

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING

2016 JUN 27 AM 8:52

General Order 13-01

**ORDER REGARDING A PARTY IN INTEREST FILING A MOTION TO
DISMISS OR CONVERT PURSUANT TO 11 U.S.C. § 1112(b)**


In order to facilitate the provisions of 11 U.S.C. § 1112(b), the court finds that it is necessary to establish the following procedures for dismissal or conversion of a Chapter 11 case by a party in interest:

IT IS ORDERED THAT:

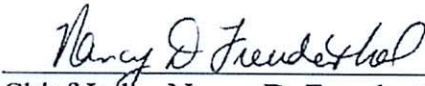
1. A party in interest (“movant”) filing a motion to dismiss or convert a chapter 11 bankruptcy case must obtain a hearing date from the Bankruptcy Court’s chambers for an evidentiary hearing that is within 30 days from the date the motion is filed.
2. Movant shall file and serve: (1) the motion; and, (2) a notice of hearing and deadline to file objections upon all parties in interest.
3. *Party/parties in interest* include: debtor; trustee; official creditors’ committee if one is appointed or the 20 largest unsecured creditors; equity security holders’ committee if one is appointed or the equity security holders; secured creditors; priority creditors; any indenture trustee or examiner; all parties who have filed appearances and requested service of all notices and pleadings; the United States Trustee; and any other party that the Court designates.
4. The notice shall set a 17-day deadline for filing objections to the motion, inclusive of the three (3) days mailing period provided in Fed. R. Bankr. P. 9006(f), and shall include:
 - (A) the hearing date, time, and location (2120 Capitol Avenue, Suite 8010, Cheyenne, Wyoming);
 - (B) that an objection must be filed by a date certain that is seventeen (17) days after service of the motion;
 - (C) that video conference participation is allowed pursuant to compliance with Wyo. L.B.R. 9074-2;
 - (D) that requirements regarding witnesses and evidence shall be in compliance with Wyo. L.B.R. 9070-1; and,
 - (E) that if no objection is timely filed, the requested relief may be granted by the court without a hearing.

5. If no timely objection to the motion is filed, the court may enter an order granting the motion without a hearing and automatically vacate the hearing. If an objection is filed, the court will conduct the evidentiary hearing allowing parties to present evidence and testimony.
6. Within seven (7) days from the date of service, movant shall file a certificate verifying that service was made in compliance with Wyo. L.B.R. 9013-3.
7. The time periods set forth in this General Order may be: (a) reduced for good cause shown; or, (b) enlarged to extend to a specified date, either on consent of the movant and opposing parties, by court order, or due to compelling circumstances which prevent the court from meeting the time limits established under 11 U.S.C. § 1112(b)(3).
8. This order is effective as of July 1, 2013.

DATED this 27 day of June, 2013.



Chief Judge Peter J. McNiff
United States Bankruptcy Court



Chief Judge Nancy D. Freudenthal
United States District Court, District of
Wyoming