

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:)
)
AMENDMENT TO RULE 9013-1 AND) GENERAL ORDER 14-04
APPENDIX "D" - AUTHORIZING)
LIMITED NOTICE IN CHAPTER 13)
PROCEEDINGS)

This General Order, effective November 1, 2014, amends the Nebraska Rules of Bankruptcy Procedure adopted on July 25, 2014 as amendments to Rule 9013-1(E) and (F) and Appendix "D". Local Rule 9013-1 will be updated during the next Local Rule revision process and Appendix D is revised as of November 1, 2014.

IT IS HEREBY ORDERED. Effective November 1, 2014, Neb. R. Bankr. P. 9013-1 is amended to add section (E)(1) and add language to section (F).

E. Notice. At the time a motion is filed, the moving party shall serve the motion on and shall provide notice to all parties in interest and those that have requested notice pursuant to Fed. R. Bankr. P. 2002. The notice shall state the specific calendar date by which any resistance or request for hearing must be filed and served. The notice will be defective if it provides that a resistance or request must be filed within a specified number of days.

1. In Chapter 13 proceedings, limited notice/service is approved for all post confirmation pleadings once the bar date for non-governmental units to file a proof of claim passes. Pleadings include application for fees, amended plans and motions. Pleadings shall be served on all parties in interest. For purposes of this limited notice provision, a party in interest is a party whose interest is directly affected by the motion, a creditor who has filed a proof of claim, a party who has filed a request for notice, any governmental agency or unit that is a creditor and all creditors scheduled as secured or priority creditors.

F. Proof of Service. Proof of service of the separate notice and motion shall be filed contemporaneously with the motion. The proof of service shall contain a list of recipients and shall attach a copy of the notice. **Any pleading filed with limited notice, as referenced under paragraph Neb. R. Bankr. P. 9013-1(E)(1), shall include a certificate of service specifically stating it was served with limited notice on all parties in interest pursuant to Neb. R. Bankr. P. 9013-1(E)(1). Failure to comply shall result in deferral of the motion until a proper certificate of service is filed.**

Appendix “D” Chapter 13 Plan and Notice of Resistance Deadline is amended to add section (E) to paragraph 10.

Paragraph 10. Additional Provisions.

(E) After the bar date to file a proof of claim for non-governmental units passes, limited notice/service is approved for all post confirmation pleadings. Pleadings shall include applications for fees, amended plans and motions. Pleadings shall be served on all parties in interest. For purposes of this limited notice provision, a party in interest is a party whose interest is directly affected by the motion, a creditor who has filed a proof of claim, a party who has filed a request for notice, any governmental agency or unit that is a creditor and all creditors scheduled as secured or priority creditors. Any pleading filed with limited notice shall include a certificate of service specifically stating it was served with limited notice on all parties in interest pursuant to Neb. R. Bankr. P. 9013-1(E)(1). **Failure to comply shall result in deferral of the motion until a proper certificate of service is filed.**

IT IS SO ORDERED.

DATED: October 15, 2014

BY THE COURT:



Thomas L. Saladino, Chief Bankruptcy Judge