

Rule 7004-1 Summons and Notice of Pretrial Conference in an Adversary Proceeding.

A party or attorney filing a complaint or third-party complaint must prepare a Summons and Notice of Pretrial Conference in an Adversary Proceeding (Local Form 108) (the “Summons”). The pretrial conference date must be a date that is at least 35 days and not more than 90 days from the date of the issuance of the Summons and set in accordance with Local Rule 7004-1(a) and (b) below. The party or attorney filing the complaint or third-party complaint is responsible for serving the Summons and complaint, as well as the notice of dispute resolution alternatives substantially in compliance with Local Form 110B. The completed Summons and certificate of service must be filed in the adversary proceeding within 7 days after service of the Summons, complaint and notice of dispute resolution alternatives.

- (a) Chapter 11 and Chapter 15 Cases. In an adversary proceeding, the pretrial conference date required on Local Form 108 must be obtained from (i) the order setting omnibus hearing dates located on the docket in the main bankruptcy case, when the adversary proceeding is assigned to the same Judge presiding over the main bankruptcy case, or (ii) the assigned Judge’s scheduling clerk, when (A) there is no order setting omnibus hearing dates in the main bankruptcy case or (B) the adversary proceeding is assigned to a Judge other than the Judge presiding over the main bankruptcy case.
- (b) Chapter 7, Chapter 12 and Chapter 13 Cases. In an adversary proceeding, the pretrial conference date required on Local Form 108 must be obtained from the respective Judge’s chambers page located on the Court’s website.