

Local Bankruptcy Practice

*Conference of the Chief Bankruptcy Judges
and Bankruptcy Lawyer Representatives*

March 12, 2026 -- Spokane, Washington

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Mark Weisenmiller, Andersen Beede Weisenmiller, District of Nevada

J. Scott Bovitz, Bovitz & Spitzer

Senior partner, Bovitz & Spitzer (bovitz-spitzer.com).

Fellow, American College of Bankruptcy.

Board Certified, Business Bankruptcy Law, American Board of Certification (past chair).

Certified Specialist, Bankruptcy Law, State Bar of California Board of Legal Specialization (past chair).

Rated "AV Preeminent" by Martindale-Hubbell.

Selected Southern California "Super Lawyer" in Bankruptcy & Creditor/Debtor Rights.

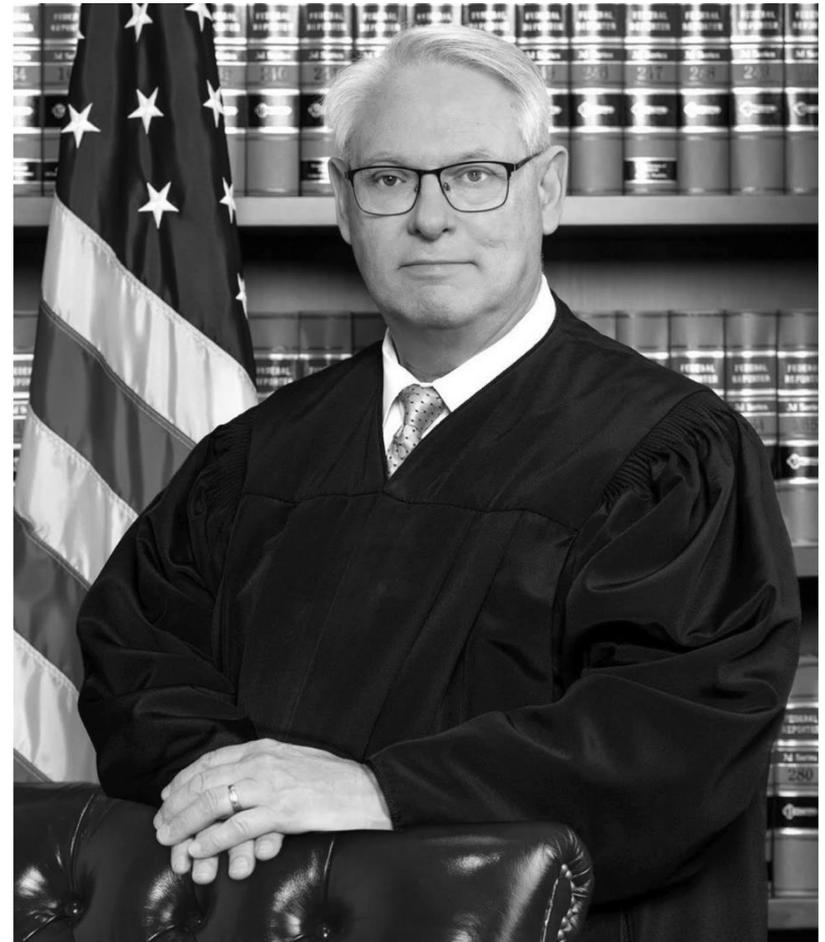
Adjunct Professor, William S. Boyd School of Law, University of Nevada, Las Vegas (2022), California Western School of Law, San Diego (2022-2023), Loyola Law School, Los Angeles (1982-1987).

Local Practice, Central District of California

COVID-19 had a lasting impact on the court.

Ninth Judicial Circuit Historical Society

Looking ahead to 2026, the Society is preparing **Volume 36 of Western Legal History**, which will explore the evolution of **American bankruptcy law** from 1970 to the present. The issue will be guest edited by Judge Scott C. Clarkson, United States Bankruptcy Judge for the Central District of California, who brings over fifteen years of judicial experience, prior service as a bankruptcy attorney, along with direct congressional involvement in drafting the Bankruptcy Reform Act of 1978. Under Judge Clarkson's leadership, the issue will feature contributions from leading scholars, jurists, and practitioners examining the development of bankruptcy law, landmark cases, and its enduring role in American economic life.



Scheduled for publication and quoted in these slides

J. Scott Bovitz,

*The Central District of California Bankruptcy Court in Crisis:
Leadership, Continuity, and Institutional Adaptation During COVID-19*

Source material

Over several months, I interviewed: Hon. Maureen Tighe, U.S. Bankruptcy Court, Central District of California (on recall status); Kathy Campbell, Executive Officer/Clerk of Court, U.S. Bankruptcy Court, Central District of California; and other court team members.

I provided multiple drafts and exchanged materials with my editor, the Hon. Scott C. Clarkson.

They were all so generous with their time and suggestions.

I also relied extensively upon the fascinating details and timeline provided in the unpublished December 2025 court report, "Resilience in Action: Court Initiatives During the COVID-19 Pandemic" (posted and available, with the kind permission of Chief Bankruptcy Judge Julia W. Brand, at <https://perma.cc/FV88-YQLA>).

As quoted on the first page of that report:

This work was prepared by Chief Deputy of Administration John Hermann and Senior Legal Analyst Jennifer Kohout with valuable contributions from:

Kathleen J. Campbell, Executive Officer/Clerk of Court

Benjamin Varela, Chief Deputy of Operations

Beryl Dixon, Director of Human Resources and Court Services

Roland Blanco, Office Services Manager

Estella Chavarin, Senior Court Analyst

Anthony Gonzalez, Office Services Supervisor and COOP Coordinator

Jennifer Harmon, Space and Facilities Supervisor

Gabriela Huerta, Executive Administrative Secretary

Linda Quan, Executive Administrative Secretary

Incremental reopening after COVID-19

As public-health conditions stabilized, the Central District began a cautious and incremental reopening process in late 2020 and into 2021. Intake areas reopened with safety protocols. Interim safety steps included:

- encouraging or requiring remote hearings (e.g., ZoomGov video and CourtCall teleconferences)

- negotiating reductions in CourtCall fees

- adapting technology and training to allow digital capture of the court record by remote court staff

- setting up virtual self-help desks

- providing physical drop boxes for submission of documents (minimizing unnecessary contact) ...

eliminating the duty to provide courtesy copies of filings

setting up centralized mail pickup

improving website content to reduce the need to contact court staff

installing temperature screening kiosks to identify COVID-19 symptoms

placing social distancing markers on the walls, seats, and the floor (to keep individuals at least six feet apart)

arranging for enhanced cleaning of key courtroom surfaces

and setting up and refilling hand sanitizer stations

In addition to face coverings -- Who could forget face masks? -- Campbell's team made a recommendation to install Plexiglas shields and place disposable covers on the microphones at the lectern and counsel tables.

Judge Tighe laughed when she recalled this detail as, "There was no budget for microphone covers or any other safety gear, but we implemented safety measures anyway through the creative scrounging of Kathy Campbell and John Hermann."

But physical access returned gradually rather than all at once. Importantly, reopening did not signal a return to pre-pandemic norms.

Remote hearings remained a central feature of practice.

Hybrid proceedings, combining in-person and remote participation, became increasingly common.

Judges exercised discretion in deciding when physical presence was necessary and when remote participation better served efficiency, access, and fairness.

Many measures originally adopted under emergency conditions proved durable. **Expanded electronic access, flexible scheduling, and routine use of remote appearances continued even as health risks receded. What began as necessity evolved into normalization.**

Experience explained this persistence. Judges, lawyers (including this author), and litigants had seen that many matters could be handled effectively without travel, congestion, or delay.

For some participants, particularly those located far from courthouses or with limited resources, remote access improved participation rather than diminishing it. The reopening phase therefore marked not a reversal, but a transition. The court emerged with a broader set of tools and a more flexible understanding of how adjudication could occur without sacrificing judicial control or procedural integrity. ...

[As Hon. Maureen Tighe, former chief judge, Central District of California, quipped, “We invented telework for the court...we had to.”]

Today, ZoomGov is routine

Posted instructions for lawyers

Every judge posts instructions for attorneys on the website,
<https://www.cacb.uscourts.gov>

[Barash, M.](#) ([San Fernando Valley](#), [Northern](#))

[Bason, N.](#) ([Los Angeles](#))

[Bluebond, S.](#) ([Los Angeles](#))

[Brand, J. \(Chief Judge\)](#) ([Los Angeles](#))

[Clarkson, S.](#) ([Riverside](#), [Santa Ana](#))

[Clifford III, R.](#) ([Northern](#))

[Houle, M.](#) ([Santa Ana](#))

[Kaufman, V.](#) ([San Fernando Valley](#))

[Klein, S.](#) ([Los Angeles](#))

[Kwan, R.](#) ([Los Angeles](#))

[Mund, G.](#) ([San Fernando Valley](#))

[Reyes Bordeaux, M.](#) ([Riverside](#))

[Russell, B.](#) ([Los Angeles](#))

[Saltzman, D.](#) ([Los Angeles](#), [Northern](#))

[Smith, E.](#) ([Santa Ana](#))

[Tighe, M.](#) ([San Fernando Valley](#))

[Yun, S.](#) ([Riverside](#))

[Zive, G.](#) ([Los Angeles](#))

[Zurzolo, V.](#) ([Los Angeles](#))

Honorable Julia W. Brand, Chief Judge

Address/Contact	Self-Calendaring	Forms	Instructions/Procedures	Chapter 13
Phone/Video Appearances	Tentative Rulings	Loan Modification Management Program		
About the Judge				

United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1382 / Courtroom 1375
Los Angeles, CA 90012

Chambers
[\(213\) 894-6080](#)

Courtroom Deputy
[\(213\) 894-4843](#)

Emergency Motion Contacts
[\(213\) 894-6080](#)

Judge Brand's instructions are posted before the hearing:

YOU MUST JOIN 30 MINUTES PRIOR TO THE HEARING FOR CHECK-IN IF YOU ARE APPEARING BY ZOOMGOV. PLEASE REFER TO THE RECENTLY UPDATED COURT WEBSITE, "PHONE/VIDEO APPEARANCES" TAB, TO DETERMINE IF PHONE/VIDEO APPEARANCE IS PERMITTED FOR YOUR MATTER OR WHETHER IN PERSON APPEARANCE IS REQUIRED.

Individuals may appear by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone). Individuals may participate by ZoomGov audio only using a telephone (standard telephone charges may apply). Neither a Zoom nor a ZoomGov account are necessary to participate and no pre-registration is required.

Advance ZoomGov registration (some judges)

Hearings before Judge Deborah Saltzman may be made in person or by remote or phone connection through ZoomGov.

ALL ATTORNEYS AND PARTIES MUST REGISTER APPEARANCES NO LATER THAN 12:00 NOON THE DAY BEFORE THE HEARING BY EMAIL...

IF YOU DO NOT REGISTER, YOU WILL NOT BE PERMITTED TO ATTEND THE HEARING.

Self-calendaring of routine motions

The following matters may be self calendared provided that the time required for hearing such matters is 15 minutes or less. Matters requiring more than 15 minutes **may not** be self calendared. **The court reserves the right to reschedule any self-calendared matter.** Parties may select their own hearing dates if the matter to be heard is 15 minutes or less and falls within the one of the following categories:

- A. Motions Regarding the Automatic Stay
- B. Motions to Convert or Dismiss under 11 U.S.C. § 1112
- C. Objections to Claims (20 or less)
- D. Fee Applications in Chapter 7 or 11 cases
- E. Employment Applications
- F. Motions to Value and Avoid Junior Liens (“LAM Motions”)
- G. Any motion in a Chapter 7, 11 or 13 case or an Adversary Proceeding not identified in section II below as being ineligible for self-calendaring.

Fully hybrid calendar (Hon. Neil Bason)

Hearings in Judge Bason's courtroom (1545) are simultaneously:

- (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices),
- (2) via ZoomGov video, and
- (3) via ZoomGov telephone.

You are free to choose any of these options, except that evidentiary hearings/trials must be in person in the courtroom (unless otherwise ordered).

You do not need to call Chambers for advance approval or notice. ...

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

Chapter 13: Persons needing to contact the Chapter 13 Trustee's attorney, either prior to the hearing or during a recess, can call Kaleen Murphy, Esq. at (213) 996-4433. Members of the public, including the press, are always welcome in person (except in rare instances when the courtroom is sealed) and they may also listen via telephone to non-evidentiary hearings, but must not view any hearings via video (per mandate of the AO).

Detailed tentative rulings (e.g., Clarkson)

The Court has reviewed the accountant's application for compensation pursuant to 11 U.S.C. § 330, the supporting billing records, and the docket as a whole. The Court has an independent duty to examine the reasonableness of the fees and expenses required by retained professionals. In re Auto Parts Club, Inc., 211 B.R. 29, 33 (9th Cir. BAP 1997). Section 330 authorizes the Court to award reasonable compensation for actual and necessary services rendered. 11 U.S.C. § 330(a)(1)(A). In determining reasonableness, the Court considers whether the services were necessary to administration of the case, whether they were performed within a reasonable amount of time commensurate with the complexity and nature of the work, and whether the compensation requested is reasonable based on customary charges. 11 U.S.C. § 330(a)(3) (C), (D), (F). ... At this time, the Court is unable to complete a meaningful reasonableness review based on the submitted billing records. Several entries combine accounting and monthly operating report preparation across multiple entities into single billing entries. Lumping services in this manner is disapproved ... Thomas v. Namba (In re Thomas), 2009 Bankr. LEXIS 4529 (9th Cir. BAP 2009). The aggregated entries impede the Court's ability to determine the overall reasonableness of the requested compensation.

Takeaway lessons of COVID-19

More from

*The Central District of California Bankruptcy Court in Crisis:
Leadership, Continuity, and Institutional Adaptation During COVID-19*

Decentralized leadership

... the Central District's experience during the pandemic offers lessons that extend well beyond a single court or moment in time.

First, it demonstrates the value of **decentralized leadership** within a coherent institutional framework.

Circuit-wide norms and national guidance provided boundaries, but local judgment enabled timely action. The ability to respond effectively depended on trust in judges and administrators closest to the problem.

Flexible continuous coordination

Second, it underscores the importance of **coordination without rigidity**.

Daily communication, cross-functional collaboration, and willingness to revise decisions allowed the court to respond to rapidly changing conditions without paralysis.

Crisis governance proved to be an **ongoing process**, not a single decision.

Access to justice

Third, the pandemic reframed assumptions about access to justice.

Physical buildings remain important, but they are not synonymous with access.

Institutional commitment, procedural flexibility, and technological capacity can preserve access even when traditional pathways are disrupted.

Judge Tighe is especially proud of the Central District of California bankruptcy court's commitment to equity, transparency, and innovation, including initiatives to support vulnerable populations and foster long-term organizational resilience during the COVID-19 crisis.

The next crisis

While Judge Tighe is no longer the chief bankruptcy judge, she is confident about the future of the court. As her team summarized:

"The Court's focus on emergency preparedness during the pandemic has significantly improved its ability to respond to future crises. By refining its [Court's Continuity of Operations'] Plan, fostering interagency collaboration, and conducting regular drills, the Court has established a robust framework for operational resilience."

Gabe Lieberman, Law Offices Of Gabriel Liberman, APC

Practice Guide: Navigating the EDCA Bankruptcy Court



Motion Practice & Filing Logistics



The EDCA Motion System (LBR 9014-1)

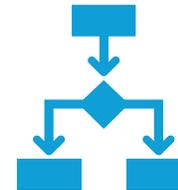


The Control Number:

Every motion must have a unique, attorney-generated Control Number (e.g., GEL-1).

Mandatory: Must appear on the caption of every related document.

Purpose: Allows for easier chronological tracking of high-volume dockets.



The "Separate Document" Rule:

Governed by LBR-9014-1(f).

Unlike the CDCA (bundles), the EDCA strictly requires separate filings for:

- The Motion
- The Notice of Hearing
- Supporting Declarations
- Exhibits

E-Filing System

CABB e-filing

The EDCA (Eastern District of California) e-filing system for bankruptcy operates as a distinct, independent system (CABB e-filing).

Unlike general federal CM/ECF systems which require PACER registration for document access, the EDCA bankruptcy system functions separately from PACER and standard federal e-filing

Motion Practice & Filing Logistics (Part 2)

Motion Cycles and Timing

Alternative Motion Cycles:

- Motions are filed under one of three "cycles": **LBR 9014-1(f)(1), (f)(2), or (f)(3)**.
- These dictate:
 - Whether a written opposition is required before the hearing.
 - If a simple appearance at the hearing is sufficient.

2026 Chapter 13 Flat Fee Structure

General Order 25-11 (Effective Jan 1, 2026)

The EDCA "No-Look" fee schedule updated for inflation ----->

The EDCA now utilizes a "milestone" system for earning these fees

- **25% Milestone:** Earned and withdrawable immediately upon filing the petition.
- **25% Milestone:** Earned upon initial confirmation of the Chapter 13 plan.
- **50% Balance:** Paid in equal monthly installments by the Trustee over the plan's duration.
- **Retainer Cap:** Attorneys may not accept a retainer exceeding **50%** of the total flat fee.

<u>Case Type</u>	<u>Flat Fee (Attorney)</u>	<u>Presumptive Costs</u>
Non-Business Case	\$12,300	\$520
Business Case	\$18,500	\$520

**The Legal
Presumption (LBR
2016-1)**
Classifying "Business"
vs. "Non-Business"

The Default: The court starts with the presumption that every Chapter 13 case is a **non-business case**.



Rebutting the Presumption: To qualify for the \$18,500 fee, the debtor must show a preponderance of evidence regarding:

Ownership Interest: Debtor (or contributing non-filing household member) has an interest in a business entity.

Entity Types: Includes sole proprietorship, partnership, LLC, or corporation.

Active Operation: Business must be currently operating or have significant ongoing financial activity complicating the estate.

**The Milestone
Payment
Schedule**
Chapter 13 Flat
Fees

Fee Disbursement Model

25% Milestone: Earned and withdrawable immediately upon filing the petition.

25% Milestone: Earned upon initial confirmation of the Chapter 13 plan.

50% Balance: Paid in equal monthly installments by the Trustee over the plan's duration.

Retainer Cap: Attorneys may not accept a retainer exceeding 50% of the total flat fee.

Mandatory Forms – (Part 1)

The RARA: (Form EDC 3-096)



The Rights and Responsibilities form must be filed to avoid traditional lodestar fee applications.



Attorney Obligations (The "All-Inclusive" Rule): Includes all representation (except adversary proceedings) for the flat fee:

Preparing/filing schedules, plans, and amendments.

Responding to all Trustee motions.

Representing debtors in relief from stay motions.

Filing motions to modify the plan or sell/refinance property.

Mandatory Forms (Part 2) Debtor Obligations & The Chapter 13 Plan

Requirements for Debtors and Local Plan Forms

Debtor Obligations:

- Provide accurate financial info/documentation.
- Inform attorney/Trustee of address or income changes.
- Payments: Due by the 25th of each month.

The Plan (Form EDC 3-080):

- **Prohibited:** Use of the National Chapter 13 Plan form.
- **Payment Deadline:** Must be received by the 25th (Section 2.01).
- **Nonstandard Provisions:** Must be checked in Section 1.02 and detailed in Section 7, or they are **legally void**.

**Mandatory
Forms (Part 3)
Certificate of
Service (Form
EDC 7-005)**

The EDCA-Specific Proof of Service

Mandatory Form: Attorneys and trustees **must** use EDC Form 7-005. General pleading-style proofs are not accepted.

Penalty: Failure to use the official form can lead to motions being denied or continued.

2026 Revision: Overhauled to be more user-friendly and integrate with Clerk-handled electronic noticing.

NEF Integration: You no longer need to manually list attorneys/trustees registered on ECF. The form documents service on creditors and non-ECF parties.

Mandatory Forms

(Part 3)

Certificate of Service (Form EDC 7-005)

Limited Notice Requirements

- **FRBP 2002(h) and Modified Plans**
- **Standard Limited Notice:** After the 70-day claim deadline, notice can be limited to:
 - The Debtor and Trustee.
 - Creditors who filed a proof of claim.
 - Creditors granted an extension to file.
- **Form 7-005 Section:** Includes a specific declaration regarding these timeframes.
- **Modified Plans (LBR 3015-1):** If a modified plan only affects a specific creditor, service may be limited to that "affected" party.

Mandatory Forms (Part 4) CONT.

Certificate of Service (Form EDC 7-005)

Please include name, address, and phone number of the submitting party in the box on the left. Attorneys should also include firm name and bar number.

Attorney for:

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:	<u>Bankruptcy Case No.:</u> <u>Docket Control Number:</u>
Debtor(s)	<u>Hearing Information (if applicable):</u> Hearing Date: Hearing Time: Location: Judge:
v.	<u>Adversary Proceeding No. (if applicable):</u> <u>Docket Control Number:</u>
Plaintiff(s)	<u>Hearing Information (if applicable):</u> Hearing Date: Hearing Time: Location: Judge:
Defendant(s)	

CERTIFICATE OF SERVICE OF

Please include a summary of the documents being served in the box under "CERTIFICATE OF SERVICE OF" above, e.g., "Motion for Relief from Stay and Supporting Documents."

1

I, the undersigned, certify and declare:

- Personal knowledge.** I am over the age of 18 years and not a party to the above-entitled case.
- Status.** I am an attorney of record in this case/adversary proceeding, trustee, or my business/employer is _____ and my business address or mailing address if not a business is: _____.

3. **About the Case/Proceeding.** (Check at least one type of case/proceeding and as many subheadings thereunder as applicable.)

<input type="checkbox"/> Chapter 7 case (indicate below if subject to limited noticing; check all that are applicable.)	<input type="checkbox"/> Chapter 12 or 13 case (indicate below if subject to limited noticing; check all that are applicable.)
<input type="checkbox"/> Rule 2002(h) Limited Noticing. Fed. R. Bankr. P. 2002(h); LBR 2002-3. (Check all that are applicable.)	<input type="checkbox"/> Rule 2002(h) Limited Noticing. This case is subject to limited noticing because at least 70 days have elapsed since the order for relief. Fed. R. Bankr. P. 2002(h); LBR 2002-3.7.
<input type="checkbox"/> One of the following applies: (1) This is a voluntary asset case and at least 70 days have elapsed since the order for relief; (2) This is an involuntary asset case and at least 90 days have elapsed since the order for relief; (3) This is a no asset case and at least 90 days have elapsed since the mailing of the notice of time for filing claims under Fed. R. Bankr. P. 3002(c)(5).	<input type="checkbox"/> Rule 3015(h) Limited Noticing (post-confirmation plan modification only). This case is subject to limited noticing because the debtor(s) has confirmed at least one plan and the modified plan filed herewith neither lengthens the term of, nor diminishes the dividend due general unsecured creditors, from the most recently confirmed plan. Fed. R. Bankr. P. 3015(h); LBR 3015-1(d)(3).
<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. Rule 2002(m). The order limiting service is docketed at ECF no. _____.	<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. 2002(m). The order limiting service is docketed at ECF no. _____.
<input type="checkbox"/> Chapter 9 case (indicate below if subject to limited noticing)	<input type="checkbox"/> Chapter 11 case (indicate below if subject to limited noticing)
<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. 2002(m). The order limiting service is docketed at ECF no. _____.	<input type="checkbox"/> This case is subject to limited noticing because one or more creditors/equity holders committees have been appointed. Fed. R. Bankr. P. 2002(j); LBR 2002-4.
<input type="checkbox"/> Chapter 15 case	<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. 2002(m). The order limiting service is docketed at ECF no. _____.
	<input type="checkbox"/> Adversary Proceeding

4. **About the Documents Served**

On _____, 20____, by the method(s) specified below, the following documents were served (list in space provided):

those documents described in the list appended hereto and numbered **Attachment 4**.

5. **Who is Being Served**

Unless otherwise indicated below, all indicated parties below have received all documents described in Section 4.

<input type="checkbox"/> Debtor(s)	<input type="checkbox"/> Fewer than all creditors (check at least one below)
<input type="checkbox"/> Plaintiff(s)	<input type="checkbox"/> Creditors that have filed claims
<input type="checkbox"/> Defendant(s)	<input type="checkbox"/> Creditors holding allowed secured claims
<input type="checkbox"/> All committee members	<input type="checkbox"/> Creditors holding allowed priority unsecured claims
<input type="checkbox"/> Equity security holders	<input type="checkbox"/> Creditors holding leases or executory contracts that have been assumed
<input type="checkbox"/> All creditors and parties in interest (Notice of Hearing only)	<input type="checkbox"/> 20 largest creditors
<input type="checkbox"/> Only creditors that have filed claims (Notice of Hearing only)	<input type="checkbox"/> Administrative claimants
<input type="checkbox"/> All creditors and parties in interest	<input type="checkbox"/> Other party(ies) in interest

2

6. **How Service is Accomplished**

A. **Rule 7004 Service.** (Check at least one, if applicable.)

1. **First Class Mail**

Service was effected on those persons listed on the attachment by placing a true and correct copy of the document(s) served in a sealed envelope, first class mail, postage prepaid in the United States Postal Service (or in a place designated by the law firm or trustee for outgoing mail prior to the last regular pick up of outgoing mailing for the day) for each of the persons listed below. Fed. R. Bankr. P. 7004(b); 7004(g). A list of the persons served, including their name/capacity to receive service, and address is appended hereto and numbered **Attachment 6A-1**.

2. **Certified Mail**

Service was effected on those persons listed on the attachment by placing a true and correct copy of the document(s) served in a sealed envelope, certified mail, postage prepaid in the United States Postal Service (or in a place designated by the law firm or trustee for outgoing mail prior to the last regular pick up of outgoing mailing for the day) for each of the persons indicated below. Fed. R. Bankr. P. 7004(h). A list of the persons served, including their name/capacity to receive service, and address is appended hereto and numbered **Attachment 6A-2**.

3. **Publication**

Service was effected by publication as ordered by the court and docketed at ECF no. _____. Fed. R. Bankr. P. 7004(c). Attestation(s) as to the manner and form of such publication is appended hereto and numbered **Attachment 6A-3**.

B. **Rule 5 and Rules 7005, 9036 Service** (Check as many as applicable.)

Electronic Notice Recipients. Attorneys and trustees that have appeared and parties who have requested notice per LBR 2018-1 are deemed to have received notice. Fed. R. Civ. P. 5, by filing the document with the Clerk of the Court. Fed. R. Bankr. 5005(a)(3)(A), 9036(b)(2), (c); LBR 9010-1, and separate notice is not required. Fed. R. Civ. P. 5(d)(1)(B), *incorp.* by Fed. R. Bankr. P. 7005, 9014(c).

Parties in Interest. (Check as many as are applicable, if any). Parties in interest have been given notice in the following manner:

1. **U.S. Mail**

Service on those parties, listed below, was effected by placing a true and correct copy of the document(s) served in a sealed envelope, first class mail, postage prepaid in the United States Postal Service (or in a place designated by the law firm or trustee for outgoing mail prior to the last regular pick up of outgoing mailing for the day) for each of the persons indicated below. Fed. R. Civ. P. 5(b)(2)(c); Fed. R. Bankr. P. 9014.

a. **Parties in interest**

Clerk's Matrix of Creditors. A copy of the matrix of creditors maintained by the Clerk of the Court as applicable to this case and/or adversary proceeding is appended hereto and numbered **Attachment 6B-1**. Such list shall be downloaded not more than seven days prior to the date of filing of the pleadings and other documents and shall reflect the date of downloading.

List Other Than the Clerk's Matrix of Creditors. Where service by U.S. Mail is effected on six or fewer parties in interest, parties may (but need not) use a service list. A copy of the custom service list is appended hereto and numbered **Attachment 6B-2**.

b. **Other Parties in Interest Checked in Section 5.** A list of the named and addresses of other parties in interest served (if checked in section 5 above) is appended hereto and numbered **Attachment 6B-3**.

2. **Other Methods of Service**

Specify the means of delivery. Fed. R. Civ. P. 5 (b)(2) (A), (B), (D), (F). A list of those persons so served and the addresses at which they are served is appended hereto and numbered **Attachment 6B-4**.

I have used a third-party service company, i.e., _____, to assist me in effecting service. I have in my possession a signed certificate of service from that company and will produce that certificate of service on demand.

I swear under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____, at _____ City _____ State _____

Print Name _____ Signature _____

3

Print

Clear Form

Mandatory Forms (Part 5)

Local Forms and Mandatory Language

- The EDCA maintains its own library of **Mandatory Local Forms** (prefixed with "EDC").
- **The "Notice of Hearing"**: The EDCA requires very specific language in the Notice of Hearing regarding how a party can oppose a motion (either by filing a written opposition or by appearing at the hearing, depending on which "cycle" the motion is filed under).

Divisional Quirks (Part 1)

- **Intradistrict Venue:** The EDCA is strictly divided into the **Sacramento, Fresno, and Modesto** (now often handled via Fresno/Sacramento) divisions. **LBR 1014-1** is very specific about filing in the correct division based on the county of residence.
- **Division Closures:** The Modesto Division is officially closed; all hearings are conducted via the Fresno or Sacramento dockets.
- The "Wet Ink" Requirement for Debtors. Per **LBR 9004-1**, when an attorney files a document with an /s/ [Name] or a software-generated signature, they are legally certifying that they have a **physically signed original** in their possession.

Divisional Quirks (Part 2)

- **(Electronic Self-Representation)** specifically for *pro se* individuals, which uses a "turbo-tax" style interview process rather than forcing pro-se to fill out the raw PDFs manually. Available for chapter 7 and 13 cases only. Up to **45 days** to complete the package once they start, allowing them to save their progress and return later.

Zoom in the EDCA (Part 1)

Motion practice

- The EDCA uses a platform called **ZoomGov** and requires a specific registration process for almost every hearing.
- The Deadline: For Sacramento Departments (A, B, and C), you must sign up by 4:00 p.m. PST the day before the scheduled hearing. No exceptions are generally made for late registrations.
- **Participants (Attorneys/Debtors):** Can appear via both **Audio and Video**. You must use your full name as your screen name and remain "on camera" when your matter is called unless the judge directs otherwise.
- **The Public/Media:** Are **prohibited** from using the video feed. They may only listen via the ZoomGov audio feed (usually by phone).
- While ZoomGov is the standard for video, the EDCA still allows for traditional telephonic appearances through **CourtCall** (a third-party paid service).

Zoom in the EDCA (Part 2)

341 Meeting of Creditors

- **Official Form 309** (the "Notice of Bankruptcy Case") contains the specific Zoom link, Meeting ID, and Passcode for your assigned Trustee. Chapter 7 trustee's utilize standard zoom meeting IDs and does not require registration in advance.
- **Exceptions:** When Zoom is Not Used - Chapter 11 Cases: Most Chapter 11 341 meetings in the EDCA are still conducted telephonically rather than by Zoom.

Gabe Liberman Biography

Gabe Liberman is the principal of the Law Offices of Gabriel Liberman APC, where he focuses on consumer and business bankruptcy, 7, 13 and 11's. Gabe began his career as a bankruptcy paralegal in 2010 and eventually purchasing the practice in 2015 to form his current firm and has filed approximately 1,000 cases, primarily in the Eastern District of California.

Gabe is the current President of the Sacramento Valley Bankruptcy Forum and is a Certified Bankruptcy Specialist with the State Bar of California. He recently was appointed as a Lawyer Representative to the 9th Circuit Judicial Conference.

Gabe earned his bachelor's in business administration and risk management from California State University, Sacramento and Juris Doctor from Lincoln Law School, Sacramento CA.



Kristin Mihelic, Fennemore

Southern District of California

Local Bankruptcy Rules

Kristin Mihelic

Fennemore

kmihelic@fennemorelaw.com

619-595-3205

Keeping With The Times: Generative AI

- **General Order 210 – effective 1/1/26**

Effective January 1, 2026, any pleading, motion, or paper (whether moving, opposing, or in reply) that the filer prepared in any aspect by using a generative artificial intelligence program must be accompanied by an attestation or certification signed by the filer:

- Identifying the AI program used; and
- Certifying that the filer checked the document for factual and legal accuracy using print reporters, traditional legal databases, or other reliable means.

Scope: applies to attorneys and self-represented litigants

Reminder: Rule 9011 continues to apply to all documents filed with the Court. The Court construes each filing as a certification by the person signing a filed document of compliance with Rule 9011(b).

Case Caption

DISCLOSURE AND CERTIFICATION ON GENERATIVE ARTIFICIAL INTELLIGENCE USE

Pursuant to General Order No. 210,

Party: _____ and

Filing Counsel: _____

make the following disclosure and certification concerning the use of any generative artificial intelligence ("AI") program in preparing the attached paper, Styled _____

For purposes of its General Order, the Court considers generative AI to be that which can create original content such as text or images in response to a user's prompt or request. This includes in particular the creation of a filed paper's *initial content* through such a prompt or request. Later *augmentations* to initial content are likewise subject to the General Order if that is created through a prompt or request using generative AI.

In contrast, spell checkers, predictive text prompts, grammar checkers, paraphrasing tools, text polishers and the like are typically not covered by the General Order.

Disclosure

The following generative AI program(s) was/were used in preparing the attached paper:

Certification

The filer(s) of the attached paper certify that they checked the document for factual and legal accuracy using print reporters, traditional legal databases, or other reliable means outside of AI.

Dated: _____

Filing Party or Counsel

Statement of Position – LBR 9034-1

- Motion To Extend Time To File Schedules And Statements
- Retention Applications –attorneys and all professionals
- Motion For Final Decree – Consummation of Chapter 11 Plan

Statement Of Position “SOP” – LBR 9034-1

- File with the Court and serve on the U.S. Trustee’s Office at USTP mailbox
 - the motion or application and all supporting declarations or documents; and
 - a proposed order attached to the motion or application as an exhibit
- 7 days for SOP on extension of time for schedules
- 14 days for SOP on retention applications and final decree
- If the U.S. Trustee objects to the motion or application, the U.S. Trustee must file a statement of position with the Court with a Proof of Service showing service on the Movant

Statement of Position – “SOP” LBR 9034-1

- After SOP filed, if no hearing is requested by the U.S. Trustee, the Movant may take any of the following actions:
 - submit an order to the Court requesting approval of the motion or application
 - file supplemental Documents in response to the statement of position; or
 - schedule a hearing with proper notice to the U.S. Trustee and other parties in interest.
- If the U.S. Trustee requests a hearing in the statement of position, the Movant must schedule the hearing with notice

Rights & Responsibilities Of Debtors And Attorneys – LBR 1002-1(c) “RARAs”

- Local Bankruptcy Rule 1002-1(c) requires that any attorney representing a Chapter 7 or Chapter 13 debtor must:
 - (1) comply with and meet the standards per General Order governing rights and responsibilities of Chapter 7 or Chapter 13 debtors and their attorneys; and
 - (2) file an executed Rights and Responsibilities Statement in the form required by General Order.

Chapter 7 Attorneys Must Provide These Services In Chapter 7 Fee

- Meet with debtor to review assets, liabilities, income and expenses
- Analyze debtor's financial situation, and render advice in determining whether to file bankruptcy
- Describe the purpose, benefits, and costs of the Chapters the debtor may file; counsel regarding filing either a Chapter 7, 11 or 13 case; and answer debtor's questions
- Advise of the requirement to attend the Meeting of Creditors
- Advise of the need to maintain liability, collision and comprehensive insurance on vehicles securing loans or leases.

Chapter 7 Attorneys Must Provide These Services In Chapter 7 Fee

- Timely prepare, file and serve petition, schedules, Statement of Financial Affairs, and any amendments to Schedule C.
- Provide documents pursuant to the Trustee Guidelines and any other information requested by the Chapter 7 Trustee or the Office of the United States Trustee.
- Provide an executed copy to debtor of the Rights and Responsibilities of Chapter 7 Debtors and their Attorneys
- **Appear and represent the debtor at the Section 341(a) Meeting of Creditors, and any continued meeting** (except as further set out in Section II)
- File the Certificate of Debtor Education if completed and provided to the attorney before the case is closed.
- Attorney shall have a continuing obligation to assist the debtor by returning telephone calls, answering questions and reviewing and sending correspondence.
- Respond to and defend objections to exemptions arising from attorney error(s) in Schedule C.

Chapter 7 Attorneys Must Provide These Services In Chapter 7 Fee

Lesson Learned:

UNBUNDLING IS NOT ALLOWED

Services Included as Part of Chapter 7 Representation Subject to Additional Fee

- **Representation at any continued meeting of creditors due to client's failure to appear or failure to provide required documents or acceptable identification**
- Amendments, except that no fee shall be charged for any amendment to Schedule C that may be required as a result of attorney error
- Opposing Motions for Relief from Stay
- Reaffirmation Agreements and hearings on Reaffirmation Agreements
- Redemption Motions and hearings on Redemption Motions
- Preparing, filing, or objecting to Proof of Claims
- Representation in a Motion to Dismiss or Convert debtor's case
- Motions to Reinstate or Extend the Automatic Stay
- Negotiations with Chapter 7 Trustee in aid of resolving nonexempt asset, turnover or asset administration issues.

LBR 5005-4 Logins, Passwords, and Signatures

- The name of the attorney or party who signed the original must be typed in the space where the signature would otherwise appear preceded by an "/s/" or "s/" or appear as a scanned image; Example: "/s/" Adam Attorney, "/s/" Sally Declarant
- The signature of the debtor authorizing the electronic filing of the bankruptcy case must be accomplished by filing signed Local Form CSD 1801, **which must provide the original debtor signature(s) in a scanned format.**
- Signatures of persons other than the registered user or the debtor may be indicated either by:
 - submitting a scanned copy of the originally signed document; or
 - through the use of "/s/ Name" in the signature block indicating that the original has been signed before filing

LBR 5005-4(e) Logins, Passwords, and Signatures- Stipulations and Orders

Physical, facsimile, or electronic scanned signatures are permitted. Stipulations and Orders requiring signatures of more than one party must be electronically filed either by:

- scanning and submitting the stipulation or order containing all signatures; or
- certifying within the document that the content is acceptable to all persons required to sign the document (the filer must electronically file the document indicating the signatories as "s/Jane Doe," for each electronic signature); or
- in any other manner approved by the Court

LBR 5005-8 Retention Requirement

Must maintain in paper form or in a scanned format

- any document that is filed using their login and password that contains an **original signature**, other than that of the Registered User, or
- proof of the consent in the case of a Document filed under LBR 5005- 4(e)

Until 5 years after the case is closed or the adversary proceeding is terminated

Must provide the original paper or printed copy for review upon request.

Elliot McGill, Parsons Behle & Latimer

Local Practice, District of Montana

“Scream or Die” – Negative Notice Rules and Practice in Montana

Negative Notice in General

- “Negative Notice” is neither defined nor used in the Code but is professional jargon to refer to a notice that the bankruptcy court will enter an order unless an objection is filed. NEGATIVE NOTICE, Norton Bankr. L. & Prac. 3d Dict. of Bankr. Terms § N15
- Authorized by Section 102(1)(B)(i) of the Bankruptcy Code:
 - (1) “after notice and a hearing”, or a similar phrase—
 - (B) authorizes an act without an actual hearing if such notice is given properly and if—
 - (i) such a hearing is not requested timely by a party in interest;

Negative Notice Under Mont. LBR 9013-1

- Mont. LBR 9013-1(f) – Required Notice on all motions:

(f) Notice of Opportunity to Respond. After each motion, in bold and conspicuous print, the moving party shall include the following language, unless another applicable rule provides for a longer or shorter notice and response period than 14 days (See (g) below):

NOTICE OF OPPORTUNITY TO RESPOND AND REQUEST A HEARING

If you object to the motion, you must file a written responsive pleading and request a hearing within 14 days of the motion’s date. The responding party shall schedule the hearing on the motion at least 21 days after the date of the response and request for a hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time, and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

Mont. LBR 9013-1(h) – Responsive Pleadings

- Mont. LBR 9013-1(h):
 - Default 14-day deadline to object and request a hearing unless another applicable rule requires longer or shorter notice.
 - Form Notice of Hearing in Mont. LBR 9013-1(f) must be included in caption of responsive pleading with hearing date, time, and location.
 - Hearings generally must be 21+ days from the date responsive pleading is filed.
 - If no response and request for a hearing is filed, lack of response may be deemed an admission that relief requested should be granted and Court may enter an Order granting requested relief.

Self-Scheduling Hearing Dates

- Mont. LBR 5001-2:
 - Montana's Bankruptcy Court is comprised of four divisions: (a) Billings; (b) Butte; (c) Missoula; and (d) Great Falls.
 - Trials and hearings in each case are generally held in the same Division, which is assigned immediately upon filing based on a debtor's county of residence or principal place of business.
 - Hearings are held in each division monthly and more frequently if necessary.

Self-Scheduling Hearing Dates

- Hearing Dates By Division are Published on the Court's Website (<https://www.mtb.uscourts.gov/calendar-hearing-341-dates>) and ECF:



The screenshot shows the website for the United States Bankruptcy Court District of Montana. The header features the court's seal and the text "UNITED STATES BANKRUPTCY COURT District of Montana" along with the names of the Chief Judge and Clerk of Court. A search bar is located in the top right. Below the header is a navigation menu with links to Home, Bankruptcy Resources, Judicial Officers, Court Information, Filing Without an Attorney, Electronic Filing, Public Records, Rules, Orders & Statutes, and General Information. The main content area displays "Calendar, Hearing & 341 Dates" and includes a message: "For up-to-date calendars, please visit the MTB Web Calendar." Below this, it lists "Court Hearing Dates:" and provides a link to "Judge Hursh 2026 Calendar updated 2/23/26".

Self-Scheduling Hearing Dates

- Responding parties review hearing date calendar, identify next scheduled hearing date in applicable Division, select hearing date when filing via ECF, and include relevant information in “Notice of Hearing” language on responsive pleading per Mont. LBR 9013-1(h).

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

CORY SHANNON MARQUIS
BECKIE JO MARQUIS,

Debtors.

Case No. 4:25-bk-40068-BPH

NOTICE OF HEARING

Date: March 13, 2026

Time: 9:00 a.m.

**Location: Chief Mountain Courtroom
Third Floor
Missouri River Courthouse
125 Central Avenue West
Great Falls, Montana**

DEBTORS' OBJECTION TO TRUSTEE'S MOTION TO DISMISS

Negative Notice in Practice

- Montana's negative notice rules have several benefits for a bankruptcy practitioner:
 1. No guesswork on hearing dates – makes planning simple for active practitioners.
 2. Depending on filing date of underlying Motion, parties may have significant time to discuss issues ahead of hearing and possibly resolve contested matters without necessity of hearing.
 3. Ability to request expedited hearing is still preserved where necessary. Mont. LBR 9013-1(i)(2)(K).

Related Local Rules

- Mont. LBR 9013.1(i)(2)
 - Contains list of motions the Court will routinely grant or deny without notice or a hearing with the right to request a hearing after the fact
- Examples:
 - Motion for Rule 2004 Examination
 - Motion to appear pro hac vice
 - Motion to continue/reschedule hearing
 - Debtor's Motion to convert from Ch. 11 to Ch. 7
 - Motion to Expedite Hearing
 - Motion for Final Decree in Ch. 11 Case.

Mark Weisenmiller,
Andersen Beede Weisenmiller

LR 3003. FILING PROOF OF CLAIM IN CHAPTER 11 REORGANIZATION CASE.

(a) Unless the court orders otherwise, a proof of claim in a chapter 11 case must be filed within ninety (90) days after the date first set for the meeting of creditors under 11 U.S.C. § 341(a). The notice setting the date for the first meeting of creditors also must provide a bar date for filing claims.

(b) In a case under subchapter V of chapter 11, a proof of claim must be filed not later than seventy (70) days after the order of relief.

LR 3017. EXPEDITED CONFIRMATION PROCEDURES; CONDITIONAL APPROVAL OF DISCLOSURE STATEMENTS.

(a) Expedited chapter 11 plan confirmation procedures. A motion filed pursuant to this rule may request entry of an order implementing expedited confirmation procedures, including but not limited to:

- (1) Early deadlines for submitted plans and disclosure statements;
- (2) Conditional approval of disclosure statements without hearing;
- (3) Scheduling a combined hearing on the conditionally approved disclosure statement and confirmation of plan; and
- (4) Submission of a combined plan and disclosure statement.

(b) Application to all chapter 11 cases. In any chapter 11 case, including small business chapter 11 cases, the court may, on application of the plan proponent or on its own initiative, conditionally approve a disclosure statement.

(c) Procedure for conditional approval. The plan proponent may file an ex parte motion for conditional approval of the disclosure statement seeking a combined hearing on the conditionally approved disclosure statement and confirmation of the plan. The application must be accompanied by the proposed disclosure statement and by a certificate stating: (i) the circumstances that favor the preliminary approval of the disclosure statement; (ii) the total number of creditors, value of assets, and amount of claims as reflected in the debtor's schedules; and (iii) that the proposed disclosure statement contains the information required by the Official Form. The notice of the combined hearing on the conditionally approved disclosure statement and confirmation of the plan must clearly provide that creditors and parties in interest may object to the conditionally approved disclosure statement as permitted by Fed. R. Bankr. P. 3017.1, at the combined hearing.

(d) Non-small business cases. Except as otherwise provided herein, Fed. R. Bankr. P. 3017.1 applies to all non-small business cases.

LR 9017. USE OF ALTERNATE DIRECT TESTIMONY AND EXHIBITS AT TRIALS AND EVIDENTIARY HEARINGS.

(a) Purpose. The purpose of this procedure is to facilitate pretrial preparation and to streamline the introduction of direct testimony at trials of adversary proceedings and evidentiary hearings. This procedure is known as the "alternate direct testimony procedure." Attorneys are encouraged to use the alternate direct testimony procedure whenever possible.

(b) Stipulation for use. If all parties stipulate and the court approves, or if the court orders it, the alternate direct testimony procedure shall be used in all trials of adversary proceedings or evidentiary hearings parties may use other alternative direct testimony methods such as including designating relevant portions of deposition transcripts in accordance with LR 7032. In an adversary proceeding, the stipulation must be filed with the court no later than the time of the pretrial conference required by LR 7016 and 7026

(c) Preparation of direct testimony and exhibits. Unless the court orders otherwise, each attorney must prepare a written declaration or affidavit of the direct testimony of each witness to be called, except hostile or adverse witnesses. The declaration or affidavit must be executed by the witness under penalty of perjury. Each statement of fact or opinion must be set forth in separate sequentially numbered paragraphs and must contain only matters that are admissible under the Federal Rules of Evidence. Declarations and affidavits must conform to the provisions of LR 9014(c).

(d) Submission of declarations, exhibits, and objections. Unless the court orders otherwise, copies of all declarations of witnesses and exhibits that are intended to be presented at trial or at the evidentiary hearing must be furnished to opposing counsel and lodged with the court as follows:

(1) The plaintiff or movant must submit to opposing counsel all declarations and exhibits in its case in chief not less than fourteen (14) business days before the trial or the hearing on the contested matter;

(2) The defendant or respondent must submit all declarations and exhibits in its case seven (7) business days before the trial or the evidentiary hearing;

(3) Five (5) business days prior to the trial or evidentiary hearing on a contested matter each party must lodge with the courtroom deputy clerk for the assigned judge (i): two (2) copies of all declarations or affidavits and exhibits that the party intends to present at the trial or hearing, which must be sequentially numbered with a bates or other numbering system, bound, tabbed and accompanied by a properly completed "Exhibit Log," that conforms to the local form found on the court's website; and (ii) one (1) copy of that party's written objections to the admission of any of the declarations or exhibits of an opposing party, and,

(e) Use of live testimony. Unless stipulated by the parties and approved by the court, the witness testifying by declaration or affidavit must be available for all cross-examination, rebuttal, and surrebuttal at the trial or evidentiary hearing. Notwithstanding the provisions of this Rule, the Court, in its discretion, may allow the live direct examination of any witness.

LR 9021. ENTRY OF JUDGMENTS AND ORDERS.

(b) Transmission; approval and disapproval; objections.

(1) Attorneys preparing proposed Orders must transmit them by hand delivery, facsimile, email, overnight delivery, or United States Mail to all attorneys or unrepresented parties who appeared at the hearing or filed and served objections.

(2) Unless the court orders otherwise, parties will have three (3) business days from receiving proposed orders to communicate their approval or disapproval to the transmitting attorney.

(A) If disapproved, the disapproving party will have five (5) business days from receipt of the proposed Order to serve and file with the court a detailed statement of objections with the proposed order and an alternate proposal for the order. The non-objecting party must not lodge the proposed order until the expiration of the time period set forth in this subsection.

(B) Any response to the objection must be filed within five (5) business days after the objection is filed.

(3) Approval indicates only that the proposed Order accurately reflects the ruling of the court and does not constitute agreement with the ruling or waive any rights of appeal.

(c) Certification language.

(1) [Proposed findings of fact, conclusions of law, judgments, and orders] must be submitted to the court with the following certification from the submitting attorney:

In accordance with LR 9021, an attorney submitting this document certifies as follows (check one):

The court has waived the requirement set forth in LR 9021(b)(1).

No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all attorneys who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

(2) No language other than “approved” or “disapproved” may appear above opposing attorney’s signature; and,

(3) Unless the court orders otherwise, “opposing counsel” means any attorney who appeared at the hearing regarding the matter that is the subject of the order or who filed objections.

(4) Variation from the certification language indicated in subsection (c)(1) of this rule may be cause for returning the draft order unsigned by the court.

FILED

JAN 6 2026

SUSAN M. SPRAUL, CLERK
U.S. BKCY. APP. PANEL
OF THE NINTH CIRCUIT**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE NINTH CIRCUIT**

In re:

SEAN RICHARD YOUNG,

Debtor.

SEAN RICHARD YOUNG,
Appellant,

v.

LORI LEE ANNE YOUNG; SHARON K.
LUTE,

Appellees.

BAP No. EW-25-1182

Bk. No. 2:25-bk-00858-WLH

**ORDER RE TIMELINESS
OF APPEAL
(Response Required)**

Before: Gary A. Spraker, Bankruptcy Judge.

On August 1, 2025, the bankruptcy court entered an order denying a motion for sanctions for the violation of the automatic stay and granting limited relief from the automatic stay. Bankruptcy Court Docket at 76 (Order Denying Motion for Sanctions for Violation of the Automatic Stay and Granting Limited Relief From the Automatic Stay).

On August 8, 2025, appellant Sean R. Young filed a motion for reconsideration of the order. Bankruptcy Court Docket at 80 (Motion to Reconsider).

A hearing on the motion to reconsider was held on August 21, 2025. Bankruptcy Court Docket at 85 (Audio File). Following the hearing on August 21, 2025, the bankruptcy court entered the following order on the docket:

ORDER: For the reasons set forth on the record at a hearing held on August 21, 2025, the court finds and concludes that there are no grounds for relief under either Federal Rule of Civil Procedure 59 or Federal Rule of Civil Procedure 60 (as made applicable by Bankruptcy Rules 9023 & 9024, respectively) regarding the order docketed as ECF No. 76. Accordingly, the motion to reconsider filed as ECF No. 80 is denied. SO ORDERED. Whitman L. Holt, U.S. Bankruptcy Judge. TEXT-ONLY ORDER; NO DOCUMENT CREATED. (RE: Motion to Reconsider 80). (NNU) (Entered: 08/21/2025)

Appellant filed a notice of appeal on September 30, 2025. Bankruptcy Court Docket at 115 (Notice of Appeal).

Federal Rule of Bankruptcy Procedure 8002 requires that a notice of appeal be filed with the bankruptcy clerk within 14 days after the entry of a judgment, order, or decree. **It is not clear whether the entry of text on the docket started the appeal period.** If the entry of text on the docket started the appeal period, the appeal would be untimely since the notice of appeal was filed more than 14 days after the entry of text.

No later than **Tuesday, January 20, 2026**, appellant must file a response showing legal cause why this appeal should not be dismissed as untimely.

Failure to comply with the requirements of this order may result in dismissal of this appeal without further notice to the parties.

Mark Weisenmiller is a partner at Andersen Beede Weisenmiller, a boutique law firm that specializes in complex bankruptcy, litigation, and real estate in Las Vegas, Nevada. Mr. Weisenmiller focuses his practice on business restructuring, complex insolvency, and bankruptcy litigation, including nondischargeability proceedings and avoidance actions. Mr. Weisenmiller has successfully represented a wide variety of business clients through the bankruptcy process, including debtors, secured and unsecured creditors, petitioning creditors, trustees, and creditor committees. Mr. Weisenmiller also has extensive litigation and appellate experience in both state and federal courts.

Mr. Weisenmiller served as a judicial law clerk for the United States Bankruptcy Court, District of Nevada, from 2010 through 2012.

Mr. Weisenmiller is currently serving as a member of the Local Rules Committee for the United States Bankruptcy Court, District of Nevada, and the Civil Local Rules Committee for United States District Court, District of Nevada.