 UNCLAIMED FUNDS

Requests for disbursement of unclaimed funds shall be made pursuant to 28 U.S.C. § 2042 by filing a motion and serving a copy of the motion on all interested parties, including the debtor, United States attorney, United States trustee, and former and/or current case trustee(s).

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

In chapter 13 cases, the plan shall be filed in substantial conformity to Local Bankruptcy Form 10 (Chapter 13 Plan).

Rule 3015-2 WAGE ORDERS IN CHAPTER 13 CASES

(a) The plan filed by a chapter 13 debtor with attachable income shall be accompanied by a motion for a wage attachment(s) and order(s) in an amount(s) sufficient to cover plan payments. The motion and order shall substantially comply with Local Bankruptcy Form 11 (Ex Parte Motion for Order to Pay Trustee Pursuant to Wage Attachment and Order to Pay Trustee Pursuant to Wage Attachment).

(b) When a bankruptcy case is filed by one (1) debtor, “Doc. No. WO-1” shall be included in the caption of the motion for wage attachment and the proposed order. Any motion to amend shall include “Doc. No. WO-1” in the caption.

(c) When a joint case is filed, the name of the debtor whose wages are to be attached shall be stated in the caption of the motion and in the proposed order. “Doc. No. WO-1” shall be included in the caption of the first joint debtor requesting a wage attachment. “Doc. No. WO-2” shall be included in the caption of a subsequent motion requesting a wage attachment filed by the other joint debtor.

(d) Any motion to amend a wage attachment shall be filed at the original motion number for the first or second joint debtor (WO-1 or WO-2) and shall be marked “Amended Motion for Wage Attachment” in the caption.

(e) Any motion to amend the amount of the wage deduction shall request only the exact amount to be attached.

(f) If a debtor has more than one (1) employer, separate wage attachment motions and proposed orders granting the requested relief shall be filed for each employer from whom wages are to be attached. A motion naming more than one (1) employer as a respondent will be dismissed without prejudice for failure to comply with this Local Bankruptcy Rule.

(g) The debtor shall state the pay frequency when providing the statement of the payment amount, e.g., \$535 biweekly, or \$267.50 weekly, in addition to providing the calculation of the monthly amount. If the payroll period is unknown, a monthly basis shall be used. If the payroll period is known, the payment amount shall be calculated as follows:

Payment Frequency	Calculation of Monthly Amount
Weekly (52 pays/year)	amount to be attached multiplied by 12; then divided by 52 and rounded upwards
Biweekly (every 2 weeks = 26 pays/year)	amount to be attached multiplied by 12; then divided by 26 and rounded upwards
Semimonthly (twice each month = 24 pays/year)	amount to be attached divided by 2; then rounded upwards

(h) Automated Clearing House (ACH) payments are made by entering into a contract with the chapter 13 trustee and not by motion and order. Therefore, no motion shall be filed to commence or terminate ACH payments.

(i) The debtor shall serve a copy of the signed order granting the wage attachment on the entity or entities required to remit payment to the trustee. The order shall be accompanied by a notification of debtor's complete, nine-digit Social Security number substantially conforming to Local Bankruptcy Form 12 (Notification of Debtor's Social Security Number). Debtor shall file a certificate of service regarding service of the order and notification, but the Social Security number shall not be included on the certificate.

Rule 3015-3 CONCILIATION

Initial plan confirmation hearings shall be scheduled by the “Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines” and conciliated by the chapter 13 trustee. Continuances of plan confirmation hearings may refer the parties to another conciliation conference or to a confirmation hearing before the Presiding Judge.

Rule 3015-4 CONTINUED CHAPTER 13 CONCILIATION CONFERENCES

(a) If the chapter 13 trustee determines during the initial conciliation conference that a continuance is necessary, the trustee shall announce to the parties in attendance the time, date, and location of the rescheduled chapter 13 conciliation conference.

(b) The case docket shall reflect the time, date, and location of any rescheduled chapter 13 conciliation conference that is continued by the chapter 13 trustee during the conference. Generally, parties shall review the case docket to determine if an entry has been made rescheduling the conciliation conference. Attorneys filing electronically in a case shall receive in electronic form a Notice of Electronic Filing (NEF) from the Clerk that includes the docket entry reflecting the continued time, date, and location of the conciliation conference.

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

The disclosure statement filed in chapter 11 cases shall substantially conform to Local Bankruptcy Form 13 (Disclosure Statement To Accompany Plan), except in a case designated as a complex chapter 11.

Rule 3016-2 PLAN SUMMARY IN CHAPTER 11 CASES

(a) A summary shall be filed with the plan and contain a concise description of the provisions of the plan. The plan summary shall provide an explanation of the plan in narrative form and shall be no more than two (2) pages.

(b) A description of any releases provided by the plan and the consideration given by the party to be released shall be set clearly forth as a separately labeled paragraph.

(c) A description of any liens which are to be avoided according to the plan shall be set forth as a separately labeled paragraph.

Rule 3017-1 HEARING ON DISCLOSURE STATEMENT

(a) The responsibility for service shall be upon the proponent of the disclosure statement.

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

Rule 3018-1 BALLOTING

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

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

(c) Counsel for the proponent of the plan shall electronically file the ballots at least two (2) business days prior to the confirmation hearing and bring the original ballots to the hearing.

(d) At least two (2) business days prior to the plan confirmation hearing, counsel for the proponent of the plan shall file a summary of the ballots including certification that all ballots received have been accounted for and tabulated and that the summary is an accurate representation of the ballots received.

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

(f) In cases where the plan includes nondebtor releases, permanent injunctions, and/or exculpations, the ballot shall include a separate section for the voting creditor to choose whether to accept or reject those provisions.

Rule 3021-1 DISTRIBUTION UNDER CHAPTER 9, 11, AND 13 PLANS

(a) Each creditor shall assure that its current address is on file with the Clerk. Distribution by the disbursing agent shall be to the most recent address on file with the Clerk. The distribution of any proceeds pursuant to a confirmed plan shall be mailed to the address of the creditor as designated pursuant to Fed. R. Bankr. P. 2002(g), if one has been filed.

(b) Within ninety (90) days of confirmation of a chapter 9 or chapter 11 plan and each ninety (90) days thereafter until the case is closed, the disbursing agent shall file with the Clerk a brief and accurate accounting of all sums received, all sums disbursed to date, the sums remaining with the disbursing agent, and the proposed disposition thereof.

(c) Following confirmation of a plan, the chapter 13 trustee shall make distribution to secured and priority creditors in accordance with the terms of the plan. Claims identified in the plan or proofs of claim filed shall be treated for distribution purposes as follows:

- (1) after the filing of a plan and prior to confirmation of such plan, the chapter 13 trustee is authorized to make distribution of the designated monthly payments as provided in the plan on secured nontax claims, attorney's fees, and utility accounts;
- (2) the debtor or debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

(d) In chapter 13 cases, failure of an unsecured creditor to file a claim shall inure to the benefit of the other unsecured creditors in the same class. The chapter 13 trustee shall increase the percentage to be paid accordingly, provided that payments shall not exceed one hundred percent (100%) of the total amount of the allowed unsecured claims (including interest if provided in the plan for such claims). Distributions to unsecured creditors shall be made on a pro rata basis as calculated by the chapter 13 trustee and not on a per capita basis.

(e) If a secured creditor obtains relief from the automatic stay, the chapter 13 trustee shall suspend distributions to all creditors with claims secured by the collateral released from the automatic stay, following the chapter 13 trustee's receipt of notice of the grant of relief. However, the chapter 13 trustee shall continue to make distribution to other creditors in accordance with the terms of the plan.

(f) In the event of conversion or dismissal following the confirmation of a chapter 13 plan, then the chapter 13 trustee shall distribute all funds received prior to the effective date of the conversion or dismissal, in accordance with the terms of the confirmed plan.

(g) In the event that a chapter 13 plan is not confirmed, then the trustee shall refund all payments to the debtor if the case is dismissed, or to the chapter 7 trustee if the case is converted.

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

(a) The agent designated to administer the plan, or if none then the plan proponent, shall file and serve on all parties in interest a motion for final decree within the time period set forth in the confirmation order. If no confirmation order is issued, a motion for final decree shall be served within ninety (90) days after confirmation.

(b) Every motion for final decree shall have a completed Local Bankruptcy Form 14 (Report for Bankruptcy Judges in Cases To Be Closed–Chapter 11 Cases) attached.

PART IV THE DEBTOR: DUTIES AND BENEFITS

Rule 4001-1 MOTIONS FOR RELIEF FROM STAY COMBINED WITH OTHER REQUESTS FOR RELIEF

(a) Motions for relief from stay shall not be combined with requests for any type of relief other than for adequate protection.

(b) If a motion combining relief from stay with a request for any type of relief other than for adequate protection is not dismissed, the movant is deemed to have waived the time periods set forth in 11 U.S.C. § 362(e).

Rule 4001-2 USE OF CASH COLLATERAL AND OBTAINING FINANCING

(a) A preliminary hearing may commence no earlier than forty-eight (48) hours after service of the motion and notice of the hearing. In addition to the CM/ECF System, the movant may use any means reasonably calculated to accomplish expedited notice and service (e.g., hand delivery, facsimile, direct e-mail, or next-day delivery) upon an authorized representative of a party adversely affected by the relief requested, and shall note on the certificate of service the manner in which service was effected.

(b) Except as provided herein and elsewhere in these Local Bankruptcy Rules, all cash collateral and financing requests under 11 U.S.C. §§ 363 and 364 shall be heard by motion filed pursuant to Fed. R. Bankr. P. 2002, 4001, and 9014 (“financing motions”).

- (1) All financing motions shall (a) recite whether the proposed form of order and/or underlying cash collateral stipulation or loan agreement contains any provision of the type indicated below; (b) identify the location of any such provision in the proposed form of order, cash collateral stipulation and/or loan agreement; and (c) justify the inclusion of such provision:
 - (A) Provisions that grant cross-collateralization protection (other than replacement liens or other adequate protection) to the prepetition secured creditors (i.e., clauses that secure prepetition debt by postpetition assets in which the secured creditor would not otherwise have a security interest by virtue of its prepetition security agreement or applicable law);
 - (B) Provisions or findings of fact that bind the estate or other parties in interest with respect to the validity, perfection, or amount of the secured creditor’s prepetition lien or the waiver of claims against the secured creditor without first giving parties in interest at least (a) one hundred twenty (120) days from the date of the order, or (b) ninety (90) days from the date a committee is formed and retains counsel, to investigate such matters;
 - (C) Provisions that seek to waive or release, without notice and/or hearing, whatever rights the estate may have under applicable law, including without limitation, chapter 5 of the United States Bankruptcy Code;
 - (D) Provisions that immediately grant to the prepetition secured creditor liens on the debtor’s claims and causes of action arising under 11 U.S.C. §§ 544, 545, 547, 548, and 549;
 - (E) Provisions that deem prepetition secured debt to be postpetition debt or that use postpetition loans from a prepetition secured creditor to pay part or all of that secured creditor’s prepetition debt, other than as provided in U.S.C. § 552(b);

- (F) Provisions that provide disparate treatment for the professionals retained by a creditors' committee from those professionals retained by the debtor with respect to a professional fee carve-out; and
- (G) Provisions that prime any secured lien without the consent of that lienor.

- (2) All financing motions shall also provide a summary of the essential terms of the proposed use of cash collateral and/or financing (e.g., the maximum borrowing available on a final basis, the interim borrowing limit, borrowing conditions, interest rate, maturity, events of default, use of funds limitations, and protections afforded under 11 U.S.C. §§ 363 and 364).

(c) The Court may grant interim relief pending review by interested parties of the proposed debtor in possession financing arrangements. Such interim relief shall include only what is necessary to avoid immediate and irreparable harm to the estate pending a final hearing. In the absence of extraordinary circumstances, the Court shall not approve interim financing orders that include any of the provisions previously identified in W.PA.LBR 4001-2(B)(i)(A)-(G).

(d) A final order shall be entered only after notice and a hearing pursuant to Fed. R. Bankr. P. 4001.

Rule 4001-3 RENT DEPOSITS

(a) A rent deposit submitted under 11 U.S.C. § 362(l)(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(l)(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 4001-4 POSTCONFIRMATION MATTERS IN CHAPTER 13 CASES

(a) Notwithstanding any provision in a chapter 13 plan revesting property of the estate in the debtor, all sales of real and personal property shall be conducted in accordance with the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules. The Notice of Sale shall state the proposed disposition of sale proceeds.

(b) Any postpetition extensions of credit sought by the debtor shall be in the form of a motion subject to the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules. Such motion shall be served on the chapter 13 trustee and all parties in interest.

(c) A motion seeking real estate/mortgage financing shall include the following information:

- (1) the identity of the property that is subject to the financing;
- (2) the identity of the source of funds;
- (3) a description of the terms of the financing, including:
 - (A) whether it will be the first mortgage on the subject property;
 - (B) the amount of principal borrowed;
 - (C) the interest rate;
 - (D) the term of the loan and its amortization schedule;
 - (E) the amount of the monthly payment; and
 - (F) all other material terms of the financing agreement;
- (4) whether the new mortgage financing is to be incorporated into the existing plan or is designed to complete payments under the plan;
- (5) the status of plan payments at the time that the motion is filed;
- (6) if a discharge is sought through the financing, whether the provisions of 11 U.S.C. § 1328 are met; and
- (7) the date the loan is expected to close.

(d) A motion seeking approval of motor vehicle financing shall include the following:

- (1) the type and cost of vehicle being purchased;
- (2) the source of funds;

- (3) the terms of financing, including:
 - (A) the principal borrowed;
 - (B) the interest rate;
 - (C) the term of the loan and its amortization schedule;
 - (D) the amount of the monthly payment; and
 - (E) all other material terms of the financing agreement;
- (4) how the new payment will be incorporated into the chapter 13 plan;
- (5) the status of plan payments at the time the motion is filed;
- (6) whether any further plan modification is necessary;
- (7) the date the loan is expected to close;
- (8) if the treatment of other creditors will be changed as a result of this financing, a statement of the rationale and underlying facts in support of that change;
- (9) if the plan payment is to be changed as a result of the financing, sufficient facts to demonstrate the feasibility of the plan amendment;
- (10) whether the standards of 11 U.S.C. § 1325(b) are met; and
- (11) whether and when an amended plan will be filed.

Rule 4002-1 PROOF OF FEDERAL INCOME TAX RETURNS

If debtor did not file the federal income tax return required under applicable law for the most recent tax year ending immediately before the commencement of the case not later than seven (7) days before the date first set for the first meeting of creditors, then debtor shall submit to the trustee documentary proof of income from any source whatsoever, including, but not limited to, wages, salaries, commission, workmen's compensation, public assistance, aid to families with dependent children, alimony, support, gambling or lottery winnings, pensions, distributions from trust funds, interest, dividends, etc., not later than seven (7) days before the date first set for the first meeting of creditors. Any debtor who does not have documentary proof of income required by this Rule, or who had no income during the period, shall file a verified statement to that effect and serve a copy on the trustee.

Rule 4004-4 MOTIONS FOR DISCHARGE IN CHAPTER 11 CASES BROUGHT BY INDIVIDUALS

Within ninety (90) days after final distribution of all plan payments, the debtor shall:

- (a) file a combined motion to reopen the case and to waive the filing fee; and
- (b) file a motion seeking discharge with a final report and account certifying that all plan payments have been made, that debtor has completed the financial management course, and that all domestic support obligations (if any) are current. The report shall include a list of all creditors, the amount of each creditor's claim, and the principal and interest paid to each creditor.

PART V BANKRUPTCY COURTS AND CLERKS

Rule 5001-1 SEAL OF THE COURT

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

Rule 5005-1 MANDATORY ELECTRONIC FILING

(a) Electronic filing through the Court's Case Management/Electronic Case Files System (the "CM/ECF System") is mandatory in this District for attorneys. Filers not represented by an attorney (*pro se*) may file paper documents with the Clerk, who shall promptly file such documents using the CM/ECF System.

(b) The Court shall sanction violators of this Local Bankruptcy Rule in the amount of \$150.00 per paper filing. Counsel shall not charge to or collect the \$150.00 from the client as a fee, cost, expense, or other charge in the case.

Rule 5005-2 REGISTRATION AS A FILING USER

(a) A “Filing User” is anyone having a Court-issued CM/ECF System log-in and password. Any attorney appearing before the Court shall be registered as a Filing User. Pursuant to W.P.A.LBR 9010-1 and Local Bankruptcy Form 18 (Motion for *Pro Hac Vice* Admission), *pro hac vice* admission requires association with a local registered Filing User.

(b) Any attorney admitted to the Bar of the Western District of Pennsylvania (including those admitted *pro hac vice*) and/or who has attended CM/ECF System training provided by the Clerk, United States trustees and their assistants, private trustees, and others as the Court deems appropriate may apply for registration as a Filing User after attending CM/ECF System training provided by the Clerk.

(c) The Court may grant a *pro se* party to a pending action permission to apply for registration as a Filing User, subject to attending CM/ECF System training provided by the Clerk. If granted, the *pro se* party’s Filing User status is limited solely to the specific pending action. If, during the course of the action, an attorney appears on the party’s behalf, that attorney shall immediately advise the Clerk to terminate the *pro se* party’s registration as a Filing User.

(d) Application for registration as a Filing User shall be made using Local Bankruptcy Form 4A (CM/ECF Filing User Registration).

Rule 5005-3 REGISTRATION AS A LIMITED FILING USER

(a) An individual who is registered as a CM/ECF System participant in another district and/or who has attended CM/ECF System training provided by the Clerk may apply for registration as a Limited Filing User. A Limited Filing User's CM/ECF System account is limited to filing proofs of claim, notice requests, withdrawals of claims, transfers of claims, objections to transfer of claim, reaffirmation agreements, notices of mortgage payment change, and notices of postpetition fees, expenses, and charges.

(b) A Limited Filing User will not receive electronic notification of documents or docket activity.

(c) Application for registration as a Limited Filing User shall be made using Local Bankruptcy Form 4B (CM/ECF Limited Filing User Registration).

Rule 5005-4 TERMINATION OF REGISTERED FILING USER STATUS

(a) An attorney may terminate his or her status as a registered Filing User in a specific case only upon the granting of a motion for withdrawal of appearance in that case pursuant to W.PA.LBR 9010-2(b).

(b) An attorney may terminate his or her status as a registered Filing User in the entire CM/ECF System only by using Local Bankruptcy Form 4C (CM/ECF Filing User Termination), which shall be delivered to the Clerk by certified mail.

(c) Termination of registered Filing User status due to special circumstances (for example, death or mental incapacity) may be made by motion to the Court by an appropriate representative.

(d) At its discretion, the Court may terminate an individual's status as a registered Filing User for reasons that include, but are not limited to, an egregious or recurring violation of these Local Bankruptcy Rules and/or Federal Rules of Bankruptcy Procedure and/or in response to a finding of misconduct by any duly empowered tribunal.

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 the termination of the Filing User's CM/ECF System account, sanctions and/or other disciplinary action at the discretion of the Court.

Rule 5005-6 SIGNATURES

(a) A Filing User's CM/ECF System log-in and password serve as the Filing User's signature on all electronic documents filed with the Court for purposes of the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court.

(b) Electronically filed documents shall comply with Fed. R. Bankr. P. 9011 and set forth the Filing User's name, address, telephone number, e-mail address, and state Bar registration number, if applicable. In addition, the name of the Filing User under whose log-in and password the document is submitted shall be preceded by an "/s/" and typed in the space where the signature would otherwise appear.

(c) When a settlement agreement or similar document requiring multiple signatures is filed electronically, the filing party shall comply with instructions set forth by the Judge assigned to the case on the Court's website. If the Judge does not have specific instructions, then the document bearing all the necessary signatures shall be electronically filed either by:

- (1) submitting a scanned document containing all necessary signatures, with Local Bankruptcy Form 26 (Settlement and Certification of Counsel) attached;
- (2) representing the consent of the parties on the document; or
- (3) in any other manner approved by the Court.

Rule 5005-7 DECLARATION OF ELECTRONIC FILING

(a) The signature of the debtor(s) authorizing the electronic filing of the bankruptcy case shall be accomplished by filing an original executed paper version of Local Bankruptcy Form 1A (Declaration Re: Electronic Filing), or Local Bankruptcy Form 1B if the debtor is not represented by counsel, within fourteen (14) days of the electronic filing of the petition. Both debtors shall sign the authorization when a joint petition is filed.

(b) The attorney representing the debtor shall notify the Court forthwith if the debtor(s) fails to sign the declaration.

(c) The case shall be dismissed without prejudice when the Court is notified that the debtor has failed to sign the declaration or if the declaration is not filed within fourteen (14) days of the date the petition is filed.

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 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 5005-9 E-MAIL ACCOUNTS

(a) A Filing User shall maintain a current primary e-mail address in the CM/ECF System. Filing Users may also register a secondary e-mail address. It is the Filing User's responsibility to ensure that the primary and secondary e-mail accounts are active and fully functional.

(b) The CM/ECF System will automatically send Notices of Electronic Filing (NEFs) to the registered primary and secondary e-mail addresses of all Filing Users in a case. Filing Users are responsible for monitoring the docket activity in each of his or her cases, independently of the NEFs sent to the Filing User's registered e-mail accounts. Problems with a Filing User's e-mail account will not defeat the presumption of effective notice and service pursuant to W.PA.LBR 5005-8(a).

(c) If the CM/ECF System reports repeated e-mail delivery errors to a Filing User's primary or secondary e-mail addresses, the Chief Judge shall issue a Rule to Show Cause to the Filing User.

Rule 5005-10 PAYMENT OF COURT FEES

(a) Unless another form of payment is required by the Court, filers shall pay by credit card, through the CM/ECF System, all applicable filing fees at the time of filing or by the end of the day.

(b) If fees are not paid within four (4) days of the date incurred, the Filing User shall be locked out of the CM/ECF System until full payment is made.

Rule 5005-11 COURT-ISSUED DOCUMENTS

(a) All orders, decrees, judgments, and proceedings of the Court shall be filed through the CM/ECF System, constituting entry on the docket pursuant to Fed. R. Bankr. P. 5003 and 9021.

(b) Any order or other Court-issued document filed electronically without the original signature of a Judge or the Clerk has the same force and effect as if the Judge or Clerk had physically signed the document.

(c) Except as may be otherwise provided in the Federal Rules of Bankruptcy Procedure, orders may be issued as “text-only” entries on the docket, without an attached document. Such orders are official and binding.

Rule 5005-12 ATTACHMENTS AND EXHIBITS

(a) Each abstract, exhibit, and excerpt shall be electronically filed as a separate Portable Document Format (“PDF”) file attached to the docket entry to which it refers.

(b) Filing Users shall provide a description of each attachment or exhibit at the time of filing, using the description input field provided by the CM/ECF System. Descriptions shall clearly and concisely identify the content and/or type of document being attached.

(c) Filing Users shall submit as exhibits or attachments only those excerpts of the referenced documents that are directly germane to the matter under consideration by the Court. All excerpted material shall be clearly and prominently identified as such. Filing an excerpt as an attachment or exhibit does not prejudice the filing of additional excerpts or the complete document. Responding parties may timely file additional excerpts or the complete document that they believe are directly germane. The Court may require parties to file additional excerpts or the complete document.

(d) With respect to loan documentation, in lieu of the entire document, a one-page Local Bankruptcy Form 28 (Document and Loan History Abstract) may be filed.

(e) A party filing a pleading containing a Document and Loan History Abstract, or an excerpted exhibit, shall have a paper copy of the entire document at any hearing pertaining to the pleading.

(f) A party filing a pleading containing an excerpt or abstract shall, upon request of any party in interest, provide a copy of the entire exhibit. Unless otherwise directed by the Court, the copy may be provided in electronic format.

Rule 5005-13 DOCUMENT FORMAT AND QUALITY

(a) All documents filed through the CM/ECF System shall be in a Portable Document Format (“PDF”).

(b) All documents created by the Filing User shall be:

- (1) on 8.5" by 11" paper;
- (2) sequentially page numbered;
- (3) sequentially paragraph numbered except as to briefs;
- (4) created in a font size no smaller than 12 Courier or an equivalent font size, including footnotes; and
- (5) converted directly to PDF format using the word processing software (i.e., shall not be scanned into PDF format).

(c) Only documents not created by the filing party (e.g., lease agreements, mortgages, etc.) may be scanned into PDF format. Scanned documents shall be legible, properly aligned, and free of water marks or other marks caused by poorly maintained scanning equipment or text from other pages bleeding through the page.

(d) All PDF documents filed through the CM/ECF System shall be flattened and fully text-searchable.

Rule 5005-14 HYPERLINKS

(a) Electronically filed documents may contain hyperlinks to other portions of the same document and/or hyperlinks to a location on the Internet that contains a source document for a citation.

(b) Hyperlinks to cited authority shall not replace standard citation format. Complete citations shall be included in the text of the filed document.

(c) Neither a hyperlink, nor any site to which it refers, shall be considered part of the record. Hyperlinks are simply convenient mechanisms for accessing material cited in a filed document.

(d) The Court accepts no responsibility for, and does not endorse, any product, organization, or content at any hyperlinked site, or at any site to which that site may be linked. The Court accepts no responsibility for the availability or functionality of any hyperlink.

Rule 5005-15 PAPER RETENTION REQUIREMENTS

(a) Documents that are electronically filed and require original signatures other than that of the Filing User, such as the debtor, corporate officers, etc., shall be maintained in paper form by the Filing User for six (6) years from the date of case closing.

(b) On request of the Court, the Filing User shall provide original documents for review.

(c) Failure to maintain documents for the specified period shall subject the Filing User to sanctions, including, without limitation, disgorgement of fees.

Rule 5005-16 WITHDRAWAL OF FILES FROM THE CLERK'S OFFICE

(a) Records and papers on file in the Clerk's Office may be produced pursuant to subpoena from any federal or state court directing their production.

(b) At the Clerk's discretion, records or papers in the files of the Court may be temporarily removed by United States District Court Judges, United States Magistrate Judges, the United States attorney, the United States trustee, the standing chapter 13 trustee, and panel member trustees of this District upon receipt of a signed requisition. Otherwise, records and papers may be removed from the files only upon order of the Court.

(c) Whenever records or papers are withdrawn, the person receiving them shall leave with the Clerk a signed receipt describing the records or papers taken, and shall return them within the time specified by the Clerk.

Rule 5005-20 DOCUMENTS FILED UNDER SEAL

(a) Filing Users shall electronically file a motion to file documents under seal. Documents that contain confidential, scandalous, or defamatory matter shall be filed using docket events specified by the Clerk, and access to the documents shall be limited to parties authorized by the Judge. In the event the motion to file documents under seal is denied, the motion to seal documents and attachments, as well as any associated documents electronically filed by the movant, shall be made publicly accessible on the docket.

(b) A party who is not a Filing User shall file on paper a motion to file documents under seal and related documents containing confidential, scandalous, or defamatory matter. The document to be sealed shall be in a secured envelope. Affixed to the outside of the envelope shall be a statement containing a case caption, a case number, the nature of the document, and a notation that the document is being filed under seal.

(c) The motion to file documents under seal shall include a proposed order which grants the relief requested and further states: “The docket entry for the document(s) filed under seal shall describe the document(s) as follows: [Note: Filer to include a docket description for the sealed document.]” The docket entry for a sealed document shall describe the nature of the document filed without divulging confidential, scandalous, or defamatory information.

(d) A motion to file documents under seal shall be available for public review on the docket unless it contains confidential, scandalous, or defamatory matter, in which case the motion itself shall be filed under seal.

(e) The docket entry for a sealed document shall describe the nature of the document filed without divulging confidential, scandalous, or defamatory information.

(f) The Judge shall determine who shall scan the document and enter it into the electronic filing system as well as the parties that can view it. The document shall be destroyed after it is entered into the electronic filing system.

(g) The filing party shall keep the original documents for a period of six (6) years from the date of submission.

Rule 5005-21 TECHNICAL FAILURES OF THE CM/ECF SYSTEM

A Filing User whose filing is made untimely as a result of a technical failure of the CM/ECF System may seek appropriate relief from the Court.

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 5095-1 DEPOSITS (OTHER THAN UNCLAIMED FUNDS) INTO A REGISTRY FUND

(a) A motion seeking Court approval of deposits into a registry fund shall be filed with the Court. The Clerk will not accept funds for a registry account without an order of Court.

(b) Upon entry of an order allowing the deposit of funds, the Clerk shall place the funds in a depository that will provide collateral for the full amount of the deposit. The Clerk shall not accept the funds until adequate collateral is pledged by the depository.

(c) An administrative handling fee will be assessed and funds will be withdrawn from each invested account at a rate established by the Judicial Conference of the United States.

Rule 5095-2 WITHDRAWALS (OTHER THAN UNCLAIMED FUNDS) FROM A REGISTRY FUND

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

(b) The tax identification number or Social Security number of each payee receiving earned interest shall be provided to the Clerk in compliance with the Clerk’s instructions. No disbursement shall be made until the Clerk receives this information and any other information concerning payment required by the Internal Revenue Service.

PART VI COLLECTION AND LIQUIDATION OF THE ESTATE

Rule 6002-1 DEADLINE FOR ACCOUNT OF PRIOR CUSTODIAN

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

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

(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 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 and 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.
- (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 6004-2 SALE OF PROPERTY WITHOUT PUBLICATION IN CHAPTER 13 CASES

(a) The debtor in a chapter 13 case may conduct a private sale without meeting the requirements for publication in W.PA.LBR 6004-1 when all or a portion of the funds received by the debtor for the sale or refinancing of real property is designated to pay one hundred percent (100%) of the amount owed to creditors with allowed claims.

(b) A stipulation signed by debtor's counsel and the chapter 13 trustee to sell property without publication shall be served on all parties in interest, including the creditors and lien holders.

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

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

PART VII ADVERSARY PROCEEDINGS

Rule 7004-1 NOTICE OF CONSTITUTIONAL QUESTION

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

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

Rule 7005-1 FILING OF DISCOVERY MATERIALS

(a) Depositions, interrogatories, requests for documents, requests for admissions, and responses thereto shall not be filed with the Clerk.

(b) A party seeking a protective order, to compel discovery, or other relief pursuant to Fed. R. Bankr. P. 7026 shall file as an attachment to the motion only that portion of the deposition, interrogatory, request for document, or request for admissions that is the subject of an objection.

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

(d) The party serving discovery or taking depositions shall retain the original as the custodian thereof.

Rule 7008-1 MOTIONS IN ADVERSARY PROCEEDINGS

- (a) All motions shall be in writing unless made during a hearing or trial.
- (b) Motions filed within adversary proceedings shall contain a descriptive title of the motion in addition to the complete adversary caption. The caption shall conform to Official Form 16D (Caption for Use in Adversary Proceeding).
- (c) The response to any motion shall be filed and served within fourteen (14) days after service of the motion plus an additional three (3) days as provided by Fed. R. Bankr. P. 9006(f) when service is by mail. If no response is timely filed, the motion shall be deemed uncontested, and the Court shall dispose of the motion. Replies and surreplies are not permitted unless ordered by the Court. If permitted, replies and surreplies shall be filed and served within seven (7) days, plus an additional three (3) days as provided by Fed. R. Bankr. P. 9006(f) when service is by mail, after service of the response or reply, as applicable.
- (d) The movant shall file a brief, if any, and any supporting affidavits as an attachment to the motion, and the respondent shall file a brief, if any, and any supporting affidavits as attachments to the response. Briefs shall be limited to twenty (20) pages.
- (e) If authorized, reply and surreply briefs shall be limited to five (5) pages, and shall address only matters not addressed in the initial brief. The deadlines for such briefs shall be set forth in the order granting their authorization.
- (f) Motions for continuance of a trial date shall be considered by the Court only upon motion filed and served at least seven (7) calendar days before the scheduled trial.
- (g) Any request for oral argument or hearing on a contested motion within an adversary proceeding shall be in writing and referenced in the caption.
- (h) A proposed order of Court shall be filed as an attachment to all motions and all other requests for relief.
- (i) When briefing is complete, the moving party shall file a certification that briefing is completed substantially in compliance with Local Bankruptcy Form 16 (Certification That Briefing Completed). The Court may not act until the certificate is filed with the Clerk. In addition, when briefing is complete, a tabbed binder with all related pleadings, documents, exhibits, and an index shall be delivered to the Judge's Chambers.

Rule 7008-2 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 7010-1 CAPTIONS OF ADVERSARY PROCEEDINGS AND OF MOTIONS FILED WITHIN ADVERSARIES

(a) The caption of an adversary proceeding shall conform to Official Form 16D (Caption for Use in Adversary Proceeding). Additionally, the initials of the Presiding Judge shall be appended to the bankruptcy case number.

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

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

Rule 7014-1 SERVICE OF DOCUMENTS ON THIRD-PARTY DEFENDANTS

In every action in which there is a joinder of a third-party defendant, the third-party plaintiff shall deliver to the newly joined third-party defendant, within fourteen (14) days after the filing of an appearance or a responsive pleading by the joined third-party defendant, copies of all docket sheets, documents of record, and docketed items in the case.

Rule 7016-1 PRETRIAL PROCEDURE

Pretrial procedures are governed by pretrial orders entered in each case and any additional requirements set forth by the Presiding Judge.

Rule 7026-1 DISCOVERY OF ELECTRONIC DOCUMENTS (“E-DISCOVERY”)

(a) If the parties cannot agree on how to conduct e-discovery before the first pretrial conference, the following default standards shall apply.

(b) Each party shall designate an “e-discovery liaison,” through whom all e-discovery requests and responses are made.

(1) The e-discovery liaison shall be:

(A) familiar with and able to explain the party’s electronic systems;

(B) knowledgeable about the technical aspects of e-discovery, including electronic document storage, organization, and format issues; and

(C) prepared to participate in e-discovery dispute resolutions.

(2) At all times, counsel of record shall be responsible for compliance with e-discovery requests. However, the e-discovery liaisons shall be responsible for organizing each party’s e-discovery efforts to insure consistency and thoroughness.

(c) At least seven (7) days prior to the first pretrial conference, the parties shall exchange the following:

(1) A list of the most likely custodians of relevant electronic materials, including a brief description of each person’s title and responsibilities;

(2) The name of the individual responsible for that party’s electronic document retention policies (“the retention coordinator”);

(3) The name of the party’s e-discovery liaison;

(4) A list of each relevant electronic system that has been in place at all relevant times and a general description of each system, including: (a) the nature, (b) scope, (c) character, (d) organization, (e) formats employed in each system, and (f) whether the electronic documents are of limited accessibility (for example, documents created or used by electronic media no longer in use, maintained in redundant electronic storage media, or for which retrieval involves substantial cost);

(5) A general description of the party’s electronic document retention policies for the systems identified above; and

(6) Any problems reasonably anticipated to arise with e-discovery.

(d) Discovery shall proceed in a sequenced fashion.

- (1) After receiving requests for document production, a party shall search its documents, other than those identified as limited accessibility electronic documents, and produce responsive electronic documents in accordance with Fed. R. Civ. P. 26(b)(2).
- (2) Electronic searches of documents identified as of limited accessibility shall not be conducted until the initial electronic document search has been completed. Requests for information expected to be found in limited accessibility documents shall be narrowly focused with some basis in fact supporting the request.
- (3) On-site inspections of electronic media pursuant to Fed. R. Civ. P. 34(b) shall not be permitted absent exceptional circumstances, where good cause and specific need have been demonstrated.

(e) If a party intends to employ an electronic search, the party shall disclose any restrictions as to scope and method which might affect its ability to conduct a complete search. The parties shall reach an agreement as to the method of searching, and the words, terms, and phrases to be searched with the assistance of the respective e-discovery liaisons. The parties also shall reach an agreement as to the timing and conditions of any additional searches which may become necessary in the normal course of discovery. To minimize the expense, the parties may consider limiting the scope of the electronic search (e.g., time frames, fields, document types).

(f) Unless the parties otherwise agree, electronic documents shall be produced as image files, such as Portable Document Format (PDF) or Tagged Image File Format (TIFF). The producing party shall preserve the integrity of the electronic document's contents, i.e., the original formatting, its metadata and, where applicable, its revision history. For production of electronic documents in their native format, particularized need shall be shown.

(g) Within the first thirty (30) days of discovery, each party shall outline the steps each shall take to segregate and preserve the integrity of all relevant electronic documents (akin to the standard protective order). If spoliation is at issue, a Fed. R. Civ. P. 30(b)(6) deposition of the retention coordinator shall be scheduled at a mutually convenient time. The retention coordinators shall:

- (1) take steps to ensure that e-mail of identified custodians is retained and not permanently deleted in the ordinary course of business and that electronic documents maintained by the individual custodians are not be altered; and
- (2) provide notice as to the criteria used for spam and/or virus filtering of e-mail and attachments; e-mails and attachments filtered out by such systems need not be produced provided that the criteria underlying the filtering are reasonable.

(h) Within seven (7) days of identifying the relevant document custodians, the retention coordinators shall implement the above procedures, and each party's counsel shall file a statement of compliance as such with the Court.

(i) Electronic documents that contain privileged information or attorney work product shall be immediately returned if the documents appear on their face to have been inadvertently produced or upon written notice of the inadvertent production.

(j) The costs of discovery will be borne in accordance with the applicable rules. However, the Court will apportion the costs of electronic discovery upon a showing of good cause.

Rule 7026-2 ELECTRONIC DISCOVERY SPECIAL MASTER

Any party may request, and the Court may order, *sua sponte*, that any dispute concerning electronic discovery be referred to an Electronic Discovery Special Master, pursuant to United States District Court for the Western District of Pennsylvania, General Order No. 2:11-mc-94 (In Re: Use of Special Masters for Electronic Discovery by United States Bankruptcy Judges).

Rule 7037-1 DISCOVERY DISPUTES

(a) An objection to interrogatories, depositions, requests, or applications pursuant to Fed. R. Bankr. P. 7026 through 7037, as well as all motions and responses concerning discovery matters, shall be filed and have attached as an exhibit only the specific portion that is the subject of the objection.

(b) An objection to discovery matters shall not extend the time to answer or respond to portions to which no objection was made.

(c) Any party opposing the requested relief shall file only those additional portions of the interrogatories, requests for documents, or requests for admission, and the responses to same that are necessary for the Court's consideration of the matter.

(d) If a discovery dispute is not resolved, the party initiating discovery shall file and serve a motion to compel. Only those portions of the interrogatories, depositions, requests for documents, or request applications that are germane to the motion shall be filed. Any party opposing the requested relief shall file only those additional portions of the interrogatories, depositions, requests, or applications, and the responses to same that are necessary for the Court's consideration of the matter.

(e) Compliance with discovery orders shall be effected within fourteen (14) days of the entry of the order.

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

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

Rule 7065-1 TEMPORARY RESTRAINING ORDERS

(a) A party shall file an adversary complaint and a motion for preliminary injunction along with an application for a temporary restraining order.

(b) A party filing an application for a temporary restraining order with an attached proposed order and any party filing a response shall deliver a paper copy to the Presiding Judge's Chambers to notify the Court that the application or response has been filed.

**PART VIII APPEALS TO DISTRICT COURT OR
BANKRUPTCY APPELLATE PANEL**

Rule 8006-1 REQUESTS FOR COMPLETE OR PARTIAL TRANSCRIPTS ON APPEAL

(a) The requirements for ordering transcripts are set forth in W.PA.LBR 5007-1. In addition to designating a transcript as part of the record on appeal, the requesting party shall file and serve notice that a transcript has been requested.

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

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

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

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

(f) Parties shall comply with W.PA.LBR 5007-2 when requesting redaction of personal identifiers from transcripts.

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

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

- (1) The Clerk of the Bankruptcy Court shall provide fourteen (14) days' notice to the appellant and appellee of an intention to transmit a partial record consistent with W.PA.LBR 8007-1(b); and
- (2) After the 14-day notice period has expired, the Clerk of the Bankruptcy Court shall thereafter promptly forward to the Clerk of the United States District Court a partial record consisting of a copy of the order or judgment appealed from, any opinion, findings of fact, and conclusions of law by the Court, the Notice of Appeal, a copy of the docket entries, any documents filed as part of the appeal, and any copies of the record which have been designated by the parties pursuant to Fed. R. Bankr. P. 8006. The record as transmitted shall be deemed to be the complete record for purposes of the appeal; and

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

Rule 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.

PART IX GENERAL PROVISIONS

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 9006-1 TIME

(a) To the extent a matter is self-scheduled pursuant to the scheduling practices of a particular judge, every request for relief, however made, shall be served on the same day that it is filed. Otherwise, the matter shall be served in the manner required by the directive of the Court.

(b) Every responsive pleading shall be filed and served within fourteen (14) days from the date the motion is filed and served.

(c) All references to days mean calendar days unless otherwise noted.

Rule 9010-1 ADMISSION TO PRACTICE

(a) Attorneys who are admitted to the Bar of the United States District Court for the Western District of Pennsylvania are admitted to the Bar of this Court.

(b) No one, other than an attorney regularly admitted to practice in this Court, shall appear in any proceeding except upon motion filed with the Clerk and order entered by the Court. Every motion to be admitted *pro hac vice* shall be signed and filed by an attorney admitted to practice in this District. The motion shall substantially conform to Local Bankruptcy Form 18 (Motion for *Pro Hac Vice* Admission). The party seeking *pro hac vice* admission shall pay the required fees of \$40.00 contemporaneously with filing the motion. If a motion for *pro hac vice* is made orally in open Court, it shall be followed promptly by the filing of a written motion signed by local counsel and the applicant. The Court may require counsel to provide evidence of admission in another district. An attorney admitted *pro hac vice* and local counsel shall appear at Court hearings and be prepared to address all issues set for argument.

(c) An attorney not admitted to practice by the United States District Court for the Western District of Pennsylvania may not be admitted *pro hac vice* in this Court unless associated with an attorney, as local counsel, who is a member of the Bar of this Court and who shall act as local counsel during the term of applicant's admission and who maintains an office in this District for the regular transaction of business, upon whom all documents, pleadings, and notices shall be served and who shall be required to sign all papers filed with the Clerk. Local counsel is not necessary for:

- (1) the filing or prosecution of a proof of claim or response to an objection to a proof of claim. The Court may, however, direct counsel to claimant to associate with local counsel if the claim litigation will involve extensive discovery or trial time.
- (2) an attorney not admitted in the United States District Court for the Western District of Pennsylvania but admitted in another United States District Court representing the United States of America (or any officer or agency thereof) or any State (or officer or agency thereof) provided that a certification is filed, signed by that attorney, stating (a) the courts in which the attorney is admitted, (b) that the attorney is in good standing in all jurisdictions in which the attorney has been admitted, and (c) that the attorney will be bound by the Local Bankruptcy Rules of this Court and submits to the jurisdiction of this Court for disciplinary purposes in connection with the matter in which the attorney is appearing.

(d) No attorney shall be given *pro hac vice* status on more than 3 occasions. At that point, general admission before the United States District Court for the Western District of Pennsylvania is required.

(e) The Local Rules of the United States District Court for the Western District of Pennsylvania as amended from time to time shall apply as to discipline of attorneys.

Rule 9010-2 APPEARANCE AND WITHDRAWAL OF APPEARANCE

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

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

(c) All parties filing any document, including pleadings, shall appear in person or through counsel for the scheduled hearing on that matter unless such appearance has been excused by the Court.

(d) Only natural persons may appear in Court without counsel.

(e) Child support creditors need not appear by counsel, provided, however, that they shall first complete and file Local Bankruptcy Form 19 (Appearance of Child Support Creditor or Representative).

Rule 9010-3 AGREEMENTS OF ATTORNEYS

(a) All agreements of attorneys shall be filed with the Court for approval; otherwise, they will be considered of no validity.

(b) No agreement contrary to the Federal Rules of Bankruptcy Procedure, these Local Bankruptcy Rules, or a separate order of Court will be considered valid including, without limitation, agreements to extend time.

Rule 9013-1 MOTIONS AND CONTESTED MATTERS

(a) All written motions, applications, objections or other requests for relief shall be accompanied by a proposed order filed as an attachment to the motion.

(b) Periodic motions days may be established by each Judge. No witnesses shall be heard on motions days.

(c) Any affirmative request for relief shall be brought by motion and may not be included in any response to a motion.

Rule 9013-2 PROCEDURE FOR EXPEDITED HEARINGS

- (a) A motion including a request for expedited hearing shall specify:
 - (1) the substantive relief sought;
 - (2) just cause to request consideration of the underlying matter on an expedited basis;
 - (3) the specific harm the movant shall incur if a hearing is not granted on an expedited basis; and
 - (4) the need for an expedited hearing has not been caused by any lack of due diligence on the part of the attorney or the attorney's client but has been brought about solely by circumstances beyond their control.
- (b) The request for expedited hearing shall be set forth in the title to the motion.
- (c) A proposed order granting the relief requested shall be filed as an attachment to the motion. A second proposed order substantially conforming to Local Bankruptcy Form 20 (Notice and Order Setting Hearing on an Expedited Basis) shall be filed as an attachment to the motion and shall provide that the request for expedited hearing is granted and shall contain blank spaces for the Court to enter the date, time, place of hearing, and the date by which responses shall be filed and served.
- (d) Once the hearing is scheduled, movant shall serve on the respondent and all other applicable parties of interest a copy of the completed order scheduling the hearing and the accompanying motion, by hand delivery, and where addresses and numbers are known or readily ascertainable, alternate service by facsimile, electronic transmission, and any other method of service approved by the Court.
- (e) Parties filing a motion for expedited hearing shall immediately notify Chambers of the Judge assigned the case that the motion has been entered on the docket.

Rule 9013-3 MOTIONS SEEKING: (1) RELIEF FROM THE AUTOMATIC STAY; (2) LIEN AVOIDANCE; (3) ABANDONMENT; (4) SALE APPROVAL; AND/OR (5) TO EXTEND/IMPOSE THE AUTOMATIC STAY

(a) All motions seeking relief from the automatic stay shall plead the following with particularity:

- (1) the movant's name and proof of claim number, if any;
- (2) a description of any affected property and whether it appears in the schedules;
- (3) the value of any affected property and the source of the valuation;
- (4) the amount and date of the loan at origination;
- (5) the date and type of perfection (e.g., date of lien on title, date and location of UCC filing, date and mortgage book volume and page number, etc.);
- (6) the current balance (principal, interest, interest rate, charges, costs, fees, and accruing daily interest);
- (7) the balance owed as of the date of the motion;
- (8) an itemized statement of the default and the amount necessary to cure as of the filing date of the motion;
- (9) the amount of any plan payment arrearages;
- (10) a separate itemized statement of the postpetition default;
- (11) the value of any claimed exemption in the affected property;
- (12) the amount of any equity in the affected property; and
- (13) all known liens against any affected property, including:
 - (A) the name and address of the holder;
 - (B) the date incurred;
 - (C) the current balance owed; and
 - (D) the type of lien (e.g., mortgage, judgment, etc.).

(b) All motions seeking lien avoidance shall plead the following with particularity:

- (1) a description of the affected property and whether it appears in the schedules;

- (2) the name of each person or entity having an ownership interest in the affected property;
 - (3) the value of the affected property and the source of the valuation;
 - (4) the value of any claimed exemption in the affected property; and
 - (5) all known liens against the affected property, including:
 - (A) the name and address of the holder, and in the case of a judgment lien, counsel for the holder in the underlying lawsuit;
 - (B) the current balance owed;
 - (C) the date incurred;
 - (D) the type of lien (e.g., mortgage, judgment, etc.); and
 - (E) the identification of record location of each lien on the property subject to the action (i.e., in the case of a mortgage lien, the mortgage book volume and page number, and in the case of a judgment lien, the name of the court, identification of the case number, and date when the judgment was entered).
- (c) All sale motions shall plead the following with particularity:
- (1) the full name, address, and account number, if available, of all respondents, with only entities holding a lien, claim, or encumbrance against the affected property named as respondents;
 - (2) the value of the affected property and the source of the valuation, e.g., appraisal, book value, personal opinion, recent comparable sales;
 - (3) an appropriate description of the affected property and where it appears in the schedules:
 - (A) For sale of real estate, the formal deed description is not necessary. The current deed book and page number (or other recording information if deed book and page number are not available), street address, tax identification number, and basic description of the real estate use (e.g., commercial building, single-family residence) as well as a brief description any other relevant appurtenances, shall be included; and
 - (B) For sale of personalty, an itemized list of the specific property subject to sale, individually identified without an “in bulk” reference (unless it would be impractical to do otherwise), shall be included;

- (4) the name and address of each person or other entity having an ownership interest in the affected property;
- (5) the value of any claimed exemption in the affected property;
- (6) identification of the specific disbursements, costs, and expenses of sale to be made at the time of closing:
 - (A) Unless an exact payoff amount for the specific lien, claim, and/or encumbrances is capable of being set forth in a finite amount, the per diem and other charges or assessments to be made at closing shall be identified in the respective payoffs listed; and
 - (B) In the event a request for payment of attorney fees and expenses in excess of \$750 is requested to be paid at closing, an itemization of attorney time and billing in support of the request shall be appended to the motion as a separate exhibit, in a form consistent with the requirements of these Local Bankruptcy Rules;
- (7) all liens, claims, and encumbrances against the affected property, including:
 - (A) the name and address of the holder, and in the case of a judgment lien, counsel for the holder in the underlying lawsuit;
 - (B) the current balance owed;
 - (C) the date incurred;
 - (D) the type of lien (e.g., mortgage, judgment, etc.); and
 - (E) the identification of record location of each lien on the property subject to the action (i.e., in the case of a mortgage lien, the mortgage book volume and page number, and in the case of a judgment lien, the name of the court, identification of the case number, and date when the judgment was entered);
- (8) the name and address of the purchaser(s), including:
 - (A) the relationship, if any, of the purchaser to the debtor;
 - (B) the purchase price;
 - (C) all conditions of sale; and
 - (D) a copy of any agreement of sale to be approved by the Court as a separate attachment; and

- (9) a proposed order in the form required by the assigned Judge.
 - (A) The order shall include the identity of every respondent and identity of the respective liens, claims, and encumbrances to be transferred to proceeds of sale, in the same manner as required by W.PA.LBR 9013-3(c)(1); and
 - (B) Identity of the specific disbursements, costs, and expenses of sale to be paid at closing, in the same manner required by W.PA.LBR 9013-3(c)(6).
- (10) as to the procedural requirements for sale of estate property outside the ordinary course of business, see W.PA.LBR 6004-1.

(d) All motions seeking abandonment of property shall plead the following with particularity:

- (1) a description of the affected property and whether it appears in the schedules;
- (2) the value of the affected property and the source of the valuation;
- (3) the value of any claimed exemption in the affected property;
- (4) the basis for any assertion that the affected property is either burdensome to the estate or is of inconsequential value and benefit thereto; and
- (5) all known liens against the affected property, including:
 - (A) the name and address of the holder, and in the case of a judgment lien, counsel for the holder in the underlying lawsuit;
 - (B) the current balance owed;
 - (C) the date incurred;
 - (D) the type of lien (i.e., mortgage, judgment, etc.); and
 - (E) the identification of record location of each lien on the property subject to the action (i.e., in the case of a mortgage lien, the mortgage book volume and page number, and in the case of a judgment lien, the name of the court, identification of the case number, and date when the judgment was entered).

(e) All motions seeking to extend or re-impose the automatic stay shall plead the following with particularity:

- (1) all creditors against whom the relief is sought shall be listed in the caption, notice, and motion;
- (2) whether the automatic stay was in effect upon commencement of the case, and if so, the date on which the automatic stay expires;
- (3) each bankruptcy case number for all bankruptcy cases in which the debtor was a debtor within the one-year period prior to the date when the current case was filed;
- (4) the reasons that each of the debtor's previous bankruptcy cases was dismissed;
- (5) whether presumption is in effect that the debtor did not file the case at issue in good faith and the reason for the presumption;
- (6) with particularity the substantial change in circumstances that occurred since the dismissal of the previous case; and
- (7) a verification executed by the debtor attached to the motion.

Rule 9013-4 FILING OF PROPOSED ORDERS

(a) All documents requesting relief shall have an appropriate proposed order of Court, that is, one that specifies the relief sought and not merely incorporating by reference the content of the foregoing document, filed as a separate attachment. If a proposed order is not attached, the Court shall dismiss the matter without scheduling a hearing thereon and without prejudice to its being refiled in compliance with these Local Bankruptcy Rules, Federal Rules of Bankruptcy Procedure, and Court orders or procedures.

(b) Proposed orders electronically filed with motions, petitions applications, objections, or other requests for relief shall be filed with the motion as a separate attachment.

Rule 9013-5 SCHEDULING HEARINGS

(a) Parties are directed to ascertain, and shall comply with, procedures stated on the Court's website for the scheduling practices of each Judge.

(b) The moving party shall serve all parties in interest with the motion, proposed order, and notice of hearing. For chapter 7 final accounts and proposed distributions, use Local Bankruptcy Form 23 (Notice of Filing of Final Account of Trustee, of Hearing on Applications for Compensation, Proposed Final Distribution and Proposed Abandonment of Property). For fee applications in chapter 7 and 13 cases, use Local Bankruptcy Form 8 (Summary Cover Sheet and Notice of Hearing on Professional Fees in Chapters 7, 12 and 13). For fee applications in chapter 11 and 15 cases, use Local Bankruptcy Form 9 (Summary Cover Sheet).

(c) If nothing is filed on the docket in response to a motion, then the moving party, assuming no agreement with the opposing party/counsel to the contrary, shall file with the Clerk a Certification of No Objection substantially in compliance with Local Bankruptcy Form 25 (Certification of No Objection). The Certification shall be filed no later than two (2) days after the objection deadline has expired. If the Court grants the relief by default, the hearing is canceled.

(d) If a disputed matter has been settled prior to the hearing, counsel for movant shall file a Settlement and Certification of Counsel substantially in compliance with Local Bankruptcy Form 26 (Settlement and Certification of Counsel). A proposed consent order shall be filed as an attachment to the Settlement and Certification of Counsel.

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

(f) If a filing is not in substantial compliance with these Local Bankruptcy Rules or procedures, an order may be entered dismissing the motion without prejudice, and movant shall promptly notify respondent thereof.

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

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

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

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

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

Every responsive pleading shall be filed and served within fourteen (14) days from the date the motion is filed. Respondent shall have an additional three (3) days to file a response to any motion served by mail. A written response is required for every written request for relief. Failure to timely file a response may result in the Court granting the relief by default.

Rule 9015-1 JURY DEMAND

(a) The party making a jury trial demand shall file the demand with the Clerk of the Bankruptcy Court and serve all parties in interest. If the demand is made by the moving party, it shall be endorsed on the front of the initial motion or pleading. The last date on which a demand for jury trial may be made by any party is fourteen (14) days after:

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

(b) With respect to removed actions, Fed. R. Civ. P. 81 (c) applies. In such cases, demand for jury trial shall be made within thirty (30) days after filing the Notice of Removal.

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

- (1) the consent of all parties to trial by jury in the Bankruptcy Court and the Bankruptcy Court's entry of final orders or judgments with respect to the same; or
- (2) a motion to withdraw the reference to the District Court. All proceedings shall continue in the Bankruptcy Court unless and until an Order is issued by the District Court withdrawing the reference.

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

Rule 9015-2 JURY SELECTION SYSTEM

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

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

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

Rule 9019-1 SETTLEMENTS

A motion requesting Court approval of a settlement shall delineate the reasons for settling the matter and shall attach a copy of the proposed settlement agreement.

Rule 9019-2 SCOPE AND EFFECT OF MEDIATION

(a) The Court may assign any matter to the Mediation Program for the Western District of Pennsylvania (the “Mediation Program”) *sua sponte*, upon motion or stipulation of the parties to the matter or the United States trustee. The Court may order additional parties to participate in the mediation as necessary.

(b) The Court may assign to mediation any dispute arising in the bankruptcy case or in any adversary proceeding, contested matter, or otherwise. Fed. R. Bankr. P. 7016 is hereby made applicable to all matters in which mediation is requested in accordance with the Mediation Program.

(c) The assignment of a matter to mediation does not relieve the parties to that matter from complying with any other Court orders or applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, or the Local Bankruptcy Rules of this Court. The assignment to mediation stays all discovery, pretrial, hearing dates, and trial schedules. The Court will issue a scheduling order and set deadlines for the mediation to conclude and for the discovery, pretrial, and trial to resume.

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.

(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.PA.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.PA.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 9019-4 THE MEDIATION PROCESS

(a) After consulting with all counsel and *pro se* parties, the mediator shall schedule a convenient time and place for the mediation conference, and promptly give all counsel and *pro se* parties written notice of the time and place of the mediation conference. The mediator shall schedule the mediation to begin as soon as practicable.

(b) Unless the mediator directs otherwise, not less than seven (7) calendar days before the mediation conference, each party shall submit directly to the mediator any materials the mediator directs to be prepared or assembled. The mediator shall so direct not less than fourteen (14) calendar days before the mediation conference. Prior to the mediation conference, the mediator may confer with the participants to determine what materials would be helpful. The submissions shall not be filed with the Court, and the Court shall not have access to them. The mediator will not share one party's materials with another party unless expressly authorized to do so by the party providing the materials to the mediator.

(c) The following persons personally shall attend the mediation conference:

- (1) each party that is a natural person;
- (2) if the party is not a natural person, including a governmental entity, a representative who is not the party's attorney of record and who has full authority to negotiate and settle the matter on behalf of the party;
- (3) if the party is a governmental entity that requires settlement approval by an elected official or legislative body, a representative who has authority to recommend a settlement to the elected official or legislative body;
- (4) the attorney who has primary responsibility for each party's case; and
- (5) other interested parties such as insurers or indemnitors or one (1) or more of their representatives, whose presence is necessary for a full resolution of the matter assigned to mediation.

(d) A person required to attend the mediation is excused from personal appearance if all parties and the mediator agree that the person need not attend. The Court for cause may excuse a person's attendance. The mediator may require telephonic attendance in lieu of personal appearance.

(e) Willful failure to attend any mediation conference, and any other material violation of this Local Bankruptcy Rule, shall be reported to the Court by the mediator and may result in the imposition of sanctions by the Court. Any such report of the mediator shall comply with the confidentiality requirement of W.PA.LBR 9019-5.

(f) The mediator may establish procedures for the mediation conference.

Rule 9019-5 CONFIDENTIALITY OF MEDIATION PROCEEDINGS

(a) The mediator and the participants in mediation are prohibited from divulging, outside of the mediation, any oral or written information disclosed by the parties or by witnesses in the course of the mediation. No person may rely on or introduce, as evidence in any arbitral, judicial, or other proceedings, evidence pertaining to any aspect of the mediation effort, including, but not limited to:

- (1) views expressed or suggestions made by a party with respect to a possible settlement of the dispute;
- (2) the fact that another party had or had not indicated willingness to accept a proposal for settlement made by the mediator;
- (3) proposals made or views expressed by the mediator;
- (4) statements or admissions made by a party in the course of the mediation; and
- (5) documents prepared for the purpose of, in the course of, or pursuant to the mediation.

(b) Without limiting the foregoing, Rule 408 of the Federal Rules of Evidence and any applicable federal or state statute, rule, common law, or judicial precedent relating to the privileged nature of settlement discussions, mediation, or other alternative dispute resolution procedure shall apply.

(c) Information otherwise discoverable or admissible in evidence, however, does not become exempt from discovery, or inadmissible in evidence, merely by being used by a party in a mediation.

(d) The mediator shall not be compelled to disclose to the Court or to any person outside the mediation conference any of the records, reports, summaries, notes, communications, or other documents received or made by a mediator while serving in such capacity. The mediator shall not testify or be compelled to testify in regard to the mediation in connection with any arbitral, judicial, or other proceeding. The mediator shall not be a necessary party in any proceedings relating to the mediation.

(e) The parties, the mediator, and all mediation participants shall protect proprietary information and in-camera submissions. All such materials shall be kept confidential and shall not be used outside the mediation by any adverse party.

(f) The disclosure by a party of privileged information to the mediator does not waive or otherwise adversely affect the privileged nature of the information.

Rule 9019-6 POSTMEDIATION PROCEDURES

(a) The mediator is not required to prepare written comments or recommendations to the parties. Mediators may present a written settlement recommendation memorandum to attorneys or *pro se* litigants, but not to the Court.

(b) If a settlement is reached at a mediation, a party designated by the mediator shall submit a fully executed stipulation and proposed order to the Court within twenty-one (21) calendar days after the end of the mediation. If the party fails to prepare the stipulation and order, the Court may impose appropriate sanctions.

(c) Promptly after the mediation conference, the mediator shall file with the Court, and serve on the parties and the Mediation Program Administrator, Local Bankruptcy Form 32 (Mediator's Certificate of Completion of Mediation Conference) showing compliance or noncompliance with the mediation conference requirements of this Local Bankruptcy Rule and whether or not a settlement has been reached. Regardless of the outcome of the mediation conference, the mediator shall not provide the Court with any details of the substance of the conference.

(d) Whether or not the mediation conference results in settlement, the mediator shall provide the Mediation Program Administrator with an estimate of the number of hours spent in the mediation conference and other statistical and evaluative information using Local Bankruptcy Form 33 (Report of Mediation Program Conference) and Local Bankruptcy Form 34 (Mediator's Survey).

Rule 9019-7 TERMINATION OF MEDIATION

(a) Any matter assigned to mediation may be withdrawn from mediation by the Court at any time.

(b) Upon the filing of Local Bankruptcy Form 32 (Mediator's Certificate of Completion of Mediation Conference) or the entry of an order withdrawing a matter from mediation pursuant to W.PA.LBR 9019-7(a), the mediation will be deemed terminated, and the mediator excused and relieved from further responsibilities in the matter without further Court order.

(c) If the mediation conference does not result in a resolution of all of the disputes in the assigned matter, the matter shall proceed to trial or hearing pursuant to the Court's scheduling orders.

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 refinancing, 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, 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:

- (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).

Rule 9070-1 EXHIBITS

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

Local Bankruptcy Forms of the U.S. Bankruptcy Court



**for
the Western District of Pennsylvania**

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**LOCAL BANKRUPTCY FORMS OF THE
U.S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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

In Re: : Bankruptcy No.
Debtor :

DECLARATION RE: ELECTRONIC FILING OF PETITION, SCHEDULES & STATEMENTS

PART I - DECLARATION OF PETITIONER

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

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

Debtor has a Social Security number and it is: _____
Name of Debtor Check here if Debtor does not have a Social Security number: _____

Joint Debtor has a Social Security number and it is: _____
Name of Joint Debtor Check here if Joint Debtor does not have a Social Security number: _____

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

Dated: _____ Signed: _____
(Type Debtor name here) (Joint Debtor, if applicable, type name)

Title: _____
(Corporate or Partnership Filing)

Phone Number of Signer Address of Signer

PART II - DECLARATION OF ATTORNEY

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

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

Dated: _____

Attorney for Debtor (Signature)

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

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

In Re:	:	Bankruptcy No.
	:	
Debtor	:	Chapter 11
	:	
Movant	:	Related to Document No.
	:	
v.	:	
	:	Hearing Date and Time:
Respondent (if none, then "No Respondent")	:	

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

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

_____ There is a need for expedited consideration of the following "First Day" motions.

_____ The debtor has total debt of more than \$_____ million and unsecured non-priority debt of more than \$_____ million.

_____ There are more than _____ parties in interest in this case.

_____ Claims against the debtor are publicly traded.

_____ Equity interests in the debtor are publicly traded.

_____ Other: (Substantial explanation is required. Attach additional sheets if necessary.)

DATE: _____

By: _____
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

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

In Re: : Bankruptcy No.
:
Debtor(s) :
: Chapter 11

INITIAL ORDER FOR COMPLEX CHAPTER 11 BANKRUPTCY CASE

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

1. The Debtor shall maintain a Service List identifying the parties that must be served whenever a motion or other pleading requires notice. Upon establishment of such a list, notices of motions and other matters will be limited to the parties on the Service List.
 - a. The Service List shall initially include the Debtor, Debtor’s counsel, counsel for the unsecured creditors’ committee, U.S. Trustee, all secured creditors, the 20 largest unsecured creditors, any indenture trustee, and any party that files a request for notice.
 - b. Any party in interest that wishes to receive notice, other than as listed on the Service List, shall be added to the Service List merely by request filed of record with the Clerk and served on the Debtor and Debtor’s counsel.
 - c. Parties on the Service List are encouraged to give a fax number or e-mail address for service of process, and parties are encouraged to authorize service by fax or e-mail. Consent to fax or e-mail service may be included in the party’s notice of appearance and request for service.
 - d. The Service List shall be filed within three (3) calendar days after entry of this Order. Debtors shall update the Service List and file with the Clerk a copy of the updated Service List upon request of a party to be added.

2. The Court hereby establishes the following dates and times for hearing all motions and other matters in this case in Courtroom _____ at _____.

3. If a matter is properly noticed for hearing and the parties reach agreement on a settlement of the dispute prior to the hearing, the parties may announce the settlement at the scheduled hearing. If the Court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, the Court may approve the settlement at the hearing without further notice of the terms of the settlement.

4. The debtor shall give notice of this Order to all parties in interest within seven (7) calendar days. If any party in interest objects to the provisions of this Order, that party shall file and serve a motion for reconsideration and proposed order within fourteen (14) days of the date of this Order articulating the objection and the relief requested.

Date: _____

United States Bankruptcy Judge

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

REGISTRATION FORM TO FILE ELECTRONICALLY

Applicant Information:

First/Middle/Last Name: _____

Bar Registration Number: _____

State of Registration: _____

Firm Name: _____

Address: _____

Phone Number: _____

E-Mail Address: _____

Year Admitted to the Bar of the United States District Court for the Western District of Pennsylvania: _____, or Case Number where admitted Pro Hac Vice: _____.

By submitting this registration form, the undersigned agrees that:

1. The provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules shall be followed when filing documents electronically.
2. A registered attorney is responsible documents submitted electronically by means of the attorney's login and password.
3. A registered attorney's system eligibility may be restricted or revoked by the Court.
4. A registered attorney is required to keep all contact and email information in their CM/ECF account current and up to date.

I hereby certify that:

- I have attended the CM/ECF training provided by the Clerk and attest to having entered, or having overseen the entry of, all the data in the CM/ECF test submitted to the Clerk; or
- I have electronically filed documents and have a valid login and password for the
 United States Bankruptcy Court or United States District Court (check a box) in the _____ (name of district).

The undersigned requests a login and password to the Court's CM/ECF system in order to file documents electronically.

Date

Attorney Signature

Please return completed form to:
Clerk's Office, U.S. Bankruptcy Court, Attn: CM/ECF Registration, 5414 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

**LIMITED FILING USER
REGISTRATION FORM AND AGREEMENT**

The undersigned hereby requests an account with the Court’s Case Management /Electronic Case Filing System (“CM/ECF”) for the limited purpose of filing proofs of claim, notice requests, withdrawal of claims, transfers of claims, objections to transfer of claim, Reaffirmation Agreements, Notices of Mortgage Payment Change, and Notices of Post-Petition Fees, Expenses and Charges. “Firm” is the name of the Limited Filing User entity on whose behalf an employee or agent (“Limited Filing User”) is to be issued a login and password and authorized to file the type of documents listed above.

Firm Name: _____

The undersigned certifies under penalty of perjury that he or she is properly authorized to submit this Limited Filing User Registration Form on behalf of the Firm identified above and that the Firm agrees to adhere to the terms and conditions specified on this form. The Firm requests that the Limited Filing User be provided with a login and password for the limited purpose of filing proofs of claim, notice requests, withdrawal of claims, transfers of claims, objections to transfer of claim, Reaffirmation Agreements, Notices of Mortgage Payment Change, and Notices of Post-Petition Fees, Expenses and Charges.

Dated: _____

Signature:

Mailing Address

Print Name

Mailing Address

Internet E-Mail Address

Mailing Address

Phone Number

The undersigned Limited Filing User agrees to adhere to the terms and conditions specified on this form.

Dated: _____

Signature:

Mailing Address

Print Name

Mailing Address

Internet E-Mail Address

Mailing Address

Phone Number

The following two parties will serve as alternate contacts in the event that the Limited Filing User is not available:

_____	_____
Print Name	Mailing Address
_____	_____
Internet E-Mail Address	Mailing Address
_____	_____
Phone Number	Mailing Address
_____	_____
Print Name	Mailing Address
_____	_____
Internet E-Mail Address	Mailing Address
_____	_____
Phone Number	Mailing Address

Limited Filing User certifies that he meets one of the following conditions in order to qualify for an account on CM/ECF:

I am presently a CM/ECF participant in another United States Bankruptcy Court, with either full CM/ECF privileges or limited use privileges to file proofs of claim, notice requests, withdrawal of claims, transfers of claims, objections to transfer of claim, Reaffirmation Agreements, Notices of Mortgage Payment Change, and/or Notices of Post-Petition Fees, Expenses and Charges.

Please indicate other bankruptcy court(s):

I have completed the training class provided by the Clerk's Office of the United States Bankruptcy Court in the Western District of Pennsylvania.

By submitting this registration form, the Firm and Limited Filing User:

(1) agree to follow the local rules and orders promulgated by the United States Bankruptcy Court for the Western District of Pennsylvania;

(2) acknowledge that the use of the CM/ECF login and password constitutes the signature of Firm. The name of the Limited Filing User must be typed on the signature line if the Limited Filing User is the signatory. When the Limited Filing User signs the document, the name of the Limited User under whose log-in and password the document is submitted must be preceded by an "/s/" and typed in the space where the signature would otherwise appear on a document. The Limited Filing User must comply with the signature requirements of W.PA.LBR. 5005-6.

(3) acknowledge that use of the password and login to file is certification by the Limited Filing User that: (A) the Limited Filing User is authorized to file the document(s) on behalf of the Firm; (B) the Firm is the same entity stated on the Limited Filing User's application to use CM/ECF; and (C) the Firm has the authority to file documents as an agent when filing documents on behalf of an entity other than the Firm.

(4) acknowledge that Limited Filing Users must add the correct mailing address to the creditor matrix if the current address is incorrect. (A Limited Filing User cannot edit an existing creditor address in the CM/ECF data base. A new creditor record with the correct address must be added to the creditor matrix.)

(5) certifies that the Limited Filing User and Firm's representative whose signature appears above have read the local rules concerning electronic filing issued by the Court.

(6) agree to notify the Clerk if Limited Filing User ceases to be an employee or agent of the Firm or is no longer authorized to file documents on the Firm's behalf.

(7) waive service of documents and docket activity electronically.

(8) agree that the Limited Filing User shall take the Clerk's training course prior to obtaining a login and password to CM/ECF if not a CM/ECF participant in another district.

(9) agree that the Clerk may terminate use of the login and password without prior notice when the Clerk deems such action necessary.

(10) agree to provide the name, phone number and e-mail address of two additional contacts at the Firm in the event that the Limited Filing User cannot be contacted.

(11) agree to submit an updated registration form when the name or address of the Limited Filing User or an additional contact changes.

Please submit to:

ATTN: CM/ECF Registration
United States Bankruptcy Court
5414 US Steel Tower
600 Grant Street
Pittsburgh, PA 15219

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

NOTICE OF TERMINATION OF CM/ECF PRIVILEGES

I, _____, the undersigned, hereby certify that I am not an attorney of record on any pending case before the Bankruptcy Court for the Western District of Pennsylvania (the “Court”).

I am instructing the Clerk of Court to terminate my status as a registered Filing User in the Court’s CM/ECF System, pursuant to W.PA.LBR 9010-2(b).

I understand that I will no longer be able to file documents electronically or receive Notices of Electronic Filing when entries are made on cases.

I shall mail this signed **Notice of Termination of CM/ECF Privileges** to the Clerk of Court by certified U.S. mail.

EXECUTED ON [date]:

By: _____
Signature

Typed Name

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.
Debtor : Chapter 11
Movant : Related to Document No.
v. :
Respondent (if none, then "No Respondent") :

CHAPTER 13 BUSINESS CASE QUESTIONNAIRE

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

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

Debtor (s)' Name(s) _____

Chapter 13 Case No. _____

Name of Business _____

List all past names used by Business _____

Location where business is operated _____

Description of Business Activities/Type of Business _____

What circumstances led you to file this bankruptcy? _____

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

1. Type of Business Organization, circle one:

Corporation Sole Proprietorship Partnership Other

Has business ever been incorporated? _____ Yes _____ No

Date business began _____

Federal ID number (if applicable) _____ State ID number _____

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

(a) Names of Partners _____

(b) Percentage of your ownership: Debtor _____ % Joint Debtor _____ %

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

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

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

(a) Who are the shareholders? _____

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

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

(d) State of incorporation _____

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

If no, why not? _____

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

Basis of value _____

(g) Amount of Corporate Debts \$ _____

4. Is the business cyclical? _____ Yes _____ No

If yes, when is the busy season? _____

If yes, when is the slow season? _____

5. Do you have an accountant or bookkeeper? _____ Yes _____ No

If yes, please provide the name, address and phone number of this individual _____

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

6. Are all tax returns which should have been filed to this point in time filed? _____ Yes _____ No

If no, list years that are delinquent, type of return owed, and entity to which return is owed:

Year	Entity(s) and Type of Return Due
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

Do you understand that the Court in this District has entered a General Order which requires all delinquent tax returns to be filed within sixty (60) days from the date that you filed your bankruptcy case?

_____ Yes _____ No

7. Have you filed estimated quarterly income tax returns with the IRS? _____ Yes _____ No

If yes, please provide copies of the last three (3) estimated returns filed, with proof of payment.

If no, explain why not _____

8. Does the business have employees? _____ Yes _____ No

If yes, how many? _____ Are any of these persons related to you? _____ Yes _____ No

Does the business withhold from their wages? _____ Yes _____ No

If yes, where do you deposit the withholdings and how often?

i. _____

ii. _____

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

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

_____ Yes _____ No

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

Do you have subcontractors? _____ Yes _____ No

Are 1099s issued? _____ Yes _____ No

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

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

If no, explain why _____

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

_____ Yes _____ No

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

10. Are you leasing office space? _____ Yes _____ No

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

(a) Address of Property _____

(b) Landlord's Name and Address

(c) Monthly Rental Payment \$ _____

(d) Term of lease _____

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

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

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

(a) Description of leased/rented items? _____

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

(c) Payment terms _____

(d) Term of lease _____

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

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

If yes, please describe _____

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

Address of Tenant	Date Lease Began	Date Lease Ends	Amount of Monthly Rent
-------------------	------------------	-----------------	------------------------

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

If yes, please list: _____

If yes, are licenses/permits current? _____ Yes _____ No

15. Does the business carry the following insurance policies?

Commercial Liability? _____ Yes _____ No Policy No. _____ Exp. Date _____

Workmans Compensation? _____ Yes _____ No Policy No. _____ Exp. Date _____

Fire Building? _____ Yes _____ No Policy No. _____ Exp. Date _____

Fire Contents? _____ Yes _____ No Policy No. _____ Exp. Date _____

Automobile Coverage? _____ Yes _____ No Policy No. _____ Exp. Date _____

Liquor liability? _____ Yes _____ No Policy No. _____ Exp. Date _____

List Others _____

Are all policies current? _____ Yes _____ No

List insurance agency(s) _____

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

_____ Yes _____ No

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

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

When was the last physical count of your inventory? _____

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

Please provide a list of your inventory.

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

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

Please provide a copy of your accounts receivable ledger.

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

_____ Yes _____ No

If yes, please identify _____

Do you understand that if you have borrowed money from any creditor and as security or collateral for the loan you have pledged accounts receivables, rents, or other cash, you may not use the accounts receivables, rents or cash without express written consent from the Creditor, or an order from the Bankruptcy Court allowing the use? _____ Yes _____ No

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

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

Dated: _____

Debtor's signature

Joint Debtor's signature

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

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

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

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

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

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

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

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

AMENDMENT COVER SHEET

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

_____ Voluntary Petition - *Specify reason for amendment:*

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

- _____ Summary of Schedules
- _____ Schedule A - Real Property
- _____ Schedule B - Personal Property
- _____ Schedule C - Property Claimed as Exempt
- _____ Schedule D - Creditors holding Secured Claims
 - Check one:
 - _____ Creditor(s) added
 - _____ NO creditor(s) added
 - _____ Creditor(s) deleted
- _____ Schedule E - Creditors Holding Unsecured Priority Claims
 - Check one:
 - _____ Creditor(s) added
 - _____ NO creditor(s) added
 - _____ Creditor(s) deleted
- _____ Schedule F - Creditors Holding Unsecured Nonpriority Claims
 - Check one:
 - _____ Creditor(s) added
 - _____ NO creditor(s) added
 - _____ Creditor(s) deleted
- _____ Schedule G - Executory Contracts and Unexpired Leases
 - Check one:
 - _____ Creditor(s) added
 - _____ NO creditor(s) added
 - _____ Creditor(s) deleted
- _____ Schedule H - Codebtors
- _____ Schedule I - Current Income of Individual Debtor(s)
- _____ Schedule J - Current Expenditures of Individual Debtor(s)
- _____ Statement of Financial Affairs
- _____ Chapter 7 Individual Debtor's Statement of Intention
- _____ Chapter 11 List of Equity Security Holders
- _____ Chapter 11 List of Creditors Holding 20 Largest Unsecured Claims
- _____ Disclosure of Compensation of Attorney for Debtor
- _____ Other: _____

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

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

Date: _____

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

(Typed Name)

(Address)

(Phone No.)

List Bar I.D. and State of Admission

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

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 address, and where applicable the full name of the person or entity represented, for each party served by electronic transmission is listed under the heading "Service by NEF," and the full name and complete postal address for each party served by mail, is 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

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

**SUMMARY COVER SHEET AND NOTICE OF HEARING ON PROFESSIONAL FEES
IN CHAPTERS 7, 12 AND 13 ON BEHALF OF**

To All Creditors and Parties in Interest:

1. Applicant represents _____
2. This is (check one)
 - _____ a final application
 - _____ an interim application
 for the period _____ to _____
3. Previous retainer paid to Applicant: \$ _____
4. Previous interim compensation allowed to Applicant: \$ _____
5. Applicant requests additional:
 - Compensation of \$ _____
 - Reimbursement of Expenses of \$ _____
6. A hearing on the Application will be held in Courtroom _____, _____, at _____m., on _____.
7. Any written objections must be filed with the court and served on the Applicant on or before _____, _____, (fourteen (14) days from the date of this notice plus an additional three (3) days if served by mail). Copies of the application are available from the applicant.

Date of service:

Signature of Applicant or Attorney for Applicant

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

(Note: 1. Scheduling dates in this Notice shall comply with Local Rules. 2. The full application need be served only upon Debtor, counsel for Debtor, the U.S. Trustee, and the trustee and counsel for the trustee. 3. Applicant shall serve this Notice on all creditors and parties in interest including any person who has filed a request for notices. 4. A certificate of service shall be filed with this Notice and the application.)

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

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

**SUMMARY COVER SHEET
FOR FEE APPLICATIONS IN CHAPTER 11 AND CHAPTER 15**

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

14. Other factors bearing on fee application:

DATE: _____

By: _____
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

**APPENDIX
EXAMPLE OF CATEGORY LISTING OF TIME AND SERVICES
PURSUANT TO W.PA.LBR 2016-1(c)(5)(A)**

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

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

PART "A"

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

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

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

TOTAL IN CATEGORY 1:

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

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

TOTAL IN CATEGORY 2:

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

5/02/85	JS	Telephone Call: Virginia Vatz of Pa. Dept. of Revenue re tax refund
5/04/85	JS	Letter: PA Dept. of Revenue re status of tax returns

TOTAL IN CATEGORY 3:

TOTAL TIME IN ALL CATEGORIES:

DISBURSEMENTS

6/24/85	JS	Copy Expense
8/23/85	JS	Copy Expense and postage on distribution

TOTAL DISBURSEMENTS:

BILLING SUMMARY

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

**EXAMPLE OF CHRONOLOGICAL SUMMARY OF TIME AND SERVICES
PURSUANT TO W.PA.LBR 2016-1(c)(5)(B)**

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

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

PART A

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

<u>DATE</u>	<u>ATTY</u>	<u>DESCRIPTION OF SERVICE</u>	<u>HOURS</u>
5/1/85	RB	Conference with Jones Co. representative re: potential purchase of 320 Grant Avenue	
5/2/85	JS	Telephone call: Virginia Vatz and Pa. Dept. of Revenue Re: tax refund	
5/3/85	RB	Preparation of Agreement of Sale for 320 Grant Avenue	
5/4/85	JS	Letter: Pa. Dept. of Revenue re: status of tax claim	
9/17/85	JS	Review & Sign: Distribution checks	
9/18/85	JS	Covering letters to all creditors, Anderson, Wagner, Bernstein & Debtor re: the distributions	
TOTAL HOURS			
			<u>DISBURSEMENTS</u>
6/24/85	JS	Copy Expense	\$
8/23/85	JS	Copy Expense and postage on distribution	\$
TOTAL DISBURSEMENTS			\$

BILLING SUMMARY

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

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

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

PART "B"

CATEGORY LISTING OF TIME AND SERVICES
ON BEHALF OF ACME SHOE COMPANY, DEBTOR, DURING THE PERIOD
FROM MAY 1, 1985 TO THE CLOSING OF THE CASE.

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

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:

Payments:	By Income Attachment	Directly by Debtor	By Automated Bank Transfer
D#1	\$ _____	\$ _____	\$ _____

D#2	\$ _____	\$ _____	\$ _____

(Income attachments must be used by Debtors having attachable income) (SSA direct deposit recipients only)

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

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

FOR AMENDED PLANS:

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

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

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

- Level One:* Unpaid filing fees.
- Level Two:* Secured claims and lease payments entitled to Section 1326 (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:* Mortgage arrears, secured taxes, rental arrears, vehicle payment arrears.
- Level Six:* All remaining secured, priority and specially classified claims, miscellaneous secured arrears.
- Level Seven:* Allowed general unsecured claims.
- Level 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

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 TO SURRENDER OF COLLATERAL; SPECIFY DATE OF SURRENDER

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

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

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

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 Local Bankruptcy Form 24 (Debtor's Certification of Discharge Eligibility) within forty-five (45) days after making the final plan payment.

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 13
	:	
Trustee, or Debtors(s), Movant	:	Motion No. <input type="checkbox"/> WO-1
	:	Motion No. <input type="checkbox"/> WO-2
v.	:	
	:	
Respondents	:	

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

The undersigned respectfully represents as follows:

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

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

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

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

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

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

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

In Re:	:	Bankruptcy No.
	:	
Debtor	:	Chapter 13
	:	
Standing Chapter 13 Trustee or Debtor(s)	:	
Movant	:	Related to Document No.
	:	
v.	:	
	:	
Respondent(s)	:	

ORDER TO PAY TRUSTEE PURSUANT TO WAGE ATTACHMENT

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

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

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

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

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

IT IS FURTHER ORDERED that the Debtors shall serve this order and a copy of the Notification of Debtor's Social Security Number, Local Bankruptcy Form 12, that includes the debtor's full Social Security number on the above-named entity. Debtor shall file a certificate of service regarding service of the order and local form, but the Social Security number shall not be included on the certificate.

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

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

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

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

DATED this _____ day of _____, _____.

United States Bankruptcy Judge

5. Events that Caused the Filing:

6. Anticipated Future of the Company & Source of this Information and Opinion

7. Summarize all Significant Features of the Plan Including When and How Each Class of Creditor Will Be Paid and What, If Any, Liens Will Be Retained By Secured Creditors or Granted to Any Creditor Under the Plan

8. Are All Monthly Operating Statements Current and on File With The Clerk of Court?
Yes _____ No _____

If Not, Explain:

9. Does the plan provided for releases of nondebtor parties? Specify which parties and terms of release.

10. Identify all executory contracts that are to be assumed or assumed and assigned.

11. Has a bar date been set? Yes _____ No _____
(If not, a motion to set the bar date has been filed simultaneously with the filing of this disclosure statement.)

12. Has an election under 11 U.S.C. §1121(e) has been filed with the Court to be treated as a small business?
Yes _____ No _____

13. Specify property that will be transferred subject to 11 U.S.C. §1146(c).

II. Creditors

A. Secured Claims

SECURED CLAIMS

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

C. Unsecured Claims

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

D. Other Classes of Creditors

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

E. Other Classes of Interest Holders

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

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

III. Assets

ASSETS

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

1. Are any assets which appear on Schedule A or B of the bankruptcy petition not listed above?
 If so, identify asset and explain why asset is not in estate:

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

IV. SUMMARY OF PLAN

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

SECURED NON-TAX CLAIMS

Name of Creditor	Class	Amount Owed	Summary of Proposed Treatment
TOTAL		\$	

4. Treatment of Secured Tax Claims

SECURED TAX CLAIMS

Name of Creditor	Class	Amount Owed	Summary of Proposed Treatment
TOTAL		\$	

5. Treatment of Administrative **Non-Tax** Claims²

ADMINISTRATIVE NON-TAX CLAIMS

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

6. Treatment of Administrative Tax Claims

ADMINISTRATIVE TAX CLAIMS

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

* Identify and Use Separate Line for Each Professional and Estimated Amount of Payment

** Type of Debt (P=Professional, TD=Trade, TX=TaxeS)

² Include all §503(b) administrative claims.

11. Will periodic payments be made to unsecured creditors?

Yes _____ No _____ First payment to begin _____

If so:

Amount of each payment (aggregate to all unsecured claimants)

Estimated date of first payment:

Time period between payments:

Estimated date of last payment:

Contingencies, if any:

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

Other significant features of the plan:

Include any other information necessary to explain this plan:

V. Comparison of Plan with Chapter 7 Liquidation

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

Total value of Chapter 7 estate (See Section III)	\$
1. Less secured claims (See Section IV-2)	
2. Less administrative expenses (See Section IV-3 and include approximate Chapter 7 expenses)	\$
3. Less other priority claims (See Section IV-4)	\$
 Total Amount Available for Distribution to Unsecured Creditors	 \$
 Divided by total allowable unsecured claims of (See Section II C)	 \$
 Percentage of Dividend to Unsecured Creditors:	

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

Yes _____ No _____

Explain:

VI. Feasibility

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

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

\$ _____

Show how this amount was calculated.

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

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

IX. Additional Information and Comments

IX. Certification

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

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

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

_____ Signature of Debtor or Authorized Representative	_____ Date
_____ Signature of Debtor or Authorized Representative	_____ Date
_____ Debtor's Counsel	_____ Date

OPTIONAL TABLE

6. Treatment of Other Claims

N/A

OTHER CLASSES OF CREDITORS

Creditor	Class	Total Amount Owed	Percent of Dividend

A. Will periodic payments be made?

Yes ___ No ___

If so:

Amount of each payment (aggregate to all claimants)

Estimated date of first payment

Time period between payments

Estimated date of last payment

Contingencies, if any:

\$ _____

OPTIONAL TABLE

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

OTHER CLASSES OF INTEREST HOLDERS

Creditor	Class	Total Amount Owed	Percent of Dividend

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

EQUITY HOLDERS

Creditor	Class	Total Amount Owed	Percent of Dividend

A. Will periodic payments be made?

Yes ___ No ___

If so:

Amount of each payment (aggregate to all claimants) \$ _____

Estimated date of first payment _____

Time period between payments _____

Estimated date of last payment _____

Contingencies, if any: _____

1994

HISTORIC SUMMARY

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

DEFINITIONS

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

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

PROJECTED SUMMARY

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

DEFINITIONS

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

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

PLAN FEASIBILITY

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

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

In Re:	:	Bankruptcy No.
	:	
Debtor(s)	:	Chapter 11
	:	
Movant (s)	:	Related to Document No.
	:	
v.	:	
	:	
Respondent(s)	:	

REPORT FOR BANKRUPTCY JUDGES IN CASES TO BE CLOSED

CHAPTER 11 CASES

_____ Plan Confirmed

_____ Plan Not Confirmed

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

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

DATE

PREPARER

SIGNATURE

RESERVED

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

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

CERTIFICATION THAT BRIEFING COMPLETED

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

DATE: _____

By: _____
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

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

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

MOTION FOR PRO HAC VICE ADMISSION

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

Date

By: _____
Signature of Movant

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

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

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

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

Name:
Organization:
Address:

Telephone Number:

_____ X _____
Date Child Support Creditor* or Authorized Representative

<u>Summary of Child Support Obligation</u>	
Amount of arrears:	If Child Support has been assigned:
\$ _____	Amount of Support which is owed under assignments:
Amount currently due per week or per month: on a continuing basis:	\$ _____
\$ _____ (per week) (per month)	Amount owed primary child support Creditor (balance not assigned):
	\$ _____
Attach an itemized statement of account	

* Child support creditor includes both creditor to whom the debtor has a primary obligation to pay child support as well as any entity to whom such support has been assigned, if pursuant to Section 402(a)(26) of the Social Security Act or if such debt has been assigned to the Federal Government or to any State or political subdivision of a State.

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

In Re:)	
)	Bankruptcy No.
Debtor)	Adversary No.
)	Document No.
Plaintiff/Movant)	Chapter
)	Hearing Date & Time:
v.)	_____
)	
Defendant/Respondent)	

NOTICE AND ORDER SETTING HEARING ON AN EXPEDITED BASIS

NOTICE IS HEREBY GIVEN THAT an Expedited Motion for _____ has been filed in the above-referenced case by _____.

A hearing has been scheduled for _____ at _____ in _____.

Responses to the motion shall be filed with the Clerk of the Bankruptcy Court and served on parties in interest on or before _____.

A courtesy copy of all responses shall be delivered to chambers with the filing.

Service shall be made as directed below. A certificate of service shall be filed with the Clerk immediately.

Date

United States Bankruptcy Judge

Movant is to complete this notice and file it with the motion for expedited hearing and proposed order granting the substantive relief requested, leaving blank the hearing and response dates. If the Court determines that a hearing is necessary, response and hearing dates will be provided to movant. Movant shall serve a copy of this completed scheduling order and the motion by hand delivery or facsimile on the respondent, trustee, debtor, debtor's attorney, all secured creditors whose interests may be affected by the relief requested, U.S. Trustee and the attorney for any committee. If there is no committee counsel, serve all members of each committee. Movant shall deliver a paper copy of the motion and this notice of hearing to chambers.

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

In Re:	:	Bankruptcy No.
	:	
Debtor	:	Chapter 13
	:	
Movant	:	Related to Document No.
v.	:	
	:	
Respondent(s)	:	

DOMESTIC SUPPORT OBLIGATION CERTIFICATION

I, the debtor named below, state as follows:

I do not have any obligation to pay alimony, maintenance, or support to a spouse, former spouse, child, child's parent, legal guardian, or responsible relative.

OR

I owe the following obligation(s) for alimony, maintenance, or support:

alimony child support other owed to:

Name: _____

Address: _____

Phone: _____

I am current OR in arrears on this obligation.

I HEREBY CERTIFY under penalties of perjury that the information in this certificate, including any additional sheets provided, is true, correct, and complete as of the date provided below.

Signature of Debtor: _____

Type or Print Name of Debtor: _____

Date Certificate is Signed: _____

Chapter 13 Case Number: _____

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

In Re:	:	Bankruptcy No.
	:	
Debtor	:	Chapter 13
	:	
Movant	:	Related to Document No.
	:	
v.	:	
	:	
Respondent(s)	:	

**DOMESTIC SUPPORT OBLIGATION
CLAIM HOLDER REPORT**

Debtor Daytime Phone: _____ Evening: _____

Attorney Name: _____

Name of Claim Holder: _____

Address of Claim Holder:

_____	_____	_____
Mailing Address	City/State	ZIP Code

Support Type:

Spousal Support _____ Child Support _____

Both _____

The following information must be completed for each support obligation:

Name of Applicable State Agency Where Claim Holder Resides:

Payment Address:

_____	_____	_____
Mailing Address	City/State	ZIP Code

Account #: _____ Agency Phone #: _____

Monthly Payment Amount: \$ _____ Monthly Due Date: _____

Date Payment Late: _____ Years Remaining: _____

Are ongoing payments being made to the claim holder by Wage Orders? Yes _____ No _____

Is the Debtor currently employed? Yes _____ No _____

If yes, Employer Information:

_____	_____	_____
Mailing Address	City/State	ZIP Code

RESERVED

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.]

Dated: _____

By: _____
Signature

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
WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	
	:	Bankruptcy No.
Debtor	:	Chapter
	:	Document No.
Movant	:	Hearing Date & Time:
	:	
v.	:	
	:	
Respondent(s)	:	

**CERTIFICATION OF NO OBJECTION REGARDING
(Insert Pleading Title and Document Number)**

The undersigned hereby certifies that, as of the date hereof, no answer, objection or other responsive pleading to the [Application/Motion] filed on _____ has been received. The undersigned further certifies that the Court's docket in this case has been reviewed and no answer, objection or other responsive pleading to the [Application/Motion] appears thereon. Pursuant to the Notice of Hearing, objections to the [Application/Motion] were to be filed and served no later than _____.

It is hereby respectfully requested that the Order attached to the [Application/Motion] be entered by the Court.

Dated: _____

By: _____
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	
	:	Bankruptcy No.
Debtor	:	Chapter
	:	Document No.
Movant	:	Hearing Date & Time:
	:	
v.	:	
	:	
Respondent(s)	:	

SETTLEMENT AND CERTIFICATION OF COUNSEL REGARDING
(Insert Pleading Title)

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the [Application/Motion] filed on _____. (State "None" if no prior Motion or Application.)

The signature requirements of W.PA.LBR 5005-6 have been followed in obtaining the agreement of all parties and is reflected in the attached document.

The undersigned further certifies that:

- An agreed order and a black-lined version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.
- No other order has been filed pertaining to the subject matter of this agreement.
- The attached document does not require a proposed order.

Dated: _____

By: _____
Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission

RESERVED

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

In Re:
Debtor
Movant
v.
Respondent(s)
Bankruptcy No.
Chapter
Document No.
Hearing Date & Time:

DOCUMENT AND LOAN HISTORY ABSTRACT
(COMPLETE A SEPARATE ABSTRACT FOR
THE ORIGINAL TRANSACTION AND EACH ASSIGNMENT)

TYPE OF INSTRUMENT
Mortgage
Assignment
Lease
Other (describe)
Retail Installment Contract
UCC Financing Statement
Promissory Note / Security Agreement

PARTIES
Borrower/Lessee
Lender/Lessor

DATE OF INSTRUMENT # OF PAGES

ESSENTIAL TERMS
Original Principal Balance
Term
Interest Rate
First Payment Due
Payment Amount
Frequency of Payments (weekly, monthly, yearly, etc.)
First Payment Due Date
Last Payment Applied to Installment due on
Amount in Arrears
Total Amount of Claim on Date of Filing of Petition
Total Amount of Claim on Date of Filing of Motion

SECURED (LEASED) PROPERTY DESCRIPTION

Real Property Motor Vehicle Other
Address/Description

Lien Recording

Recorder of Deeds
County/Commonwealth/State
Secretary of State/Commonwealth/State
Bureau of Motor Vehicles (Commonwealth/State)
Other (Describe)
Recording Date
Book & Page/Instrument Number

OTHER ESSENTIAL INFORMATION:

PROOF OF CLAIM FILED WITH CLERK, U.S. BANKRUPTCY COURT (Yes/No)

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

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

NOTICE REGARDING FILING OF MAILING MATRIX

In accordance with Local Bankruptcy Rule 1007-1(e) I, _____,
counsel for the debtor(s) in the above-captioned case, hereby certify that the following list of creditors'
names and addresses was uploaded through the creditor maintenance option in CM/ECF to the above-
captioned case.

By: _____
Signature

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	:	Chapter
	:	
Movant	:	Related to Document No.
	:	
v.	:	
	:	
Respondent (if none, then "No Respondent")	:	

NOTICE REGARDING MODIFICATION TO MAILING MATRIX

In accordance with Local Bankruptcy Rule 1007-1(f) I, _____,
counsel for the debtor(s) in the above-captioned case, hereby certify that the following list of creditors'
names and addresses was uploaded through the creditor maintenance option in CM/ECF to the above-
captioned case regarding the filing of an amendment to the schedules.

By: _____
Signature

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

APPLICATION FOR ADMISSION TO
BANKRUPTCY MEDIATION PROGRAM REGISTER

General Instructions

(1) Each applicant shall read Local Bankruptcy Rules 9019-2 through 9019-7.

(2) If additional space is needed to respond fully to any item on this application, the response(s) shall be set forth in an attached, signed separate page with an identification of the question number to which it responds.

(3) Attorney applicants shall complete Parts I, II and IV of this Application.

(4) Non-attorney applicants shall complete Parts I, III and IV of this Application.

Part I. ALL APPLICANTS.

Name: _____

Firm: _____

Office Address: _____

Street

City

State

Zip Code

Office Phone: _____

Office Fax: _____

E-Mail: _____

Pa. I.D. or other Professional Association I.D. _____

Part II. ATTORNEY APPLICANTS

1. List each state and federal court in which you currently are licensed to practice law:

Court

Date of Admission

2. If you have bankruptcy experience, list the three most recent adversary proceedings or contested matters in which you have served as attorney of record for a party-in-interest from commencement through conclusion (i.e., judgment, order, or stipulation).

Case Title

Case Number

Dates

Representation

a.				
b.				
c.				

3. If you have bankruptcy experience, list the most recent three bankruptcy cases in which you have served as the principal attorney of record (without regard to the party represented) from commencement to conclusion.

Case Title

Case Number

Dates

Representation

a.				
b.				
c.				

4. If you have participated in mediation or other ADR processes (either as a neutral or in another role), list the three most recent of those matters below.

	Case Title	Case Number	Dates	Representation
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____

Part III. NON-ATTORNEY APPLICANTS

1. If you have participated in mediation or other ADR processes (either as a neutral or in another role), list no more than three of those matters below.

	Case Title	Case Number	Dates	Representation
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____

Part IV. ALL APPLICANTS

1. List any professional licenses you hold (other than bar admission) and include the number of years you have practiced in each profession listed (e.g., accountant, real estate broker, appraiser, engineer).

Profession	Accrediting Organization	Years of Practice
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. List any professional organizations of which you are or were an active member, the length of your membership, and any positions held and/or projects completed.

Organization	No. of Years	Active/Retired	Positions/Projects

3. List any relevant bankruptcy or mediation experience not included in any response above.

4. List any mediation or other alternative dispute resolution training that you have completed and that has qualified for continuing professional education credit or has been approved by a court of competent jurisdiction within the past three years.

Course Title	Trainer/School	Court/Sponsor	CLE Credit Hours	Dates

5. List speaking engagements, panel/seminar participation teaching experience, etc., within the past three years.

6. List any other relevant experience, training, skills, honors, publications, or other information which you would like considered in connection with this application.

7. Have you been removed from any professional organization, or have you resigned from any professional organization while an investigation into allegations of professional misconduct was pending?

Yes ____ No ____

If so, please explain the circumstances of such removal or resignation.

8. Check the city(ies) in which you are willing to conduct mediation conferences:

____ Pittsburgh

____ Johnstown

____ Erie

____ Other (specify): _____

I hereby certify that I have read Local Bankruptcy Rules 9019-2 through 9019-7, that I meet the qualifications set forth therein for admission to this Court's Register of mediators, and that I will fully comply with the relevant provisions of this Court's General Orders, Local Rules, Local Forms, and any modifications thereto relating to mediation. I will immediately contact the Mediation Program Administrator, and any parties for whom I have accepted appointment as a mediator, upon learning I am no longer qualified to serve pursuant to the provisions of Local Bankruptcy Rule 9019-3.

If I am applying for appointment as an attorney mediator, I certify that I am a member in good standing of the state and federal bar(s) listed above. If I am applying for appointment as a non-attorney mediator, I certify that I am a member in good standing of my profession.

I consent to disclosure of the information contained in this Application to Court personnel and to the parties and their representatives whose matters have been referred to the Bankruptcy Mediation Program of this Court.

I declare under penalty of perjury that the information contained in this Application is true and correct.

Executed on _____, _____ at _____, _____.
(date) (year) (city) (state)

By typing my name in the box below, it is my intent to affix my signature to this application as though it were my handwritten signature. I understand and accept that this digital signature shall have the full force and effect of a handwritten signature.

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

In re:)	Bankruptcy No. _____
_____)	
Debtor)	
_____)	
)	Motion No. _____
_____)	
Plaintiff/Movant)	Adversary No. _____
)	
vs.)	
)	
_____)	
Defendant/Respondent)	
_____)	

MEDIATOR’S CERTIFICATE OF COMPLETION OF MEDIATION CONFERENCE

1. I hereby certify that pursuant to an order of assignment of this Court to the Bankruptcy Mediation Program dated _____, a Mediation Program Conference was held on _____/was not held.
(list all date(s) on which conference was held)

2. A settlement/resolution of this matter was ____/was not ____ reached.

Dated: _____ Mediator: _____
Signature

Type or print:

Name: _____

Address: _____

Telephone: _____

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

In re:) Bankruptcy No. _____
Debtor)
)
) Motion No. _____
) Adversary No. _____
Plaintiff/Movant)
)
vs.)
) Note: Local Bankruptcy Forms 33 and 34 should
) not be filed on the case docket. These forms
Defendant/Respondent) should be delivered to the Mediation Program
) Administrator.

REPORT OF MEDIATION PROGRAM CONFERENCE

I, _____, mediator for the Bankruptcy Mediation Program, state:

1. A Mediation Program conference was held on _____, _____ and (if applicable) on the
following continued date(s): _____
(attach attendance form[s]).

2. I ___ did/___ did not receive a fee for this mediation.

3. The rules governing the conference were _____/were not _____ complied with. If not,
explain below:

4. A settlement/resolution of this matter was ___/was not ___ reached.

5. If a settlement/resolution was reached, (plaintiff/defendant/other party) _____
prepared the written stipulation for settlement.

6. Prior to the preparation of a final written agreement, the parties choose to put the agreement
on the Court record. Yes ___ No ___.

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

MEDIATOR'S SURVEY

We need your help to evaluate the effectiveness of the Mediation Program. Please complete this form and return it to:

**The Honorable Judith K. Fitzgerald, Mediation Program Administrator,
to the attention of John Horner, Clerk of Court
5414 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219**

This information will be used solely for the purpose of evaluating the Mediation Program.

1. Case Name: _____
Case No. _____

2. Chapter: _____ 7 _____ 11 _____ 12 _____ 13

3. Adv. Name: _____
Adv. No. _____

No. Related to Document No. _____

4. When were you appointed as mediator? _____

5. When did the mediation take place? _____

6. Where did you meet?
 Mediator's Office
 Courthouse
 Office of a Party
 Office of a Party's Attorney
 Other (specify) _____

7. How long was the mediation?
 less than 1 hour
 1-2 hours
 3-4 hours
 one day
 more than one day (specify number of days) _____

8. The dispute that you mediated was:
 totally resolved (subject to Court approval)
 partially resolved (certain issues were settled)
 partially resolved (certain issues were narrowed for litigation)
 not resolved

9. In your opinion, did each party have a representative with full settlement authority at the mediation conference? ____yes ____no

10. Did the parties who attended the mediation conference participate in good faith? ____ yes ____ no

11. What was the type of proceeding?
____ non-dischargeability (specify basis) §523(a)(____)
____ objection to claim
____ preference
____ fraudulent transfer
____ turnover
____ administrative expense
____ valuation
____ other (specify) _____

12. How much money was claimed in the dispute?
____ under \$1,000
____ \$1,000 to \$5,000
____ \$5,000 to \$10,000
____ \$10,000 to \$50,000
____ \$50,000 to \$100,000
____ \$100,000 to \$500,000
____ over \$500,000
____ nonmonetary issue (specify) _____

13. The plaintiff or movant was a[n]:
____ trustee
____ individual
____ corporation
____ partnership
____ Internal Revenue Service
____ other (specify) _____

14. The defendant or respondent was a[n]
____ trustee
____ individual
____ corporation
____ partnership
____ Internal Revenue Service
____ other (specify) _____

15. What did you dislike about the mediation conference?

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")	:	

NOTICE OF INTENT TO REQUEST REDACTION

WHEREAS, on [INSERT DATE] a transcript was filed in the above-captioned case at Document No. [INSERT DOCUMENT NUMBER],

NOTICE IS HEREBY GIVEN THAT:

Pursuant to W.PA.LBR 5007-2 and Rule 9037 of the *Federal Rules of Bankruptcy Procedure*, I have reviewed the above-referenced transcript and intend to serve upon the transcriber, [INSERT NAME OF TRANSCRIBER], and all parties in interest, within twenty-one (21) days after [INSERT THE ABOVE-REFERENCED DATE OF FILING], a detailed request to redact information from that transcript.

I understand that the above-referenced transcriber has until thirty-one (31) days after [INSERT THE ABOVE-REFERENCED DATE OF FILING] to deliver a redacted version of the transcript to the Court.

I HEREBY CERTIFY THAT:

On [INSERT DATE] I filed a copy of this *Notice* with the Court and served a copy on: [INSERT RECIPIENTS OF ELECTRONIC SERVICE] electronically using the CM/ECF system and [INSERT RECIPIENTS (INCLUDING TRANSCRIBER) OF REGULAR MAIL SERVICE] using the United States Postal Service.

Date: _____

Signed: _____

Name of Filer - Typed

Address

Phone No.

Bar I.D. and State of Admission

Name of Party Represented

Page(s)	Line(s)	Identifier as is	Identifier as redacted

Date: _____

Signed: _____

Name of Filer - Typed

Address

Phone No.

Bar I.D. and State of Admission

Name of Party Represented

This form must be served on the transcriber identified above and all parties in interest; it should not be filed with the Court.

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

In Re:	:	Bankruptcy No.
	:	Adversary Proceeding No.
Debtor	:	Chapter
	:	
Movant	:	
v.	:	Related to Claim No.
	:	
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"):

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
PAWB Local Form 41 (02/2013)

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 :
: :
: :
Movant : Related to Document No.
: :
: :
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)*.

Part I: Loss Mitigation Status

- A. The Loss Mitigation process was commenced by a *Loss Mitigation Order* dated [_____, ____ 20__] (the "LMO"), entered at document number [____], in the above-captioned case.
- B. The Debtor [is / is not] current with all adequate protection payments pursuant to the LMO. [If not, explain in detail]
- C. The Creditor [has / has not] registered and posted its entire Core LMP Package on the Portal pursuant to the LMO. [If not, explain in detail]
- D. The Debtor [has / has not] uploaded a completed Core LMP Package through the Portal pursuant to the LMO. [If not, explain in detail]
- E. The Creditor [has / has not] acknowledged receipt of the Debtor's submission of the completed Core LMP Package pursuant to the LMO. [If not, explain in detail]
- F. The Creditor [has / has not] designated a single point of contact pursuant to the LMO. [If not, explain in detail]

Part II: Loss Mitigation Period

- A. The Loss Mitigation Period is scheduled to terminate on dated [_____, ____ 20__] pursuant to the LMO.
- B. The Debtor [is / is not] requesting an extension of the Loss Mitigation Period at this time. [If so, set forth the specific reasons for requesting an extension and 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	:	
	:	
Movant	:	Related to Document No.
	:	
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	:	
	:	
Movant	:	Related to Document No.
	:	
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 Termination of 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* and the attached printout of the *Account History Page* from the Portal are submitted pursuant to *W.PA.LBR 9020-4(f)*.

Part I: Loss Mitigation Process:

- A. The Loss Mitigation process was commenced by a *Loss Mitigation Order* dated [_____, 20__] (the "LMO"), entered at document number [____], in the above-captioned case.
- B. The Debtor [fully complied / did not fully comply] with all requirements, including meeting all deadlines, set forth in the LMO. [If not, explain in detail]
- C. The Creditor [fully complied / did not fully comply] with all requirements, including meeting all deadlines, set forth in the LMO. [If not, explain in detail]
- D. There [were / were no] requests for an extension of the Loss Mitigation Period. [If so, for each request, explain in detail why the request was made, by whom and whether the request was granted or denied]
- E. The Creditor [has / has not] acknowledged receipt of the Debtor's submission of the completed Core LMP Package pursuant to the LMO. [If not, explain in detail]
- F. The Creditor [has / has not] designated a single point of contact pursuant to the LMO. [If not, explain in detail]

Part II: Loss Mitigation Outcome:

- A. The Loss Mitigation Period concluded on [_____, 20__].
- B. The outcome of the Loss Mitigation Process was: [state the outcome, e.g.: Loan Modification, Stay Relief, Deed in Lieu of Foreclosure, Sale of the Property, Stipulation, Addressed through the Chapter 13 Plan, Withdrawn, etc.]

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