

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

**Rule 2002-1 Notices to Creditors, Equity Security Holders,
United States and United States Trustee.**

(a) Chapter 11 Hearings.

(i) Omnibus Hearings. In any chapter 11 case, the Court may, sua sponte or upon motion of a party in interest, enter an order setting omnibus hearing dates for the case. Any such order shall be entered on the docket and be made available to anyone interested in obtaining a copy from (i) the Court or (ii) counsel for the debtor. Time permitting, on each omnibus hearing date, the Court will hear all motions timely filed under these Local Rules by any party in interest in the case in the order set forth in the hearing agenda filed pursuant to Local Rule 9029-3, unless the Court directs otherwise.

(ii) Special and Emergency Hearings. In any chapter 11 case, the Court may, sua sponte or upon request of a party in interest, schedule a special or emergency hearing date in a case for a specific motion or other issues such as a discovery dispute. The party requesting such a special hearing (or if requested by the Court, a party directed by the Court) shall promptly file a notice of hearing on the docket specifying the date and time of the hearing and the general issue before the Court, e.g., the title of the motion, "discovery conference," etc. The subject matter of the special hearing will be limited to the issues identified in the notice and no party in interest may present any additional motion or issue at the hearing without leave of the Court.

(b) Service. In chapter 11 and chapter 15 cases, all motions (except matters specified in Fed. R. Bankr. P. 2002(a)(1), (4), (5), (7), 2002(b), 2002(f) and 2002(q) and Local Rules 4001-1 and 9013-1) shall be served only upon counsel for the debtor, counsel for the foreign representative, the United States Trustee, counsel for all official committees, all parties who file a request for service of notices under Fed. R. Bankr. P. 2002(i) and all parties whose rights are affected by the motion, as applicable. If an official unsecured creditors' committee has not been appointed,

service shall be made on the twenty (20) largest unsecured creditors in the case in lieu of the creditors' committee.

- (i) Service of Papers on the United States Trustee.
 - (A) Service by Overnight Mail. Service on the United States Trustee shall be made by overnight mail or hand delivery of papers that require a response within seven (7) days or less or that relate to a Court hearing scheduled to take place within seven (7) days of the date of service.
 - (B) Service by Fax. Service by fax shall be limited to emergent situations where action or response is required within forty-eight (48) hours. Every effort shall be made to limit faxes to a maximum of twenty (20) pages per document. If it is necessary to serve via fax a document that will exceed twenty (20) pages in length, the serving party shall telephone the intended recipient(s) in advance to obtain permission to send the fax.
- (c) Service List. The claims agent shall be responsible for maintaining a list of all parties who are entitled to receive service (as set forth in Local Rule 2002-1(b)), including whether such parties have opted to receive email service. The claims agent shall furnish the service list, upon request, to any party. If no claims agent has been appointed in a case, counsel for the debtor shall bear the responsibilities set forth in this subparagraph.
- (d) Entry of Appearance. Any entity entering an appearance in a case under title 11 or in any particular adversary proceeding shall include in the Notice of Appearance the entity's (i) name, (ii) mailing address, including street address for overnight and hand delivery, (iii) telephone number, (iv) facsimile number, (v) email address, if any, and (vi) party represented, if any.
- (e) Bar Date. In all cases under chapter 11, the debtor may request a bar date for the filing of proofs of claim or interest. The request may be granted without notice and hearing if (i) the request gives fourteen (14) days' notice to the United States Trustee and the creditors' committee (or the twenty (20) largest unsecured creditors if no creditors' committee is formed), (ii) the request is filed

after the Schedules and Statement of Financial Affairs have been filed and the 11 U.S.C. § 341(a) meeting of creditors has been held and (iii) the request provides that the bar date shall be not less than sixty (60) days from the date that notice of the bar date is served (and not less than one hundred eighty days (180) days from the order for relief for governmental units). On entry of the bar date order, the debtor shall serve actual written notice of the bar date on (A) all known creditors and their counsel (if known), (B) all parties on the service list described in Local Rule 2002-1(c), (C) all equity security holders, (D) indenture trustees, (E) the United States Trustee, (F) all taxing authorities for the jurisdictions in which the debtor does business and (G) all environmental authorities listed in Part 12 of the Statement of Financial Affairs for Non-Individuals or Part 10 of the Statement of Financial Affairs for Individuals filing for Bankruptcy, as applicable.

- (f) Notice and Claims Clerk. Upon motion of the debtor or trustee, in conformity with Local Form 134, at any time without notice or hearing, the Court may authorize the retention of a notice and/or claims clerk under 28 U.S.C. § 156(c). In all cases with more than two hundred (200) creditors or parties in interest listed on the creditor matrix, unless the Court orders otherwise, the debtor shall file such motion on the first day of the case or within seven (7) days thereafter. The notice and/or claims clerk shall comply with the Protocol for the Employment of Claims and Noticing Agents under 28 U.S.C. § 156(c) (which can be found on the Court's website) and shall perform the functions below.
- (i) Serve the following notices: (a) 341 Notice (Notice of Commencement of Case) in conformity with Local Form 132; (b) Notice of Claims Bar Date in chapter 11 cases; (c) Objections to Claims and Transfers of Claims; (d) Notice of Hearing on confirmation of Plan/Disclosure Statement; (e) Notice of Hearing on motions filed by United States Trustee; (f) Notice of Transfer of Claim; and (g) any motion to convert, dismiss, appoint a trustee, or appoint an examiner filed by the United States Trustee's Office.
- (ii) Within seven (7) days of mailing, file with the Court a copy of the notice served with a Certificate of Service attached, indicating the name and complete address of each party served;

- (iii) Maintain copies of all proofs of claims and proofs of interest filed in the case;
- (iv) Maintain the official claims register and record all Transfers of Claims and make changes to the creditor matrix after the objection period has expired. The claims clerk shall also record any order entered by the Court that may affect the claim by making a notation on the claims register and monitor the Court's docket for any claims related pleading filed and make necessary notations on the claims register. No claim or claim information should be deleted for any reason;
- (v) Maintain a separate claims register and separate creditor mailing matrix for each debtor in jointly administered cases;
- (vi) File a quarterly updated claims register with the Court in alphabetical and numerical order. If there has been no claims activity, the claims clerk may file a Certification of No Claim Activity;
- (vii) Maintain an up-to-date mailing list of all creditors and all entities who have filed proofs of claim or interest and/or request for notices for each case and provide such list to the Court or any interested party upon request (within forty-eight (48) hours);
- (viii) Allow public access to claims and the claims register at no charge. The complete proof of claim and any attachment thereto shall be viewable and accessible by the public, subject to Local Rule 9037-1;
- (ix) Within fourteen (14) days of entry of an Order dismissing a case or within twenty-eight (28) days of entry of a Final Decree, (a) forward to the Clerk an electronic version of all imaged claims, (b) upload the creditor mailing list into CM/ECF and (c) docket a Final Claims Register. If a case has jointly administered entities, one combined register shall be docketed in the lead case containing claims of all cases.
- (x) Within the earlier to occur of (a) fourteen (14) days of entry of an Order converting a case and (b) entry of a termination order, (x) forward to the

Clerk an electronic version of all imaged claims;
(y) upload the creditor mailing list into CM/ECF and
(z) docket a Final Claims Register. If a case has
jointly administered entities, one combined claims
register shall be docketed in the lead case
containing claims of all cases. A Final Claims
Register and creditor mailing matrix shall also be
docketed in each jointly administered case
containing the claims and creditor mailing matrix
parties, respectively, of only that specific case.

- (xi) Upon conversion of a chapter 11 case to a chapter 7 case, if there are more than two hundred (200) creditors, the claims agent appointed in the chapter 11 case shall (i) continue to serve all notices required to be served, at the direction of the chapter 7 trustee or the Clerk's Office or (ii) submit a termination order.

(g) Cases with Less Than 200 Creditors.

- (i) In cases with less than 200 creditors and no claims agent retained under 28 U.S.C. § 156(c), the Clerk shall serve as the notice agent and the Debtor shall provide the Clerk with a complete, accurate and up-to-date creditor matrix in accordance with the time set forth in Fed. R. Bankr. P. 1007.
- (ii) The Debtor, within fourteen (14) days of entry of an Order converting a case or within twenty-eight (28) days of entry of a Final Decree, shall provide an updated creditor matrix.

- (h) Chapter 15 Cases. Unless otherwise ordered by the Court, the foreign representative shall be responsible for (i) the notice requirements under Fed. R. Bankr. P. 2002(q) and (ii) any applicable duties enumerated in Local Rule 2002-1(f).

- (i) Limitation of Notice - Chapter 7, Chapter 12 and Chapter 13. A party required to give notice pursuant to Fed. R. Bankr. P. 2002(a) may limit notice as provided under Fed. R. Bankr. P. 2002(h) to (1) the debtor; (2) the trustee; (3) creditors that hold claims for which proofs of claim have been filed; and (4) such other creditors who may file timely claims.