

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

G.O.A. #87-5

ORDER REGARDING THE ASSIGNMENT OF CASES

WHEREAS, there is a continuing need to bring about an equal assignment of cases to the bankruptcy judges in the Western District of Pennsylvania; and;

WHEREAS, it is anticipated that Judith K. Fitzgerald will be appointed as a bankruptcy judge for this district, thereby bringing the current judicial complement of this Court to four members,

NOW THEREFORE, this 30th day of October, 1987, effective as of the date the clerk has in his possession, the appropriate assignment cards required for the assignment of cases as set forth herein;

(1) all cases thereafter filed in the Pittsburgh Division of this Court shall be assigned to all bankruptcy judges in the Western District of Pennsylvania as soon as they are filed, or as soon as practicable, in the following manner:

- a. The Intake Section shall pull a card from the appropriate pack marked chapter 7, chapter 11, chapter 12, or chapter 13, which consists of 200 cards for each chapter, sealed on three sides, which will be marked Judge A, Judge B, Judge C, or Judge D. The 200 cards shall consist of 53 cards for Judge A, 53 cards for Judge B, 41 cards for Judge C, and 53 cards for Judge D. The case number will be placed on the card after it has been drawn and kept in a safe place in the Clerk's Office. The Intake Clerk will also mark the assignment in the assignment book, indicating the case number, debtor's name, and the date filed. Unless amended by further order of court, it is understood that all cards with the letter A represent cases to be assigned to


Judge Markovitz, all those marked with the letter B represent cases to be assigned to Judge Cosetti, all those marked with the letter C represent cases to be assigned to Judge Bentz, and all cards marked with the letter D represent cases to be assigned to Judge Fitzgerald.

- b. When all 200 cards have been selected, a new pack also containing 53 cards for Judge A, 53 cards for Judge B, 41 cards for Judge C, and 53 cards for Judge D will be started.
- c. Judge Bentz shall be given credit for each case assigned to him in the Erie Division. The Erie Division of the Clerk's Office shall call the Pittsburgh Division of the Clerk's Office each time a new case is filed and report the case number and the chapter under which the case is being filed.
- d. Judge Bentz shall only be assigned Pittsburgh Division cases for the counties of Allegheny, Beaver, Butler, Greene, Lawrence and Washington. If Judge Bentz's card is drawn for any other county in the Pittsburgh Division, that case shall be reassigned to another Judge by drawing a new card. The judge receiving this case shall be given credit by assigning his or her next case under the same chapter to Judge Bentz.
- e. Case credit shall be given to any Judge receiving a related case, or a reassigned case.
- f. The Clerk shall assign all Pittsburgh Division chapter 13 cases equally only between Judge Joseph L. Cosetti and Judge Bernard Markovitz, except that any chapter 13 case which normally would be heard in Johnstown shall be assigned to Judge Markovitz. As to such Johnstown cases, there shall be given a credit to Judge Markovitz so that for each credit, Judge Cosetti will be assigned the next chapter 13 case assigned to Judge Markovitz

which is normally heard in Pittsburgh until all credits have been used.


The Clerk shall assign to Judge Bentz and Judge Fitzgerald chapter 7 cases in lieu of the Pittsburgh Division chapter 13 cases they would otherwise have been assigned in a ratio of 1.5 chapter 7 cases for each chapter 13 case. This ratio will be prospectively applied on a quarterly basis to chapter 7 cases; for Judge Bentz this will mean those cases normally heard in Pittsburgh, and for Judge Fitzgerald, this would mean chapter 7 cases for any Pittsburgh Division county. These chapter 7 cases will be drawn equally from cases which would otherwise have been assigned to both Judge Markovitz and Judge Cosetti.

- g. The Clerk shall develop a separate list of very large and time consuming cases such as Wheeling Pittsburgh Steel, Sharon Steel, Earned Capital, and Mesta. When in the judgment of the Clerk or any single judge, such a case has been filed or is expected to be filed, the judges will, by telephone, prescribe a referral rule to prevent any single judge from being overburdened.




Joseph L. Cosetti
Chief Bankruptcy Judge

Warren W. Bentz
Bankruptcy Judge



Bernard Markovitz
Bankruptcy Judge



Judith K. Fitzgerald
Bankruptcy Judge