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## Rule 1001-1

### *Scope*

(A) **Title.** These rules are the Local Bankruptcy Rules for the District of Wyoming. The rules are numbered in accordance with the Uniform Numbering System for Bankruptcy Rules and may be cited as Wyoming L.B.R. \_\_\_\_\_ - \_\_\_\_.

(B) **Scope.** These rules supplement the Federal Rules of Bankruptcy Procedure, govern practice and procedure in the United States Bankruptcy Court for the District of Wyoming, and are available from the Clerk of the United States Bankruptcy Court and on the Bankruptcy Court's Internet site.

(C) **Applicable United States District Court Local Rules.** To the extent not otherwise specifically required by the United States District Court Local Rules or by these Local Bankruptcy Rules, the United States District Court Local Rules are not applicable for practice before the United States Bankruptcy Court for the District of Wyoming. The following is a list of the Local Rules of the United States District Court which are applicable to practice before this court:

<u>L.B.R No.</u>	<u>U.S.D.C.L.R.</u>		<u>D.C. pg. no.</u>
5011-1(A)	83.13.2	Transfer of Particular Proceedings for Disposition by a District Judge	129
5073-1	83.4.1(b)	Use of Cameras and Recording Devices	92
7067-1	67.1	Deposits and Withdrawals in the Registry of the Court	73

**Rule 1002-1**

***Petition - General***

***Minimum Filing Requirements to Commence a Case***

To commence a bankruptcy case, the following must be filed with the bankruptcy clerk:

- (A) The applicable filing fee or an Application to Pay in Installments;
- (B) A petition (with original signatures, social security numbers and/or federal employer identification number);
- (C) A Clerk's Notice to Consumer Debtor(s) when debts are primarily consumer debts;
- (D) A list of creditors and their addresses; and
- (E) A list of assets and their location.

## Rule 1005-1

### *Petition - Caption*

(A) **Initial Filing.** In addition to meeting the requirements of Fed. R. Bankr. P. 1005 and Official Bankruptcy Forms 16A, 16B, or 16C, as applicable, the caption must include the following:

(1) the full and correct first, middle, and last names of each individual debtor, or the full and correct corporate title of a corporation debtor. If the debtor has no middle name or has only a middle initial, that fact must be indicated;

(2) the chapter of the bankruptcy code under which the case is filed;

(3) the debtor's federal employer identification number and/or social security number, set out below the caption.

(B) **Individual Petitions.** The caption of each petition filed by an individual debtor may not include any corporate or partnership entity, as an a.k.a., d.b.a. or otherwise.

(C) **Corporate Petition.** A corporate petition may not be combined with the petition of any individual or other entity. The filer must attach a certified copy of a corporate resolution authorizing the filing to the original and each copy of the petition commencing a voluntary case.

(D) **Partnership or Limited Liability Company Petition.** A partnership petition may not be combined with the petition of any individual or other entity. The filer must attach a certified copy of a statement signed by a general partner stating that all partners have consented to the filing, together with a certificate of mailing to all general partners who have not signed the petition to the original and each copy of the petition commencing a voluntary case.

(E) **Subsequent Pleadings.** The debtor(s)' social security number or federal employer identification number, except to the extent required by § 342 or the Federal Rules of Bankruptcy Procedure, is not required on subsequently filed pleadings.

## Rule 1007-1

### *Lists, Schedules, & Statements*

(A) **Format.** Petitions, schedules, statements of affairs, and lists of creditors must conform to the Official Bankruptcy Forms and may be printed on one side of the paper only.

Voluntary petitions and accompanying papers must be assembled in the following order:

(1) **Single Document.** The following items are to be assembled and stapled together into one document, and are required to be filed:

- Voluntary Petition (the telephone number of the debtor(s)' attorney, or of the pro se debtor(s), must appear on the petition);
- Signature Page;
- Schedules A - J with unsworn declaration, excluding Schedules C in the case of a non-individual debtor;
- Summary of Schedules;
- Statement of Financial Affairs, with unsworn declaration;
- List of Equity Security Holders - chapter 11 only;
- List of 20 Largest Unsecured Creditors - chapter 11 only;
- Exhibit A to voluntary petition (if debtor is a corporation filing under chapter 11).

(2) **Separate Documents.** The following pleadings are to be filed separately:

- Attorney's Disclosure Statement;
- Chapter 7 Consumer Debtor(s)' Statement of Intention - Unless filed simultaneously with the schedules, the debtor must also file a certificate

evidencing service on the case trustee, the United States Trustee, and the creditors named in the Statement;

- Clerk's Notice to Individual Consumer Debtor(s) pursuant to § 342(b)(applicable only when debts are primarily consumer debts);
- Corporate Resolution (if debtor is a corporation);
- Mailing matrix and verification.

(B) **Schedule of Creditors.** Creditors are to be listed alphabetically with the full mailing address of each, including post office box or street number, city, state, and zip code. If it is known that the account or debt has been assigned or referred to an attorney or other agency for collection, the full name and address of the assignee or agent shall be set forth, but without twice extending the dollar amount of the debt.

(C) **Number of Copies.** The debtor(s) must file only the executed original of any papers required to be filed by this rule.

(D) **Schedule of Current Income and Expenditures of Individual Debtor.** The schedule of current income and current expenditures of all individual debtors, including income and expenditures of a non-debtor spouse in a chapter 11, 12 or 13 case, must be completed and filed in all chapter 7, 11, 12, or 13 cases. In an individual case where the debtor is separated and is not filing a joint petition, the schedules must so state and the schedule of current income and expenditures of the non-debtor spouse is not required.

(E) **Extension of Time to File Schedules.** The court will not grant extensions of time to file schedules and statements to a date beyond the first meeting of creditors held pursuant to § 341(a) except upon motion and a showing of exceptional circumstances.

## Rule 1007-2

### *Mailing - List or Matrix*

(A) **General Requirements.** Every petition must be accompanied by a mailing matrix with names and complete addresses of creditors listed in alphabetical order. If the debtor is a corporation or a partnership, the debtor must include the names and addresses of all corporate officers or general partners on the matrix.

(B) **Accuracy.** The debtor(s) (and counsel, if any) is responsible for filing an accurate and complete mailing matrix and any necessary amendments. The clerk will not compare the names and addresses of the creditors listed in the schedules with the names and addresses shown on the master list or any amendment.

(C) **Diskette Submission.** The debtor(s) may submit the matrix on a 3.5" high density diskette in ASCII DOS text format. Parties interested in diskette submission should contact the clerk's automation department for further instructions.

(D) **Format.** A mailing matrix must be prepared in accordance with the following guidelines:

(1) When a new chapter 7, 11, 12, or 13 case is filed, a complete, optically scannable creditors' matrix (accompanied by a verification) is required;

(2) When a case is converted to any chapter or an amendment to any case is filed which adds, deletes, or changes creditor/address information, a matrix must be filed with the amendment to the schedules, listing only the additional or deleted creditors;

(3) Lists must be typed in one of the following standard typefaces or print styles; Courier 10 pitch, Prestige Elite 12 pitch, or Letter Gothic 12 pitch. Character pitch must match character spacing. DO NOT USE PROPORTIONAL SPACING. DOT MATRIX PRINT CANNOT BE SCANNED AND WILL NOT BE ACCEPTED;

(4) Lists must be typed in a single column so that the optical character reader can scan the addresses automatically from left to right, line by line;

(5) Each creditor entry must be single spaced and may consist of no more than 5 lines. The last of the five lines must be the city, state, and zip code. DO NOT type "attention" lines on the last line. DO NOT include account numbers in the address;

(6) DO NOT include the name and address of the debtor(s), debtor(s)' attorney, the United States trustee, or the case trustee in the list. They will be retrieved automatically by the computer;

(7) DO NOT fold, staple, or write on the matrix sheets; and

(8) Double or triple spacing is required between creditor entries.

## Rule 1009-1

### *Amendments To Lists and Schedules*

(A) **Heading.** All amendments to a voluntary petition, list, schedule, or statement must contain the heading "AMENDMENT TO (name, petition, list, schedule, or statement being amended)."

(B) **Number of Copies.** The debtor(s) must file only the executed original of any amendment made pursuant to this rule.

(C) **Service.** The debtor(s) shall serve a copy of each amendment on the United States trustee, the case trustee or standing trustee, and any parties affected by the amendment, and shall attach a certificate of service showing compliance with this rule.

(D) **Content of Amendment.** Amendments to the lists and schedules must include the amended information only.

(E) **Notice.** Whenever a debtor or other party adds a creditor by amendment, within 5 days that party shall serve the added creditor with each notice that has previously been served on all creditors in the case, without regard to who initially served the notice(s), and shall file a certificate of service showing compliance with this rule.

(F) **Signature.** All amendments must be signed and verified by the debtor(s) in the same manner required for originals.

(G) **Additional Filing Fees.** Any amendment to the schedules or list of creditors must be accompanied by the current, applicable filing fee required by 28 U.S.C. § 1930. Amendments which require a fee include: adding a creditor; deleting a creditor; changing the amount specified as owed to a creditor; and changing the classification of a debt.

(H) **Supplement to the Mailing Matrix.** If an amendment contains an additional creditor(s) or a change of a creditor's address, the debtor(s) shall submit a supplemental mailing matrix listing only the additional creditor(s) in the same manner required by L.B.R. 1007-2.

## Rule 1015-1

### *Joint Administration/Consolidation*

If the court enters an order for consolidation or joint administration, the clerk, or other person as the court may direct, will provide notice of the order to all creditors and other interested parties.

(A) **Joint Administration.** All motions, pleadings, and other documents filed in jointly administered cases must bear a combined caption which includes the full name and number of each case, except that a motion which applies in only one specific case may reflect the caption of that case only. An original motion, pleading, or other document shall be filed for each case.

(B) **Proof of Claim** A creditor must file its proof of claim in the specific estate to which the claim is applicable.

(C) **Consolidation.** Only one original motion, pleading, or other document is filed in the consolidated cases and will be docketed and placed in the lower-numbered case file. Nothing will be docketed or placed in the case file of the higher-numbered case after the order of consolidation is entered.

## **Rule 1017-2**

### ***Dismissal***

(A) **Cause for Dismissal.** If a case is deficient as defined in subsection (B) of this rule, the deficiency shall constitute cause for dismissal pursuant to §§ 707(a), 1112(b) & (e), 1208(c), or 1307(c).

(B) **Deficiency Defined.** A case is deemed deficient if all submissions required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and these Local Bankruptcy Rules are not timely filed.

(C) **Standing Motion to Dismiss by United States Trustee.** The United States trustee has filed a document entitled United States Trustee's Standing Motion to Dismiss Deficient Case which applies to any deficient case filed with the clerk.

(D) **Notice of Deficiency and Dismissal for Failure to Cure.** If a deficient voluntary case is filed, the clerk will immediately provide notice of the deficiency to the debtor(s) and to the debtor(s)' attorney at the addresses shown on the petition, to the case trustee if appointed, and to the United States trustee. The deficient case will be dismissed unless the deficiency is cured pursuant to Fed. R. Bankr. P. 1007(c).

## **Rule 1019-1**

### ***Conversion - Procedure Following***

(A) **Schedule of Postpetition Debts.** Concurrent with the filing of the Schedule of Postpetition Debts required by Fed. R. Bankr. P. 1019(5), the party filing the schedule must give written notice by serving a copy of the schedule to each entity named, to the United States trustee, and to the trustee assigned to the case, together with a statement advising that each scheduled creditor may file a proof of claim in accordance with Fed. R. Bankr. P. 3001(a) through (d) and 3002, and shall attach a certificate showing service in compliance with this rule.

(B) **Debtor in Possession's or Trustee's Duties.** A debtor in possession or trustee appointed in a case that is converted to a different chapter in which a trustee is appointed must furnish to the successor trustee a copy of the debtor(s)' petition, schedules and statement of affairs, stay relief pleadings, and all other documents in the debtor in possession's or the trustee's possession necessary to efficient case administration.

(C) **Applications for Professional Fees.** All professionals entitled to fees for pre-conversion services and reimbursement of expenses in a case converted from a chapter 11, 12 or 13 to a chapter 7 case must file an application for those fees within 60 days following the entry of the order converting the case.

## Rule 2002-1

### *Notice to Creditors and Other Interested Parties*

(A) **Mandatory Hearings.** Unless the court determines *sua sponte* that no hearing is warranted, the court will hold a hearing, after notice, on the following matters:

(1) Approval of a chapter 11 disclosure statement unless conditionally approve (*see* Fed. R. Bankr. P. 3017.1);

(2) The confirmation of a chapter 11 and 12 reorganization plan (*see* L.B.R. 3020-1 and 3015-4);

(3) Objections to claimed exemptions (*see* L.B.R. 4003-1);

(4) Motions to convert or dismiss chapters 7 or 11 cases, other than upon motion of the debtor to convert;

(5) Motions for the appointment or removal of a trustee or examiner;  
and

(6) Motions filed in adversary proceedings.

(B) **Notice of Scheduled Hearings.** When a hearing is requested by a party or is required by this rule or the Federal Rules of Bankruptcy Procedure, the court will set and notice the hearing.

(C) **Notice and Opportunity.** In all circumstances where relief is requested which can only be granted upon notice or "after notice and a hearing" as defined in § 102, except a motion which may be heard or granted *ex parte*, the movant must serve notice of the relief sought as follows:

(1) At a minimum, a movant must serve the pleading and the notice on the debtor(s), the debtor(s)' attorney, the United States trustee, any case or standing trustee, the trustee's attorney, if any, and any party specifically requesting notice;

(2) An entity seeking allowance of an administrative expense under § 503, other than applications for compensation or reimbursement served pursuant to Fed. R. Bankr. P. 2002(a)(6), must serve the pleading upon the debtor(s), the debtor(s)' attorney, the United States trustee, the case or standing trustee, the trustee's attorney, if any, and any party specifically requesting notice. The movant must serve the notice of opportunity to object on all of the foregoing and, in a chapter 11 case, on any committee appointed under § 1102 of the Code, or in the absence of a committee, then on the list of twenty largest creditors filed pursuant to Fed. Rule Bankr. P. 1007(d);

(3) When notice is required to be served upon all creditors and interested parties under Fed. R. Bankr. P. 2002, the party providing notice must obtain a current mailing matrix from the bankruptcy clerk no sooner than 20 days before serving the motion and serve all parties on the matrix in addition to those required under section (C)(1) of this rule;

(4) The notice of opportunity to object must describe the relief sought with sufficient particularity to apprise the noticed parties of the subject matter of the motion and must be in substantial compliance with Official Bankruptcy Form 20A;

(5) When an interested party is permitted to file a written objection or response prior to any court action to be taken, the movant must allow an interested party:

a. at least 13 days to file a written objection; or

b. when the notice is given under Fed. R. Bankr. P. 2002(a), at least 23 days to file a written objection unless the court orders otherwise; or

c. when the notice is given under Fed. R. Bankr. P. 3007, at least 33 days to file a written response.

These time periods include the 3 days for service by mail allowed by Fed. R. Bankr. P. 9006(f); and

(6) The motion, the notice, and an attached certificate showing service in compliance with this rule shall be filed within 3 court days of service of the motion and notice.

(D) **Exceptions.** When relief is requested regarding the automatic stay under § 362, or confirmation in a chapter 12 or 13 case, the procedures set forth in L.B.R. 4001-1, 3015-4, or 3015-3, respectively, apply.

(E) ***Ex Parte* Motions.** Motions and applications which may be heard *ex parte* include applications for the approval of employment of professional persons and motions to shorten or limit notice under Fed. R. Bankr. P. 2002.

(F) **Submission of Proposed Orders.** The movant must submit a proposed order concurrently with the filing of the notice and motion. The proposed order may not be incorporated into the motion, but must be a separate document, and must comply in form with L.B.R. 9072-1(A).

(G) **Requests for Notice.** Any party who files a request for service of pleadings and other notices shall serve the request on the United States trustee, the case trustee, the debtor(s), and the debtor(s)' counsel of record. A party providing notice pursuant to this rule shall comply with any such request for notice, in addition to the notice required by Fed. R. Bankr. P. 2002.

## Rule 2002-2

### *Notice to the United States or Federal Agency*

(A) **Notice to the United States.** When giving notice to the United States or any federal agency or other federal component as required under the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, or these rules, except when notifying the Internal Revenue Service under L.B.R. 2015-3, the party providing notice must, at a minimum, send notice to BOTH the United States Attorney for the District of Wyoming and the applicable federal agency or other federal component. The address of the notice to the United States Attorney must include, in parentheses, the name of the federal agency or other component. For example:

United States Attorney  
District of Wyoming  
(For the Internal Revenue Service)  
P.O. Box 668  
Cheyenne, WY 82003-0688

The notice must also be sent directly to the component agency at its current address. For example:

Internal Revenue Service  
Special Procedures Staff  
Bankruptcy Unit, Mail Stop 5028  
5353 Yellowstone Road  
Cheyenne, WY 82009

(B) **Service of Summons.** Nothing in this rule is intended to relieve a party from providing proper service when required by and in accordance with Fed. R. Bankr. P. 7004 & 9014 and Fed. R. Civ. P. 4.

(C) **Mailing List.** A mailing list of federal agencies or other federal components and their respective addresses is available from the Office of the United States Attorney for the District of Wyoming.

## **Rule 2002-4**

### ***Notices After Claims Filed***

Immediately following the last day for any creditor to file claims in a chapter 7 case, all notices required by Fed. R. Bankr. P. 2002(a) need be mailed only to creditors whose claims have been filed with the clerk within the time frames applicable to that creditor, the case trustee, all indenture trustees, the debtor(s), and the debtor(s)' counsel.

## **Rule 2003-1**

### ***Meeting of Creditors***

(A) **Continuance, Change of Location, or Reschedule.** Requests to continue, change location, or reschedule a § 341(a) meeting must be addressed in a chapter 11 case to the United States trustee, and in a chapter 7, 12 or 13 case to the case or standing trustee and the United States trustee. No request should be filed with the court unless the party seeks to reschedule a § 341 meeting outside the time limits of Fed. R. Bankr. P. 2003, in which case court authority is required.

(B) **Waiver of Appearance.** Motions to waive the appearance of the debtor at the § 341 meeting must be filed with the court and must state that the United States trustee and the chapter 7 trustee or standing chapter 12 or 13 trustee has been contacted, and whether there is an objection to the waiver by either of the contacted parties.

(C) **Attendance.** The debtor(s) and debtor(s)' counsel are required to appear at any scheduled or continued meeting of creditors. The court may dismiss a voluntary case for failure of a debtor or counsel to appear.

If the debtor or counsel fails to appear as required by this rule, the presiding officer may file and serve on the debtor(s) and debtor(s)' counsel a Notice of Failure to Appear, with an attached certificate showing service in compliance with this rule.

If no request for a hearing is filed by the non-appearing party within 10 days after service of the Notice, the court may dismiss the case without further notice or hearing.

## **Rule 2004-1**

### ***Examinations***

Motions for an order authorizing a Rule 2004 examination must include the name of the party to be examined, the specific time and place for the examination, cause for the examination, and an averment that the party or counsel for the party to be deposed has been contacted, or that a good faith attempt was made to contact the party and counsel, and whether an agreement has been reached establishing the time and location of the examination.

If an agreement as to the time and place has not been reached, the date for the examination or production of documents may not be sooner than 10 days after service of the order on the party to whom the order is directed. Fed. R. Bankr. P. 9006(f) governs the computation of time.

A Rule 2004 examination may not be used to conduct discovery in an adversary proceeding or a contested matter.

Motions may be granted by the court *ex parte*, subject to the foregoing requirements. However, in all instances, notice of the motion shall be served on the trustee or debtor in possession and the debtor(s)' counsel or pro se debtor.

## **Rule 2012-1**

### ***Trustees - General***

When a successor trustee is appointed by the United States trustee, the successor trustee or the United States trustee must serve notice of the appointment on all creditors in the case, and on all interested parties in contested matters, adversary proceedings, and other applicable civil actions.

## **Rule 2014-1**

### ***Employment of Professionals***

An application for an order approving the employment of a professional person, with a verified statement as required by Rule 2014 attached, may be granted by the court *ex parte* if the applicant files a certificate evidencing service of the application and the verified statement on the United States trustee and the case trustee, if any. If the court requires the applicant to serve the application on all interested parties, the applicant must serve the application and verified statement in accordance with L.B.R. 2002-1(C).

## **Rule 2015-3**

### ***Debtor in Possession or Chapter 11 Trustee - Reports***

(A) **Filing Reports.** All financial reports to be filed pursuant to § 704(8) or § 1106 and Fed. R. Bankr. P. 2015, must be filed and served as follows:

(1) Original to the Clerk of the United States Bankruptcy Court for the District of Wyoming, along with a Certificate of Service to be filed separately from the Original Report and without a copy of the report attached;

(2) Duplicate with original signatures to the United States Trustee for the District of Wyoming;

(3) Copies to the members of any Unsecured Creditors' Committee appointed by the United States trustee;

(B) **Tax Reporting Requirements.**

(1) Within 20 days of the entry of an order authorizing a trustee to operate a business, the trustee must establish a separate bank account in an authorized depository in which to segregate trust fund taxes.

(2) Within 20 days from the filing of a chapter 11 petition, the debtor in possession must establish a separate bank account in which to segregate fiduciary tax deposits.

Into this trust account, the debtor, debtor in possession, or chapter 11 trustee must deposit all fiduciary federal and state taxes required to be withheld, deducted, collected, or contributed.

(3) Verification of compliance with this rule and with the Internal Revenue laws and regulations must be provided by:

a. mailing written notice to the Internal Revenue Service and the United States trustee of the location of the bank and the account number into which all fiduciary tax deposits will be made, within 5 days from the date the account is opened; and

b. by filing Form 6123, Verification of Fiduciary's Federal Tax Deposit, with the Internal Revenue Service, within 2 days of making the required deposits and serving a copy on the United States trustee; and

c. by timely filing all required FICA and FUTA employer's tax returns (Forms 940, 941, and 943) and all other required postpetition tax returns with the Internal Revenue Service, rather than filing them with the Regional Service Center.

(4) Notice and verification under this rule should be made to the Internal Revenue Service at the following address:

Internal Revenue Service  
Special Procedures Staff  
Bankruptcy Unit, Mail Stop 5028  
5353 Yellowstone Road  
Cheyenne, WY 82009

## Rule 2016-1

### *Compensation of Professionals*

(A) **Attorney Fee Applications in Chapter 7 & 13 Cases.** To the extent that no professional fees are requested to be paid postpetition in a chapter 7 or chapter 13 case, and if the fees and expenses paid to the debtor(s)' counsel do not exceed \$1,500, exclusive of the filing fee, an attorney for the debtor need not file an application for approval of such fees and expenses, but must file the attorney's disclosure statement required by Fed. R. Bankr. P. 2016(b).

If fees are requested to be paid postpetition, an application for those fees must be filed by the debtor(s)' attorney. If the fees and expenses requested do not exceed a total of \$1,500, exclusive of the filing fee, an itemization of the time and services is not required to be filed with the application. However, notice of the fee application must be given in accordance with Fed. R. Bankr. P. 2002(a)(6).

In a chapter 13 case, the attorney must state in the Rule 2016(b) disclosure statement whether or not the attorney requests payment through the chapter 13 plan.

(B) **Notice.** L.B.R. 2002-1(C) applies to all fee applications required to be noticed. The notice must include a time for filing objections to the application, which will be 23 days after the date on which the application is served. The applicant shall file and serve the notice, along with the cover sheet required by subsection (D)(1) of this rule, on all interested parties and attach a certificate showing service in compliance with this rule.

The applicant shall serve the notice, the cover sheet required by subsection (D)(1) of this rule, and the application on the United States trustee, the trustee or debtor in possession, the debtor(s), and the debtor(s)' counsel, and shall file a certificate showing service in compliance with this rule.

If no objection to the application is filed, the court may enter an order on the application or set a hearing at the discretion of the court.

(C) **Chapter 13 Fee Applications.** When an application for compensation is required in a chapter 13 case, the application and cover sheet must be filed separately from the chapter 13 plan. However, the notice required by Fed. R. Bankr. P. 2002(a)(6) may be included with the chapter 13 Notice of Deadline for Filing Objections in a form in substantial compliance with Local Bankruptcy Form E.

When fees are anticipated to be paid as a claim under the chapter 13 plan, the debtor must separately state in the plan the estimated total fees and the fees to be paid as a claim under the chapter 13 plan, as illustrated in Local Bankruptcy Form B.

All applications for fees filed in chapter 13 cases must be filed within 30 days following confirmation of the chapter 13 plan. Untimely applications will be summarily denied, unless supported by a statement of the applicant demonstrating cause for the delay.

(D) **Format.**

(1) **Cover Sheet.** Except when excused under section (A) of this rule, all applicants must file and serve a cover sheet in substantial compliance with Local Bankruptcy Form A along with the application.

(2) **Fee Application.**

a. Expenses must be itemized in detail sufficient for the court to determine whether the expenses were reasonable and necessary, the manner in which the expense reimbursement was calculated if not a precise cost recovery, and the dates upon which the expenses were incurred.

b. Each application must contain a clear and concise narrative which provides detail relative to the complexity of the case or matter upon which the fees are requested. The narrative shall describe, among other things: the nature of the services; the result obtained and benefit to the estate (including tangible benefit, if any); the remaining services to be performed; an estimate of the time and cost of so doing; and a statement regarding the feasibility of any requested interim distribution.

c. The application must be categorized in detail sufficient to the complexity of the case. The itemization must contain a description of tasks performed sufficient for the court to determine an allowance within the requirements of § 330 and adequate for the purpose and amount of fees for which it is submitted. The time entries must be made from records contemporaneously kept by the applicant, and each person providing services must be separately identified on every applicable entry.

d. Applications which are not adequately itemized will be summarily denied without prejudice, pending a more particularized refile by the applicant.

## Rule 2083-1

### *Chapter 13 - General*

(A) **Sales of Property.** Except for a *de minimis* sale, the debtor(s) may not sell property or collateral or apply sale or insurance proceeds to a debt treated in the plan without prior written notice to the chapter 13 trustee. The application of sale or insurance proceeds to any debt treated in the plan is subject to the standing trustee's percentage fee.

(B) **New Debt.** A chapter 13 debtor(s) may not incur new or additional debt without prior written notice to the chapter 13 trustee.

## **Rule 3004-1**

### ***Claims - Filed by Debtor or Trustee***

When a debtor or a trustee files a proof of claim on behalf of a creditor under § 501(c) and Fed. R. Bankr. P. 3004, the person filing the claim must simultaneously file and serve a notice of the filing upon the creditor and its counsel of record, if any, and the trustee, and attach a certificate showing service in compliance with this rule.

The notice must advise the creditor that a proof of claim has been filed for the creditor, and of the amount and nature of the claim. A copy of the proof of claim may be attached to the notice in place of the statement of the amount and nature of the claim. The notice must also advise the creditor that the creditor may file an amended proof of claim which will supersede the proof of claim filed by the debtor or the trustee.

## **Rule 3007-1**

### ***Claims - Objections***

(A) **Procedure.** Claim objections may be brought by providing the claimant, the trustee, other parties in interest, and the United States trustee with notice of the objection and a 33-day opportunity to respond to the objection under L.B.R. 2002-1(C)(4), Fed. R. Bankr. P. 3007 and 9006(f). In the event a response is filed, the court will schedule and hold a hearing.

(B) **Chapter 13.** The chapter 13 standing trustee must file and serve on the debtor and debtor(s)' attorney a Report of Claims Filed within 14 calendar days of the last day to file claims in the case. All objections to claims filed in a chapter 13 case must be filed and served within 14 days from the date of service of the trustee's report of claims, unless the claim objection is brought because a claim was untimely filed.

## Rule 3015-3

### *Chapter 13 - Confirmation*

(A) **Filing Plan.** Within the time limit set by Fed. R. Bankr. P. 3015(b), the debtor(s) must file an original of the proposed chapter 13 plan in conformance with Local Bankruptcy Form B; a plan summary in conformance with Local Bankruptcy Form C; and a Notice of Filing Chapter 13 Plan in conformance with Local Bankruptcy Form D. Within 5 days of filing, the debtor(s) shall serve the plan, the plan summary and the notice of filing on the chapter 13 standing trustee and serve the plan summary and the notice of filing on all other interested parties. A certificate of service showing compliance with this rule, but without documents attached, shall be filed within 5 calendar days of service.

(B) **Confirmation Order.** Except as otherwise ordered by the court, the court will prepare the order confirming the plan.

(C) **Notice of Hearing.** Within 10 days following the first meeting of creditors held under § 341, the debtor(s) shall file and serve on all interested parties, the United States trustee, and the chapter 13 standing trustee a notice of deadline for filing objections to confirmation which substantially conforms to Local Bankruptcy Form E, along with a copy of the proposed chapter 13 plan, and shall attach a certificate showing service in compliance with this rule.

Service must be effected so that all interested parties are given not less than 28 days' notice (inclusive of the 3 days' notice required for service by mail allowed by Fed. R. Bankr. P. 9006(f)) of the date and time fixed for filing objections to confirmation.

(D) **Objections.** Objections must be filed and served on the debtor, the debtor(s)' counsel, the standing chapter 13 trustee, the United States trustee, and any other parties requesting notice. An objection must state with specificity the grounds upon which the objection is based. If timely objections to the plan are filed, the court will set and hold a confirmation hearing, which the debtor(s) must attend.

If no timely objection to the plan is filed and if the debtor is current on the plan payments, the court may confirm the plan without further notice and hearing. Uncontroverted facts alleged in the plan may be taken as true by the court for the purposes of confirmation.

(E) **Amended Plan.** In the event the debtor amends the original plan prior to confirmation, the debtor must serve a complete copy of the amended plan on all interested parties, the chapter 13 standing trustee, and the United States trustee, and

shall otherwise comply with section (C) of this rule by filing and serving the required notice within 10 days following the filing of the amended plan.

## Rule 3015-4

### *Chapter 12 - Confirmation*

(A) **Filing Plan.** The debtor(s) shall file a proposed chapter 12 plan or a motion for an extension of time to file the plan within the time limit set by § 1221. If the debtor files a motion for an extension of time, the court may set a status conference to discuss the case and the motion.

(B) **Confirmation Order.** Except as otherwise ordered by the court, the court will prepare the order confirming the plan.

(C) **Hearing.** From the bankruptcy judge's secretary, the debtor(s) must obtain a hearing date for the preliminary hearing on confirmation of the plan, to be held by telephone, and for the final hearing to be held in open court. The debtor must mail the notice of the hearings and of the time fixed for filing objections to the plan to all creditors and other interested parties together with a copy of the chapter 12 plan, all in accordance with Fed. R. Bankr. P. 2002(a)(8) & 3015.

If no objection to confirmation is timely filed, and if the plan meets the requirements of §§ 1222 & 1225, the court may enter an order confirming the plan after the preliminary hearing. If objections to confirmation are filed, the court will conduct the preliminary hearing as a status conference and determine the legal and factual matters to be resolved at the final hearing. Counsel should be prepared to discuss the objections and confirmation issues at the preliminary hearing.

The debtor(s) and the chapter 12 trustee must be present at any hearing on confirmation held in open court.

(D) **Notice.** The notice must contain a 28-day deadline for filing objections to confirmation of the plan and include the date of the preliminary and final hearings on confirmation.

The debtor must file and serve the notice in time to ensure that the hearing is held within 45 days of the filing of the plan, as required by § 1224.

(E) **Objections.** Objections must be filed and served on the debtor(s), the debtor(s)' counsel, the standing chapter 12 trustee, and any other parties requesting notice.

## **Rule 3016-2**

### ***Disclosure Statement - General***

A chapter 11 plan proponent must file together both a chapter 11 disclosure statement and a proposed chapter 11 plan of reorganization. Upon the filing of a chapter 11 disclosure statement and plan, the court will issue an order setting the time and place for the hearing on the adequacy of the disclosure statement and the specific date fixed for filing any objections. If the debtor(s) has elected to be treated as a small business under § 1121(e), the court may conditionally approve the disclosure statement without a hearing.

The plan proponent must mail a copy of the proposed plan, the disclosure statement, and the order setting the disclosure statement to all creditors and other interested parties, in addition to the service required by Fed. R. Bankr. P. 2002 and 3017(a), and must file a certificate showing service in compliance with this rule within 5 calendar days of service.

## Rule 3020-1

### *Chapter 11 - Confirmation*

(A) **Solicitation.** Within 10 days after entry of an order approving the disclosure statement, the plan proponent shall serve a ballot, conforming to Official Bankruptcy Form 14, along with a copy of the approved disclosure statement and the proposed plan, to each entity entitled to accept or reject the plan.

(B) **Balloting.** The holders of claims or interests who elect to accept or reject a plan must submit the ballot to the counsel for the plan proponent at least 10 days before the hearing on confirmation of the plan.

(C) **Ballot Report.** Not less than 5 days before the hearing on plan confirmation, the plan proponent shall file a ballot report containing a tally of the ballots cast and indicating for each class of claims or interests: the number and percentage of votes for the plan; the total dollar amounts; and the percentages of the claims or interests so voting. The report must have a copy of the ballots cast attached as an exhibit.

(D) **Objections.** Objections to confirmation must be in writing and filed within the time fixed by the order approving the disclosure statement which will be at least 10 days prior to the date set for the hearing on confirmation, and must be served on the United States trustee, the plan proponent and the plan proponent(s)' counsel.

## Rule 3022-1

### *Final Report/Decree - Chapter 11*

(A) **Filing.** Immediately after a chapter 11 estate is fully administered, the debtor in possession or chapter 11 trustee shall file a final report showing full administration and any other factors necessary to enable the court to issue a final decree. Concurrent with the final report, the debtor in possession or trustee must file a motion for entry of a final decree and a proposed order closing the case as required by Fed. R. Bankr. P. 3022.

The movant must provide the United States trustee with a 10-day notice to file objections, if any, to the report, and the motion for entry of a final decree.

(B) **Format.** At a minimum, the final report must indicate whether:

- (1) the order confirming the plan is final;
- (2) any deposits required by the plan have been distributed;
- (3) the property proposed to be transferred by the plan has been transferred;
- (4) the debtor or the successor of the debtor under the plan has assumed the business or the management of the property dealt with by the plan;
- (5) payments under the plan have commenced; and
- (6) all motions, contested matters, and adversary proceedings are resolved.

(C) **Fees.** Before the case is closed, all fees due and payable to the United States trustee must be paid in full.

(D) **Applications for Professional Fees.** Before the debtor files a motion for a final decree, and no later than 6 months following the entry of the confirmation order, the debtor(s) must ensure that all professionals entitled to fees for services rendered during the administration of a chapter 11 case file final applications for those fees.

## **Rule 3070-1**

### ***Chapter 13 - Payments***

A cashier's check or money order, payable to "Standing Chapter 13 Trustee," in an amount equal to the monthly payment or a monthly proration of a quarterly payment proposed by the plan, will be due on the date first set for the meeting of creditors held under § 341. At the meeting, the standing chapter 13 trustee may fix a schedule for regular periodic payments in accordance with the proposed plan.

**Rule 4001-1**

***Automatic Stay - Relief From***

(A) **Motions.** All motions requesting relief from the automatic stay must contain the following information:

The name of the movant;

The amount owed by the debtor to the movant;

A complete description, including the value, of the property upon which relief is requested; and

Copies of all documents showing proof of debt attached to the motion and including, where applicable, a copy of the certificate of title to vehicles showing perfection of lien or a copy of the mortgage on real property showing recording information by the county clerk, and/or a copy of documents showing perfection of a security interest with filing information.

(B) **Movant.** The movant's name must be set forth both in the pleading and above the signature line of the movant's representative. The representative's written name, address, and telephone number must be set forth as required by L.B.R. 9004-1(B).

(C) **Service.** In addition to the service required by Fed. R. Bankr. P. 4001 & 9014, the movant must serve the notice and the motion upon the debtor(s), the debtor(s)' counsel, the standing chapter 12 or 13 trustee or the case trustee, and any joint owner or co-borrower who is not a debtor in the case.

(D) **Notice.** A notice of time to object, allowing 13 days from the date of service in which to object, must be set forth after the motion. The 13-day period includes the 3 days for service by mail allowed by Fed. R. Bankr. P. 9006(f). The form of the notice is:

NOTICE OF TIME TO OBJECT

YOU ARE NOTIFIED that if you desire to oppose this motion, you are required to file with the court and serve on the undersigned and the trustee or debtor in possession in the case, a written objection to the motion on or before \_\_\_\_\_. In the absence of a timely objection, the relief sought may be granted by the court without further notice or hearing. If you file a timely written response, the court will set and

notice a hearing..

(E) **Proof of Service.** Proof of service pursuant to L.B.R. 9013-3 may be set forth in the same document after the notice of time to object or may be filed separately.

(F) **Court Action.** In the absence of a timely objection, the court will consider the motion and may grant relief 14 days after the motion is served.

In the event a timely objection is filed, the court will set and hold a telephonic preliminary hearing on the motion. If after the preliminary hearing an evidentiary hearing is required, the court will set and hold a final hearing on the motion.

(G) **Order.** Contemporaneous with the filing of the motion, the movant must submit a proposed order, containing a complete description of the property upon which relief is requested. The proposed order must be a separate document from the motion and should not have an attorney's heading in the upper left hand corner. When relief is requested to permit a creditor to exercise its state law remedies with regard to its collateral, the proposed order must contain language which provides that the creditor shall provide an accounting to the trustee or debtor in possession following any sale of the creditor's collateral.

## **Rule 4003-1**

### ***Exemptions***

(A) **Content.** All objections to exemptions must contain:

(1) A specific identification of the property which the debtor(s) claims exempt and to which the objection is addressed; and

(2) The basis for the objection, setting forth the applicable legal and evidentiary grounds.

(B) **Response.** If the debtor(s) opposes the objection, the debtor(s) must file a response at least 5 calendar days before the scheduled hearing.

## **Rule 4008-1**

### ***Reaffirmation***

In order to comply with the requirements of § 524(c), reaffirmation agreements should be in substantial conformity with Local Bankruptcy Form F.

The court will schedule and hold a hearing on any reaffirmation agreement filed by a pro se debtor, and on agreements reaffirming unsecured debt, unless the reaffirmed debt is a consumer debt secured by real property.

## **Rule 5003-1**

### ***Clerk - General/Authority***

The clerk of court is authorized to sign a summons; notice; order setting the first meeting of creditors, and any other document as authorized by the court. Any document so signed may be vacated by the court for cause shown.

## **Rule 5003-4**

### ***VCIS and PACER***

**Voice Case Information System (VCIS).** The bankruptcy court employs a VCIS system which allows the public to access certain case information from the court's computer system by use of a touch tone telephone. The VCIS is available at all times.

To access VCIS:

Step One -- Dial 307-772-2195 or 888-804-5537;

Step Two -- Make a selection based on the options provided. For example, you will have the option of listening to or bypassing the instructions and the option of searching by case number or name through use of the telephone keypad;

Step Three -- The synthesized voice of the computer will provide essential case information for up to 3 cases per call.

**Public Access to Court Electronic Records (PACER).** The PACER system allows viewing or downloading of: docket sheets or claims' registers; filed documents; and a list of cases filed the previous day. The system also allows searching for case information, including case number, chapter, debtor(s)' name and social security number, debtor(s)' attorney's name, address and telephone number, and filing, discharge and closing dates. PACER allows access to docket sheets in all cases, and to dockets and documents from January 1, 1998 forward.

Hardware requirements are a PC with internet access and an optional printer for printing downloaded information.

For PACER registration and cost information call 1-800-676-6856.

## **Rule 5010-1**

### ***Reopening Cases***

(A) **Motions.** A copy of a motion to reopen a bankruptcy case must be served on the United States trustee, the 20 largest unsecured creditors in a chapter 11 case, and any party affected by the motion.

(B) **Payment.** A motion to reopen must be accompanied by the payment of any filing fee required by 28 U.S.C. § 1930. A motion to reopen a bankruptcy case to administer assets must be accompanied by the required filing fee, unless the court authorizes payment at a later date.

## **Rule 5011-1**

### ***Withdrawal of Reference***

(A) **Motion for Withdrawal of the Reference.** U.S.D.C.L.R. 83.13.1 applies to motions to transfer proceedings to the United States District Court. The Clerk of the Bankruptcy Court will transmit the motion to the United States District Court.

(B) **Caption.** If a district judge grants a motion to withdraw the reference, further pleadings shall be filed with the Clerk of the United States District Court and must bear the caption of the United States District Court for the District of Wyoming.

(C) **Fee Payment.** A motion to withdraw the reference must be accompanied by the required filing fee.

**Rule 5073-1**

***Photography, Recording Devices & Broadcasting***

U.S.D.C.L.R. 83.4.1(b) applies in the bankruptcy court and in all § 341 meetings.

## **Rule 5081-1**

### ***Fees - Form of Payment***

The clerk will charge fees for services in accordance with 28 U.S.C. § 1930 and the fee schedule of the Judicial Conference of the United States, as published in various commercial volumes of the United States Bankruptcy Code. All fees must be paid by cash, attorney's or firm check, cashier's check, or money order payable to "Clerk, U. S. Bankruptcy Court." The clerk will not accept personal checks from debtors.

## **Rule 6070-1**

### ***Tax Refunds***

(A) **Setoff.** The Internal Revenue Service is authorized to set off against any prepetition refund due a debtor(s), any prepetition tax liabilities due the United States government without first obtaining an order from this court lifting the automatic stay. The Internal Revenue Service must file and serve notice of any setoff taken to the debtor(s), the debtor(s)' counsel and the chapter 7 trustee, if any, within 60 days following the setoff or to the chapter 13 trustee, if any, within 20 days following the setoff.

Any setoff taken as allowed by this rule in a case in which a chapter 13 plan has been confirmed will be subject to the standing trustee's percentage fee to be paid from plan payments.

(B) **Review of Setoff.** Any refund set off by the Internal Revenue Service may be reviewed by the court upon the motion of any interested party without derogation of any rights under § 505.

(C) **Cases under Chapter 7.** A tax refund intercept notice to the Internal Revenue Service by a chapter 7 trustee may only be sent in those cases in which the trustee has a reasonable and justifiable reason to believe that a refund is due. In all cases in which such a notice is provided by the trustee, the trustee must also specifically notify the Internal Revenue Service of the filing of the trustee's final report.

## **Rule 7016-1**

### ***Adversary Practice - Pretrial Procedures***

(A) **Scheduling Conference.** A pretrial scheduling conference will be held in every adversary proceeding. At the conference, counsel must be prepared to discuss with the court the basic nature of the case, their discovery requirements (including discovery issues, a proposed discovery plan, limitations, or proposed orders), settlement prospects, possible trial dates, and any other pertinent matters including those specifically set forth in Fed. R. Civ. P. 16(c).

(B) **Attorneys' Conference.** At a time which will be fixed during the scheduling conference, counsel for the parties are required to hold an attorneys' conference to discuss settlement, a jointly proposed pretrial order, stipulated facts, exhibit list, witness list, and other matters that will aid in the preparation of the jointly proposed pretrial order.

(C) **Pretrial Orders.** The parties must jointly prepare and submit to the court a proposed pretrial order approved by all counsel. The order must substantially conform to the format set forth in Local Bankruptcy Form G.

Counsel must submit with the proposed pretrial order copies of all exhibits anticipated to be submitted during the trial. Each of the plaintiff's exhibits should be marked with numerals and each of the defendant's exhibits should be marked with letters. If offered at trial, the exhibits will be handled in accordance with L.B.R. 9070-1.

If counsel are unable to agree upon the contents of a proposed pretrial order, the plaintiff(s)' counsel must file, on the required date, a proposed order accompanied by a statement from counsel for both parties explaining the areas of disagreement.

(D) **Final Pretrial Conference.** A final pretrial conference will be scheduled by the court. Trial counsel must participate as required by Fed. R. Civ. P. 16(d) and must be prepared to discuss any anticipated evidentiary issues and the previously submitted joint pretrial order.

## **Rule 7024-2**

### ***Unconstitutionality - Claim of***

(A) **Notification to Court.** Whenever in any action or proceeding to which the United States or any agency, officer, or employee thereof is not a party, and the constitutionality of any Act of Congress affecting the public interest is questioned, or in any action or proceeding in which a state or any agency, officer, or employee thereof is not a party, and the constitutionality of any statute of that state affecting the public interest is questioned, the party raising the constitutional issue must notify this court of the existence of the question and the legal reason for the claim of unconstitutionality.

(B) **Notification to Parties.** In accordance with the provisions of 28 U.S.C. § 2403, the party raising the question must serve a copy of the notice on the United States trustee. The court will notify the Attorney General of the United States or the Attorney General of the state of the pendency of the constitutional claim and will provide an opportunity to intervene on the issue.

## Rule 7026-1

### *Discovery - General*

(A) **Applicability.** This rule governs discovery in contested matters and adversary proceedings. Fed. R. Civ. P. 26(a), 26(d), and 26(f) are not applicable in contested matters as defined by Fed. R. Bankr. P. 9014 unless otherwise ordered by the court.

(B) **Reasonable Notice.** Notices of depositions under Fed. R. Bankr. P. 7030 must be served not less than 10 days prior to the date scheduled. Fed. R. Bankr. P. 9006(f) governs the computation of time.

(C) **Discovery Motions.** Pending the resolution of any motion relating to discovery or Fed. R. Bankr. P. 2004, neither the objecting party, witness, nor any attorney is required to appear at the deposition until the court rules on the motion. Any such motion must be filed and served as soon as practicable after receipt of a deposition notice, but in no event less than 5 days prior to a scheduled deposition.

The court will not entertain any motion relating to a discovery or Rule. 2004 dispute unless counsel for the moving party has conferred with opposing counsel and has made a reasonable effort to resolve the matter. With any motion filed, counsel for the moving party must set forth in writing counsel's efforts made to resolve the dispute. The court will not consider the motion in the absence of the information.

(D) **Self-Executing Routine Discovery Exchange.** In an adversary proceeding, routine discovery contemplated by Fed. R. Civ. P. 26(a) must commence within 30 days of the service of any pleading contemplated by Fed. R. Civ. P. 7. The filing of a pretrial dispositive or other motion will not stay the requirements of Fed. R. Civ. P. 26(a) or 26(e) absent an order of the court on motion by a party.

If a party fails to make a required disclosure, a motion to compel disclosure must include a statement of the movant's good faith efforts to resolve the issue without court action.

(E) **Filing.** If relief is sought concerning a Fed. R. Bankr. P. 2004 or other discovery dispute, copies of the portions in dispute must be filed simultaneously with the motion. If interrogatories, requests, answers, or responses are to be used at a hearing or trial, the portions to be used must be submitted to the court prior to the outset of the trial, insofar as their use can be reasonably anticipated.

(F) **Other Disclosure.** If necessary, the timing of disclosure relating to expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2) will be established by court order

in each adversary proceeding.

(G) **Written Format.** The parties must number each interrogatory, request, answer, response, or objection sequentially, regardless of the number of sets of interrogatories or requests. The use of electronic means for the exchange of written discovery is encouraged.

**Rule 7033-1**

***Interrogatories***

Interrogatories shall not be served by any party prior to the completion of routine discovery disclosure pursuant to Fed. R. Civ. P. 26(a)(1).

## **Rule 7054-1**

### ***Costs - Taxation/Payment***

Within 20 days after entry of a final judgment, a party entitled to costs may file a Certificate for Clerk to Tax Costs which must contain an itemized statement of costs incurred and an affidavit of counsel that the costs claimed are allowable by law, are correctly stated, and were necessarily incurred. Proof of service upon all counsel of record must be attached to the filed statement. Service by mail is sufficient and constitutes notice as required by Fed. R. Bankr. P. 7054(d).

If no objection is filed within 20 days of service, the clerk will tax the costs which appear to be properly claimed. If an objection is filed, the clerk will consider the objection and tax costs subject to review by the court.

## **Rule 7055-1**

### ***Default***

(A) **Judgment by Default.** A proposed judgment by default must be accompanied by an affidavit that the person against whom judgment is sought is neither an infant, an incompetent person, nor in the armed forces within the meaning of the Soldiers' and Sailors' Civil Relief Act of 1940, 50 U.S.C. Appx. § 520(1).

(B) **Default Trial or Hearing.** When a motion is made for a default judgment, unless the court orders otherwise, the matter will be set for an evidentiary hearing. If the party against whom judgment by default is sought has previously appeared in the proceeding or contested matter, notice of the motion must be given to the party and counsel for the party.

## **Rule 7055-2**

### ***Failure to Prosecute***

If no action has been taken in any adversary case by a party for 3 consecutive months, or if a case is not at issue by that time, the court will notify counsel of record, or the parties if their addresses are known and if they are not represented by counsel, that the case will be dismissed for lack of prosecution 30 days from the date of the notice. If no action is taken within 30 days after the notice has been given, the court may, in its discretion, dismiss the case. The order will be mailed to counsel of record or to the parties, if not represented by counsel.

**Rule 7067-1**

***Registry Fund***

U.S.D.C.L.R. 67.1 governing Deposits and Withdrawals in the Registry of the Court applies to all deposits of funds into the registry account of the bankruptcy court.

## **Rule 8001-1**

### ***Notice of Appeal***

Any party appealing an order or judgment of the Bankruptcy Court, must file with the Clerk of the Bankruptcy Court, an attorney service list, and an original notice of appeal, and must provide 5 copies plus 1 additional copy for each appellee of the original notice of appeal.

## **Rule 8006-1**

### ***Designation of Record - Appeal***

(A) **Designation of Record on Appeal.** The parties must comply with the instructions provided by the clerk. Supplemental designations of the record will be permitted only upon motion with notice to opposing parties and counsel and by order of the court.

(B) **Copies of Items Designated.** If the appeal is to the United States District Court, the clerk will provide a copy of each item designated to the Clerk of the District Court, subject to charge if appropriate.

If the appeal is to the United States Bankruptcy Appellate Panel, 10th Cir. BAP L.R. 8006-1(a) applies.

## Rule 9004-1

### *Papers - Requirements of Form*

(A) **Form.** Pleadings, motions, briefs, and other papers must be submitted for filing on letter-size paper, preferably typewritten, and must be printed on one side of the paper only. All exhibits which are printed on legal-size paper must be reduced to 8½" x 11" when attached to pleadings or proofs of claim. The pages must be fastened at the upper left corner without manuscript cover or spiral attachment, and must be pre-punched at the top with 2 holes on 2¾" centers. Typewritten documents must be double spaced with a top margin of 1½". The title of each subsequent pleading or paper must describe the contents thereof and state on whose behalf the document is filed.

Names must be typed or legibly printed under the signature line.

(B) **Telephone Numbers and Addresses.** Parties or attorneys signing papers submitted for filing must include their name, address and telephone number, and the name of the client at the top left margin of the first page of each pleading. Government attorneys may identify the agency or other component represented in the body of the submitted paper if only the identity of the attorney's office is included in the address.

Each attorney or party appearing pro se is under a continuing duty to notify the clerk, in writing, of any change of address or telephone number. Any notice mailed to the last address of record of an attorney or a party appearing pro se will be deemed sufficient notice.

(C) **Exhibits to Pleadings or Papers.** Bulky or voluminous materials should not be submitted for filing with a pleading or paper unless such materials are essential to the court's determination. A summary of these materials is usually sufficient.

**Rule 9006-1**

***Time Periods***

Except as otherwise stated, Fed. R. Bankr. P. 9006 governs the computation of time in all matters under these Local Bankruptcy Rules.

## Rule 9010-1

### *Attorneys - Notice of Appearance*

(A) **Admission of Attorneys.** The bar of this court consists of those attorneys admitted to practice and in current good standing as members of the bar of the United States District Court for the District of Wyoming.

(B) **Appearance by Corporations, Partnerships, and Other Entities.** This rule does not prohibit a corporation from appearing without an attorney in filing a claim, voting to elect a trustee, serving on an approved committee, or filing an acceptance/rejection of a plan under the Bankruptcy Code. In all other cases a corporation, partnership, or entity other than an individual may appear and participate only through an attorney authorized to practice in the United States District Court for the District of Wyoming.

(C) **Appearance *Pro Hac Vice*.** U.S.D.C.L.R. 83.12.2(b) & (c) apply to all attorneys who appear in adversary proceedings or contested matters before this court, unless otherwise excused from compliance. Counsel not admitted to practice before this court may file motions without admission *pro hac vice*, but in adversary proceedings, and if any relief sought becomes a contested matter as defined by Fed. R. Bankr. P. 9014, U.S.D.C.L.R. 83.12.2(b) is effective.

(D) **Attorney's Appearance.** Attorneys who file an entry of appearance will be placed on the creditors' mailing matrix for the case as a party in interest. An appearance entitles counsel to receive copies of notices, orders and other documents to which parties in interest are entitled under Fed. R. Bankr. P. 2002.

(E) **Withdrawal of Appearance.** An attorney who has appeared in a case may withdraw only on motion and court order for good cause shown. The attorney shall file a copy of notice to the attorney's client and a motion seeking to withdraw which specifies the reasons for withdrawal, unless that would violate the Code of Professional Responsibility, and a certificate evidencing service of the motion and notice on the attorney's client. The notice must include the admonition that the client is personally responsible for complying with all court orders and time limitations established by the court and the applicable rules, and must include a statement of any impending matters.

The attorney must also file a written consent of the client, and a substitute attorney must file an entry of appearance, without which the court will hold a hearing on the motion at which the movant and the client are required to appear.

## **Rule 9010-2**

### ***Appearances - Creditors***

A nongovernmental corporate party to an action or proceeding in this court must file a statement identifies any parent corporation and any publicly held corporation that owns ten percent (10%) or more of the party's stock or states that there is no such corporation. A party must file the statement with its first pleading filed in the court and promptly supplement the statement upon any change in the information.

## **Rule 9011-2**

### ***Pro Se Parties***

Any party proceeding on his or her own behalf without an attorney is expected to read and be familiar with these Local Bankruptcy Rules, the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure and the Federal Rules of Evidence, as appropriate in the case. Hard copies of these rules are available for review at the Office of the Clerk of the Bankruptcy Court.

## **Rule 9011-4**

### *Signatures*

(A) **Pleadings.** The original of every pleading, motion, or other paper filed by an attorney must bear the original signature of at least one attorney of record. The original of every pleading, motion, or other paper filed by a party not represented by an attorney must bear the original signature of that pro se party.

(B) **Plans.** All disclosure statements and plans submitted in a chapter 11 case, and plans submitted in chapter 12 and 13 cases, must be signed by the plan proponent(s) as well as by counsel, if any.

(C) **Electronic Filing.** This rule is not applicable to the filing of pleadings electronically.

## **Rule 9013-1**

### ***Motion Practice***

#### **(A) Motions.**

(1) Every request for relief must be submitted by separate motion and not combined with any other pleading or motion.

(2) Dispositive motions in adversary proceedings must be accompanied by a separate written memorandum as provided by L.B.R. 9013-2. Affidavits and other supporting papers must be filed with the motion and memorandum.

(3) A party who files a motion, other than a dispositive motion in an adversary proceeding, may either file a separate memorandum or may include in the motion a short, concise statement of the arguments and authorities relied on.

#### **(B) Hearings.**

(1) Any party, either proposing or opposing a motion, who does not intend to actively participate or prosecute its respective position, must immediately notify all counsel of record and the bankruptcy judge's secretary. Unless excused by the court from attending, the failure of counsel or pro se party to be present at a scheduled hearing noticed for any motion or continuance, will be deemed a waiver of the motion or a consent to the relief requested.

(2) Matters in adversary proceedings not set for hearing by the movant, or where no hearing is requested by the respondent, may be considered by the court without hearing or will be resolved upon oral argument at the court's discretion.

## **Rule 9013-2**

### ***Briefs or Memoranda of Law***

Briefs or memoranda of law may be submitted in any contested matters, or with nondispositive motions in adversary proceedings, and must be submitted with all dispositive motions in adversary proceedings. Any memorandum or brief submitted must be filed and served at least 5 calendar days prior to any hearing scheduled on the matter, except as otherwise allowed or required by the court.

No brief or memorandum may exceed 15 pages in length, exclusive of the table of contents and exhibits, without prior permission from the court. Photocopies of cases relied upon may be attached if desired.

When the movant is required by these or other rules, or by court order, to submit a memorandum, any responsive memorandum must be filed by the opposing party within 15 days after service of the movant(s)' pleadings.

### **Rule 9013-3**

#### ***Certificate of Service***

Certificates of service of papers shall state the name and address of the attorney or party served; the capacity in which such person was served, i.e., as attorney for debtor(s) or a particular party; the manner of service; and the date of service.

Certificates reflecting service of proposed orders and chapter 11 financial reports must be filed separately from the document(s) served. Certificates reflecting service of chapter 11 financial reports must refer to the specific report, but may not have a copy of the report attached to the certificate.

Certificates evidencing service on all parties listed on the official court matrix must have a copy of that matrix attached.

## **Rule 9015-1**

### ***Jury Trials***

(A) **Jury Trial Demand.** A demand made under Fed. R. Civ. P. 38(b) must be filed in accordance with Fed. R. Bankr. P. 5005.

(B) **Consent to Bankruptcy Judge Conducted Trial.** If the right to a jury trial applies, a timely demand has been filed under Fed. R. Civ. P. 38(b), and the district court judge has specially designated the bankruptcy judge to conduct the jury trial, the parties may consent to have a jury trial conducted by a bankruptcy judge under 28 U.S.C. § 157(e) by jointly or separately filing a statement of consent within the time specified in the designation order.

## **Rule 9019-1**

### ***Settlements and Agreed Orders***

(A) **Hearings.** At least 48 hours prior to a scheduled hearing, the parties must notify the court and file a motion to vacate the hearing when the parties enter into a stipulation or other means of disposition, the effect of which is to negate the necessity for a hearing.

If the parties do not timely notify the court, counsel must appear at the scheduled hearing to recite the terms of the settlement on the record or to proceed to hearing.

(B) **Pleadings.** Any stipulated settlement to a contested matter or withdrawal of an objection by a party must be filed with the court within 15 days following the date and time previously set for the hearing. If the parties fail to file the appropriate pleadings, the matter will be rescheduled to be heard by the court.

(C) **Agreed Orders.** Parties to stipulations which contemplate an order of approval from the court must submit a motion for approval and a proposed agreed order. The court will not act on the stipulation without a motion and payment of the required filing fee, if any, due under 28 U.S.C. § 1930.

**Rule 9021-1**

***Judgments & Orders - Entry of***

Except as otherwise ordered, judgments and orders delivered in open court must be prepared in writing by the prevailing party, served on the opposing party in accordance with L.B.R. 9072-1, and submitted to the court for its consideration.

## **Rule 9070-1**

### ***Exhibits***

(A) **Courtroom Procedure.** Exhibits submitted by the movant, plaintiff, applicant, or proponent must be pre-labeled or labeled by the courtroom deputy with exhibit numbers, and those submitted by the respondent or defendant must be labeled with exhibit letters.

When exhibits are offered, the witness will testify from the original exhibit, which will then be returned to the courtroom deputy. The courtroom deputy will retain all originally marked exhibits. Counsel must provide a copy of each exhibit for the court and for opposing counsel.

Copies of all exhibits proposed to be introduced at the trial in an adversary proceeding must be submitted with the proposed pretrial order.

### (B) **Post-Trial or -Hearing Procedure.**

(1) The courtroom deputy has safekeeping responsibility for all exhibits marked for identification and offered at any trial or hearing.

(2) The clerk will retain custody of the exhibits until termination of any appeal proceedings in adversary proceedings and until a case is closed in cases where contested matters were resolved with exhibits offered.

(3) Where no appeal is taken, or after an appeal is terminated, any party may withdraw any exhibit originally produced by it upon written notice to all parties.

(4) After the expiration of the time set forth in subsection (B)(2) of this rule, the clerk will deliver to counsel of record their respective exhibits. However, the clerk may notify counsel to pick up any exhibits too cumbersome for mailing and, if counsel fails to do so within 10 days after mailing the notice, the clerk will destroy the exhibits.

## Rule 9072-1

### *Orders*

(A) **Format.** Proposed orders must be separately captioned as a single document and not combined with any other pleading. The signature line for the judge may not appear on a continuation page without text. Proposed orders must not include an attorney's heading on the order.

A proposed order must include a notation immediately following the court's signature block of the specific parties to be served with the order. No certificate of service should be included or attached.

(B) **Approval.** Judgments and orders prepared by an attorney must be approved as to form by all parties to the cause. Unless specifically ordered by the court to the contrary, approval may be deemed waived if a copy of the judgment or order is personally served upon all counsel of record at least 5 calendar days, or if served by mail at least 8 calendar days, before the judgment or order is submitted to the court and if no objection to the proposed order is filed. (See L.B.R. 9013-3).

(C) **Service.** The clerk will cause to be served conformed copies of orders and judgments to those persons who are specifically designated to be served by the party submitting the order and to any other person designated by the court.

## Rule 9074-1

### *Telephone Conferences*

(A) **Request for Telephone Conference.** If no evidence or testimony is to be presented and on timely motion made not less than 5 calendar days prior, counsel for a party in a contested matter or motion hearing in an adversary proceeding may request that a hearing on the motion be held by telephone conference. The attorney making the request must first contact other counsel and must advise the court whether other counsel agree to a telephone hearing. In the event the court determines that the matter may appropriately be handled by telephone, the court will set a time for the hearing.

(B) **Arrangements for Conference Call.** The court will initiate telephone conference hearings, unless the party requesting the conference call is ordered by the court to arrange for and place the call.

(C) **Availability for Telephone Conference.** Counsel must be available 30 minutes prior to the time of the call and must take reasonably necessary steps to keep the telephone lines open at the time set for the conference. If counsel is to be reached at a telephone number other than counsel's regular office telephone number, counsel must advise the court at least 24 hours in advance of the hearing.

(D) **Agreed Documents.** In the event that the use of written documents is required at a telephone conference, counsel must mail to the court and all counsel copies of the documents in sufficient time for them to arrive prior to the conference call.

## **Local Bankruptcy Form A**

Cover Sheet for Application for  
Professional Compensation  
L.B.R. 2016-1(D)

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING

In re \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ ) Case No. \_\_\_\_\_  
 \_\_\_\_\_ ) Chapter \_\_\_\_  
 \_\_\_\_\_ )  
 Debtor(s). \_\_\_\_\_ )

COVER SHEET FOR APPLICATION FOR PROFESSIONAL COMPENSATION

N a m e o f A p p l i c a n t  
 \_\_\_\_\_

D a t e o f O r d e r A u t h o r i z i n g E m p l o y m e n t  
 \_\_\_\_\_

P e r i o d f o r w h i c h c o m p e n s a t i o n i s s o u g h t  
 \_\_\_\_\_

A m o u n t o f f e e s s o u g h t  
 \_\_\_\_\_

A m o u n t o f e x p e n s e r e i m b u r s e m e n t s o u g h t  
 \_\_\_\_\_

Total hours billed and applicable billing rate for each person requesting fees as part of this application:

Name	Rate	Hours	Total Requested
------	------	-------	-----------------

_____	_____	_____	_____
_____	_____	_____	_____

Interim Application [ ]      Final Application [ ]

If this is not the first application filed, disclose as to all prior fee applications:

Date Filed	Period Covered	Total Requested (Fees & Expenses)	Total Allowed
_____	_____	_____	_____

\_\_\_\_\_

The aggregate amount of fees and expenses paid to the applicant to date for services rendered and expenses incurred is: \$\_\_\_\_\_

Dated \_\_\_\_\_

Applicant \_\_\_\_\_

## **Local Bankruptcy Form B**

Chapter 13 Plan  
L.B.R. 3015-3(A)

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF WYOMING

In re	)	
	)	
	)	Case No. _____
	)	Chapter 13
Debtor	)	

CHAPTER 13 PLAN

THIS PLAN CONTAINS EVIDENTIARY MATTERS WHICH, IF NOT CONTROVERTED, MAY BE ACCEPTED BY THE COURT AS TRUE. CREDITORS MAY OBJECT TO CONFIRMATION PURSUANT TO THE NOTICE PROVIDED WITH THIS PLAN. ABSENT ANY OBJECTION, THE COURT MAY ACCEPT THE VALUES AND ALLEGATIONS CONTAINED IN IT AND MAY CONFIRM THIS PLAN WITHOUT FURTHER NOTICE.

The debtor(s) proposes the following plan and makes the following declarations:

1. **Future Income.** The debtor(s) will submit to the chapter 13 trustee the following future income and assets:

- A. Future earnings of \$\_\_\_\_\_ per month for \_\_\_\_\_ months;
- B. Collected and liquidated property proceeds of:
- C. For purposes of determining disposable income, tax refunds to which the debtor(s) is entitled during the first 36 months of the plan are deemed disposable income, unless otherwise ordered by the court, and will be submitted to the chapter 13 trustee.

2. **Duration.** The debtor(s) will make payments for a period of \_\_\_\_\_ (must be at least 36 months or extended as necessary for a period of \_\_\_\_\_ months). (If applicable, The debtor(s) request(s) the plan be confirmed to extend the payments and shows the court the following cause for the extension: )

Any tax refunds received by the trustee shall be applied in reduction of claims to be paid through the plan to reduce the term of the plan to not less than 36 months, provided that all of the other terms of the plan and requirements of law are met.

These payments will result in a distribution to unsecured creditors of approximately \_\_\_\_\_%.

3. **Classification and Treatment of Claims.** Only those claims duly filed or otherwise allowed by the court will be paid. If a discrepancy exists between the amount of a secured claim as filed and the amount of the secured claim set forth in this plan, the plan will control.

Class 1. Claims entitled to administrative priority pursuant to § 503 and 507. The trustee will pay class 1 claims in full by equal deferred cash payments as follows:

- A. Attorney fees - prepetition payment - \$ \_\_\_\_\_
- to be paid by trustee - \$ \_\_\_\_\_
- Total fees & expenses - \$ \_\_\_\_\_
- (B) Other

Class 2. Claims entitled to priority pursuant to § 507. The trustee will pay class 2 claims in full, in

deferred payments, unless the holder of a particular class 2 claim agrees to different treatment. These claims include:

Class 3. Secured claims paid in full through the plan. A creditor's secured claim will be the net amount due as of the date of filing or the value of the collateral to which the creditor's lien attaches, whichever is less. Interest will be allowed at the contract rate or \_\_\_ % interest, whichever is less. The creditor will retain its lien until the allowed secured portion of the claim is fully paid. The unsecured deficiency portion will be paid in Class 7 if the creditor files a timely proof of claim for the deficiency..

Claimant	Collateral	FMV	Claim Amount	Unsecured Balance
----------	------------	-----	--------------	-------------------

Class 4. Defaults Cured. These claims are to cure defaults and arrears for debts on which the last payment is due after the date on which the final payment under the plan will be made. Full payment of the amounts specified will cure all arrears and cause all defaults to be waived notwithstanding the terms of any agreement between the parties to the contrary. In the absence of written objections, the amount necessary to cure an arrearage and obtain waiver of default will be determined to be the amounts set forth below. The trustee will pay the following claimants prorata:

Claimant	Collateral	Arrearage	Term	% interest
----------	------------	-----------	------	------------

Class 5. Secured Claims for Which Collateral is Surrendered. The debtor(s) will surrender the collateral to the creditors set out below. The claimant is deemed unsecured and treated pursuant to the provisions of Class 7 if the amount of the claim exceeds the collateral value shown, or exceeds the amount obtained at a foreclosure sale, and if the creditor files a timely proof of claim for the unsecured deficiency.

Claimant	Collateral surrendered	FMV	Unsecured Balance
----------	------------------------	-----	-------------------

Class 6. Specially classified unsecured claims.

A. Codebtor claims: The trustee will pay the following codebtor claims, together with interest, as follows:

Codebtor Claimant	Amount	% interest
-------------------	--------	------------

B. Secured Liens Avoided: The debtors request that the plan be confirmed to avoid the following lien claims under § 522(f). The underlying claims are deemed unsecured and treated under Class 7 if the creditor files a timely proof of claim.

Secured Claimant	Collateral Lien Avoided (describe collateral)
------------------	---

Class 7. Unsecured claims. All other creditors not scheduled above are deemed unsecured without priority and will be paid pro rata from at least the total sum of \$\_\_\_\_\_.

Class 8. Unmodified Claims. Claimants not provided for in the plan will be paid directly by the debtor(s) in accordance with the contract terms. The unmodified claimants will retain any and all interests in property of the debtor(s) or the estate:

Creditor	Collateral	Value
----------	------------	-------

OTHER PROVISIONS

1. Executory Contracts Rejected. The executory contracts and unexpired leases set out below are rejected and the collateral that is or may be the subject of the leases is abandoned.

2. Executory Contracts and Unmodified Secured Claimants Assumed. The following leases and executory contracts are assumed. Upon confirmation, the debtor(s) will cure all defaults and pay the claimants directly in accordance with the terms and conditions of the respective contracts:

3. Revesting of Property: Confirmation of the plan vests all property of the estate in the debtor(s) except as otherwise stated:

4. Application of Proceeds to Debt: In all cases where a creditor applies sale or insurance proceeds to a debt treated in this plan, the creditor must file an amended proof of claim within 15 days of such application.

5. Order of Disbursements: The trustee will disburse from payments received under the plan in the following order:

(a) Administrative claims allowed under §§ 503(b) and 507(a)(1) concurrently; and then concurrently

(b) All other classes of claims prorata.

UNSWORN DECLARATION UNDER PENALTY OF PERJURY

I (We), the undersigned debtor(s), declare under penalty of perjury that the statements contained in the foregoing Chapter 13 plan are true and correct to the best of my/our knowledge, information, and belief.

Dated \_\_\_\_\_

\_\_\_\_\_  
Debtor(s)' signature

Debtor's Attorney:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

\_\_\_\_\_  
Attorney's Signature

## **Local Bankruptcy Form C**

Chapter 13 Plan Summary  
L.B.R. 3015-3(A)

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING

In re \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ ) Case No.  
 \_\_\_\_\_ ) CHAPTER 13  
 Debtor(s). \_\_\_\_\_ )

CHAPTER 13 PLAN SUMMARY

A. Total debt provided under the plan and administrative expenses

1. Attorney Fees	\$ _____
2. Mortgage Arrears	_____
3. Secured Claims (list)	_____
4. Priority Claims (list)	_____
5. Separate Class of Unsecured Claims	_____
6. All other unsecured creditors	_____
Total payments to above creditors	\$ _____
Trustee percentage fee	\$ _____
Total debtor payments to the plan	\$ _____

B. Reconciliation with Chapter 7

1. a. Value of real property	\$ _____
b. Value of personal property	_____
c. Value of avoidable transfers	_____
d. Less secured claims on real and personal property	( _____ )
e. Less total amount of exemptions, separately calculated	( _____ )
f. Less unsecured priority claims	( _____ )
g. Less estimated chapter 7 administrative expenses and costs	( _____ )
Total paid under hypothetical chapter 7 to unsecured creditors	\$ _____
2. Percent of unsecured, non-priority claims paid under the plan	_____ %
3. Estimated percentage of unsecured, non-priority claims paid if chapter 7 were filed	_____ %

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

\_\_\_\_\_

Debtor(s)

---

Counsel

**Local Bankruptcy Form D**

Notice of Filing of Chapter 13 Plan  
L.B.R. 3015-3(A)

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING

In re )  
 )  
 ) Case No.  
 ) Chapter 13  
Debtor(s). )

NOTICE OF FILING CHAPTER 13 PLAN

On \_\_\_\_\_, the captioned debtor(s) filed a case under chapter 13 of the United States Bankruptcy Code, pursuant to which the chapter 13 plan has been filed along with a plan summary. Enclosed with this notice is a copy of the plan summary.

The summary is mailed to you at this time for information only. You will receive a copy of the proposed plan and a notice of the opportunity to object to the plan.

You will also receive a separate notice from the Clerk of the United States Bankruptcy Court advising you of the filing of this case, the date of the meeting of creditors, and information concerning the filing of claims.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Debtor(s)

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Telephone Number

## **Local Bankruptcy Form E**

Notice of Deadline for Filing Objections to  
Confirmation of Chapter 13 Plan and/or  
Application for Attorney's Fees  
L.B.R. 3015-3(C)

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING

In re )  
 )  
 ) Case No. \_\_\_\_\_  
 ) CHAPTER 13  
Debtor )

NOTICE OF DEADLINE FOR FILING OBJECTIONS TO CONFIRMATION OF CHAPTER 13  
PLAN and/or APPLICATION FOR ATTORNEY'S FEES  
Notice of Potential for Dismissal or Conversion

Enclosed is a copy of the chapter 13 plan proposed by the debtor(s). If you object to confirmation of the plan, or payment of the attorney fees contained therein, you must file the original and one (1) copy of your written objection with the Clerk of the Court, United States Bankruptcy Court, 2120 Capitol Avenue, Ste. 6004, Cheyenne, WY 82004, within 28 days after the date of the mailing of this notice and you must serve a copy of your objection on the debtor(s), whose address is \_\_\_\_\_, the attorney for the debtor(s), whose name and address appear below, and the standing chapter 13 trustee, \_\_\_\_\_, whose address is \_\_\_\_\_.

In the absence of a written objection to the value of the collateral and secured status asserted in the plan, the court may accept the allegations of value of a secured creditor's collateral in the plan, determine the value pursuant to § 506(a), and confirm the plan without further notice or hearing.

If objections are timely filed, the court will set and hold a hearing. If the plan is not confirmed, the court may consider dismissal or conversion of the case at that time.

If no objections are timely filed, the court may enter an order confirming the plan without further notice or hearing.

Inquiries regarding this matter should be directed to the debtor(s)' attorney whose name, address and telephone number are:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Telephone \_\_\_\_\_

The undersigned certifies that a copy of this notice was mailed to the debtor(s), the chapter 13 standing trustee, and all creditors and interested parties as shown on the mailing list attached to the original of this notice on file with the Clerk of the U.S. Bankruptcy Court on \_\_\_\_\_, 2000.

\_\_\_\_\_  
Attorney for debtor(s) or pro se debtor(s)

## **Local Bankruptcy Form F**

Voluntary Agreement Between Debtor(s) and Creditor  
L.B.R. 4008-1



Attorney for Debtor(s)

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\_\_\_\_\_   
This agreement must be filed with the court and served on the trustee before the date of discharge.

## **Local Bankruptcy Form G**

Final Pretrial Order  
L.B.R. 7016-1(C)

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF WYOMING

In re	)	
	)	
	)	Case No.
	)	CHAPTER
Debtor.	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	Adversary No.
	)	
	)	
Defendant.	)	

**FINAL PRETRIAL ORDER**

THIS CASE came before the court on \_\_\_\_\_ for a final pretrial conference.

1. *Jurisdiction.* The court has jurisdiction over this matter under 28 U.S.C. § 1334(a) & § 157 and is not disputed.
2. *Venue.* Venue is proper in the District of Wyoming.
3. *General Nature of the Parties' Claims.*  
(Set out brief summary without detail)
  - (a) Plaintiff's claims.
  - (b) Defendant's claims.
4. *Uncontroverted Facts.* The following facts are established by admissions in the pleadings or by stipulations of counsel. (Set out uncontroverted facts, including admitted jurisdictional facts and all other material facts concerning which there is no genuine issue.)

5. *Contested Issues of Fact.* The contested questions of fact remaining are:  
(Set out.)

6. *Contested Issues of Law.* The contested issues of law are: (Set out.)

7. *Exhibits.* The following, constituting all of the exhibits expected to be introduced at trial, have been exchanged between the parties, are pre-marked (plaintiff shall use numbers and defendant shall use letters), and copies are attached or simultaneously submitted:

(a) Plaintiff's exhibits: (List.)

(b) Defendant's exhibits: (List.)

(c) Except as otherwise indicated, the authenticity of the foregoing exhibits has been stipulated subject to objections, if any, by the opposing party at the trial as to their admissibility, relevancy, and materiality.

8. *Witnesses.*

(a) In the absence of reasonable notice to opposing counsel to the contrary, the plaintiff will call, with a brief description of anticipated testimony. (List.) Plaintiff may call: (List.) Plaintiff will use the following depositions: (List.)

(b) In the absence of reasonable notice to opposing counsel to the contrary, the defendant will call, with a brief description of anticipated testimony. (List.) Defendant may call: (List.) Defendant will use the following depositions: (List.)

(c) In the event other witnesses are to be called, a statement of their names and addresses and the general subject matter of their testimony will be served upon opposing counsel and filed with the court at least five (5) days prior to trial. This restriction shall not apply to rebuttal witnesses, the necessity of whose testimony reasonably cannot be anticipated before the time of trial.

9. *Amendments to the Pleadings.* There are no requests to amend pleadings. (Or) The following order was made at the pretrial conference regarding amendments to the pleadings. (Set out.)

10. *Discovery.* Discovery has been completed. (Or) Discovery is to be completed by \_\_\_\_\_. (Or) Further discovery is limited to \_\_\_\_\_. (Or) The following provisions were made for discovery: (Specify.)

11. *Trial Setting.* The case is set for trial to the court on \_\_\_\_\_, at \_\_\_\_\_ (insert time), in \_\_\_\_\_ (insert location). Estimated length of trial is \_\_\_\_\_ days.

12. *Settlement.* Counsel have conferred respecting settlement of this matter and consider the possibility of settlement (Good) (Fair) (Poor). Trial will not be postponed to allow further settlement negotiations except upon a showing of good cause.

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

BY THE COURT

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

The foregoing proposed pretrial order (prior to execution by the court) is hereby adopted this \_\_\_\_\_ day of \_\_\_\_\_.

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

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