

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

**REVISION NO. 1 TO EXPANDED DEFAULT
PROCEDURES IN ROCHESTER AND WATKINS
GLEN TO INCLUDE MOTIONS AS INDEXED IN
EXHIBIT A**

STANDING ORDER

(A) MOTIONS IN GENERAL

Except as otherwise provided by rule or ordered by the Court, and except as provided in subdivision (B) immediately following, notices of motion along with supporting affidavits and memoranda shall be served on parties and filed with the Clerk at least five (5) days prior to the return date of the motion (eight days if served by mail). Motion dates may be obtained from the Clerk. Discretionary responses to motions (those not required by these rules or by order) shall be filed and served upon the adverse party or parties as soon as practicable.

**(B) REVISION NO. 1 TO EXPANDED DEFAULT PROCEDURES IN ROCHESTER AND WATKINS
GLEN AS INDEXED IN EXHIBIT A**

Motions listed on Exhibit A, index number one (1) through four (4), are returnable in Rochester and Watkins Glen and shall be served upon the parties as set forth in Exhibit A.

**(C) MOTIONS REFERENCED IN EXHIBIT A SHALL ALSO MEET THE FOLLOWING
REQUIREMENTS:**

(1) Motions shall include the below **default** statement in bold print.

**PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND THE
STANDING**

**ORDER ENTITLED, REVISION NO. 1 TO EXPANDED DEFAULT PROCEDURES IN
ROCHESTER AND WATKINS GLEN TO INCLUDE MOTIONS AS INDEXED IN EXHIBIT A ,
DATED JUNE 29, 1999: IF YOU INTEND TO OPPOSE THE MOTION, YOU MUST SERVE
THE APPROPRIATE PARTIES LISTED IN THE PARTIES SERVED COLUMN ON THE
APPROPRIATE EXHIBIT, WHICH IN ALL CASES REQUIRES OPPOSITION AT A
MINIMUM TO BE SERVED UPON THE MOVING PARTY AND ANY TRUSTEE IF THE
TRUSTEE IS NOT THE MOVING PARTY, AND FILE WITH THE CLERK OF THE
BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NOT LATER THAN
THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION.**

**PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9006(a), SATURDAYS,
SUNDAYS AND LEGAL HOLIDAYS SHALL BE EXCLUDED FROM THE COMPUTATION OF
THE THREE (3) DAY RESPONSE TIME. IN THE EVENT NO WRITTEN OPPOSITION IS
SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD BEFORE THE
COURT ON THE RETURN DATE, AND THE COURT WILL CONSIDER THE MOTION AS
UNOPPOSED.**

- (2) Motion papers shall prescribe to the special requirements as outlined on Exhibit A, which may be revised by the Court from time to time.
- (3) At least one day prior to the return date of the motion, the Court will accept a consent order and a request to substitute that consent order for the order which accompanied the original motion papers. A cover letter must accompany a substitute consent order. The letter must clearly identify in bold the return date and time of the motion.
- (4) It is mandatory that motions referenced in this Standing Order be brought under the **default** procedure unless:
 - (a) It specifically states in Exhibit A that the **default** procedure is optional.
 - (b) The Court affirmatively waives the default procedure requirement on request of the movant; or,
 - (c) The matter is brought on shortened time, in which case the order shortening time should specifically provide that the matter will not be brought under the mandatory default procedure.
- (5) All responses, including opposition or withdrawal, must clearly identify in bold the return date and time of the motion.
- (6) Motion papers filed on or after August 4, 1999 in conjunction with the defaults referenced in subdivision (B) of this Standing Order shall conform to the above requirements.

D. THE DEFAULT STATEMENT IN SUBPARAGRAPH (C) (1) OF THIS STANDING ORDER AMENDS THE DEFAULT STATEMENT IN THE STANDING ORDER DATED JUNE 1, 1998, EXPANDED DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN TO INCLUDE MOTIONS AS INDEXED ON EXHIBIT A .

E. EXHIBIT B IS A COMPREHENSIVE LIST OF ALL DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN IMPLEMENTED BY THIS STANDING ORDER AND OTHER PRIOR STANDING ORDERS LISTED BELOW WHICH ARE STILL IN EFFECT:

- (1) §362(d) Motions in Chapter 7 and 13 Cases in Rochester and Watkins Glen , Standing Order dated August 5, 1992.
- (2) §522(f) Motions in Rochester and Watkins Glen , Standing Order dated March 9, 1993.
- (3) §554 Motions in Rochester and Watkins Glen , Standing Order dated March 9, 1993.
- (4) Revised Standing Order regarding §522(f) Motions in Rochester and Watkins Glen , dated April 13, 1993.
- (5) Federal Rule of Bankruptcy Procedure 3007 - Objections to Claims - Procedure in Rochester and Watkins Glen , Standing Order dated May 20, 1993.

- (6) §722 Motions in Rochester and Watkins Glen , Standing Order dated July 25, 1994.
- (7) §1229 and §1329 Modification Motions in Rochester and Watkins Glen , Standing Order dated July 26, 1995.
- (8) Expanded Default Procedures in Rochester and Watkins Glen to Include Motions as Indexed on Exhibit A , Standing Order dated June 1, 1998 with the exception of the default statement (C) (1) which is amended pursuant to this Standing Order.

F. EXHIBIT C IS A COMPREHENSIVE LIST OF DEFAULT STATEMENTS BY MOTION TYPE PURSUANT TO THE STANDING ORDERS REFERENCED IN PARAGRAPH E AND INCLUDES THE AMENDMENT TO THE DEFAULT STATEMENT PURSUANT TO PARAGRAPH (D).

IT IS SO ORDERED.

Dated: June 29, 1999

/s/ Michael J. Kaplan

**MICHAEL J. KAPLAN
CHIEF, U. S. BANKRUPTCY JUDGE**

Dated: June 29, 1999

/s/ John C. Ninfo, II

**JOHN C. NINFO, II
U.S. BANKRUPTCY JUDGE**

Dated: June 29, 1999

/s/ Carl L. Bucki

**CARL L. BUCKI
U.S. BANKRUPTCY JUDGE**



**EXPANDED DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN
PURSUANT TO STANDING ORDER DATED JUNE 29, 1999
EXHIBIT A**

INDEX NO.	DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
1	<p>§363(b)-Motion to use, sell or lease property of the estate</p> <p>Note: Requests by the moving party can be submitted in default or regular motion format. Do not include default language when using regular motion format.</p>	<p>20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtor s attorney, UST, trustee, all creditors.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor s attorney, UST, trustee (if one is appointed), attorney for creditors committee, if any, all creditors.</p>	<p><u>Default Format:</u> (1) Default language pursuant to Standing Order dated 6/29/99, (2) Proposed order to be attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, and (4) Affidavit of Service. <u>All motion papers</u> must contain the following elements: <u>Private Sale:</u> (1) Description of property to be sold, (2) Name of purchaser & relationship to debtor, if any, (3) The price received for each item, and (4) Terms of sale. <u>Auction Sale:</u> (1) Name of auctioneer, (2) Date, time & location of auction, (3) General description of property being auctioned, and (4) Minimum bid, if any. A consent order may be submitted at least one day prior to the return date.</p>

*At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court
06/29/99

INDEX NO.	DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
2	<p>§1301 -Motion for Relief from Stay of Action against Co-Debtor</p> <p>Note: Procedure in accordance with §1301(d)</p>	<p>20 days prior to the return date and filed with the Clerk at least 7days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 13</u></p> <p>Debtor, debtor s attorney , trustee, co-debtor.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) Proposed order to be attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date of the motion.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

06/29/99

EXHIBIT A

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INDEX NO.	DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
3	<p>FRBP 7024-Motion to Intervene</p> <p>Note: The below intervention language must be included in Notices of Hearing to Compromise or Settle in a §727 Adversary Proceeding pursuant to FRBP 7024: Creditors may elect to continue the adversary proceeding to deny the discharge of the debtor(s) under 11 U.S.C. §727 by filing a notice of intervention with the Clerk's Office within 3 days of the hearing date. Absent intervention, an Order will be signed approving the compromise/settlement .</p>	<p>12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee, all creditors.</p> <p><u>Chapter 11</u></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee (if one is appointed), attorney for creditors committee, if any, all creditors.</p>	<p>(1) Default language pursuant to Standing Order dated June 29, 1999, (2) Proposed order attached to the motion as an exhibit, (3) An original order & two copies to be submitted for determination, and, (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.</p>

*At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court

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EXHIBIT A

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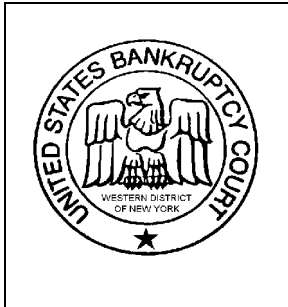
INDEX NO.	DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
4	FRBP 7055 - Motion for entry of default judgment against the debtor	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtors attorney, UST, trustee, defendant & defendant's attorney.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtors attorney, UST, trustee (if one is appointed), defendant & defendant's attorney.</p>	(1) Default language pursuant to Standing Order dated 6/29/99, (2) Documentation in support of request, (3) Judgment by Default (Form D-3), (4) Proposed Order for the Entry of Default Judgment (items #2, #3 & #4 are to be attached to the notice of motion as exhibits), (5) Originals of #3 & #4 must be submitted separately for determination, (6) Affidavit of service, and (7) Four copies of the original Order for the Entry of Default Judgment.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

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EXHIBIT A

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COMPREHENSIVE LIST OF ALL DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN

EXHIBIT B

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>§362(d)-Motion to grant relief from the automatic stay</p> <p>Note: Requests in Cases under Chapter 11 & 12 must be submitted in regular motion format.</p>	<p>12 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7 & 13</u></p> <p>Debtor, debtor's attorney & trustee.</p>	<p>(1) Cover sheet, (2) Copies of mortgage or lien documents and proof of lien perfection must be attached to motion involving secured property, (3) Default language pursuant to Standing Order dated 8/5/92 must be included, (4) Copy of proposed order attached to motion as an exhibit, (5) Affidavit of service, and (6) An original proposed order to be submitted for determination. A consent order may be submitted at least one day prior to the return date. Pursuant to 28 U.S.C. §1930(b), a fee is due upon the filing of a §362(d) motion.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§363-Motion to authorize the use of cash collateral	15 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 11</u></p> <p>UST, trustee (if one is appointed) parties in interest, creditors committee & its attorney, if any. Absent a committee-serve the 20 largest unsecured creditors.</p>	(1) Affidavits of service shall be filed as quickly as possible to demonstrate that service on all parties entitled to notice has been made, (2) Default language pursuant to Standing Order dated 6/29/99 must be included, (3) An original order and two copies to be submitted for determination, (4) A proposed order to be attached to the motion as an exhibit, and (5) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>§363(b)-Motion to use, sell or lease property of the estate</p> <p>Note: Requests by the moving party can be submitted in default or regular motion format. Do not include default language when using regular motion format.</p>	<p>20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtor s attorney, UST, trustee & all creditors.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor s attorney, UST, trustee (if one is appointed), attorney for creditors committee, if any, & all creditors.</p>	<p><u>Default Format:</u> (1) Default language pursuant to Standing Order dated 6/29/99, (2) Proposed order to be attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, and, (4) Affidavit of service. <u>All motion papers</u> must contain the following elements:</p> <p><u>Private Sale:</u> (1) Description of property to be sold, (2) Name of purchaser & relationship to debtor, if any, and (3) The price received for each item, and (4) Terms of Sale. <u>Auction Sale:</u> (1) Name of auctioneer, (2) Date, time & location of auction, (3) General description of property being auctioned, and (4) Minimum bid, if any. A consent order may be submitted at least one day prior to the return date.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§364-Motion to obtain credit	15 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 11</u> UST, parties in interest, trustee (if one is appointed), creditors committee & its attorney, if any. Absent a committee-serve the 20 largest unsecured creditors.	(1) Affidavits of service shall be filed as quickly as possible to demonstrate that service on all parties entitled to notice has been made, (2) Default language pursuant to Standing Order dated 6/29/99 must be included, (3) An original order and two copies to be submitted for determination, (4) A proposed order to be attached to the motion as an exhibit, and (5) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>§365-Motion to assume or reject an executory contract or unexpired lease of the debtor</p>	<p>12 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtor's attorney, UST, trustee & parties in interest.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor's attorney, trustee (if one is appointed), UST, creditors committee & its attorney, if any. Absent a committee-serve the 20 largest unsecured creditors.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>§365(d)(4)-Motion to extend the time to assume or reject an executory contract of the debtor</p>	<p>12 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtor s attorney, UST, trustee & parties in interest.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor s attorney, trustee (if one is appointed), UST, creditors committee & its attorney, if any. Absent a committee-serve the 20 largest unsecured creditors.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§522-Motion objecting to debtor s claimed exemption	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 7, 12 & 13</u> Debtor, debtor s attorney, trustee & UST.	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.
§522(f)-Motion for avoiding the fixing of a lien on an interest of the debtor in property to the extent that such lien impairs an exemption	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 7, 12 & 13</u> Debtor, debtor s attorney, any other judgment creditor which is a party to the motion and its attorney, the attorney for any judgment creditor at the time the judgment was taken, UST & trustee.	(1) Cover sheet, (2) A signed appraisal, a letter of valuation, or a market analysis of real property as an exhibit to the motion, (3) Default language pursuant to Revised Standing Order dated 4/13/93 must be included, (4) A proposed order attached to the motion as an exhibit, (5) Affidavit of service, and (6) An original proposed order to be submitted for determination. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§523-Motion to extend the time to file complaints to have the Court determine the dischargeability of a debt	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 7</u> Debtor, debtor's attorney, UST & trustee.	(1) Papers are to clearly set forth detailed facts so that the Court can make the required affirmative finding of cause, (2) Default language pursuant to Standing Order dated 6/29/99 must be included, (3) An original order and two copies to be submitted for determination, (4) A proposed order to be attached to the motion as an exhibit, and (5) Affidavit of service. A consent order may be submitted at least one day prior to the return date.
§542-Motion by trustee to compel turnover of property of estate	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 7, 12 & 13</u> Debtor, debtor's attorney, UST & parties in interest.	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>§554-Motion for abandonment of property</p>	<p>12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Trustee & UST. Should the movant be a creditor, service must also be made upon the debtor, debtor s attorney.</p> <p><u>Chapter 11</u></p> <p>UST, trustee (if one is appointed) creditor s committee and its attorney, if any. Absent a committee-serve the 20 largest unsecured creditors. Should the movant be a creditor, service must also be made upon the debtor, debtor s attorney.</p>	<p>(1) Cover sheet, (2) Copies of mortgage or lien documents and proof of lien perfection, (3) Basis for market value if other than an appraisal, letter valuation, market analysis, NADA value or other source of value which has been agreed to by the trustee, (4) Default language pursuant to Standing Order dated 3/9/93 must be included, (5) A proposed order attached to the motion papers as an exhibit, (6) Affidavit of service, and (7) an original order to be submitted for determination. A consent order may be submitted at least one day prior to the return date. Pursuant to 28 U.S.C. §1930(b), a fee is due upon the filing of a §554 motion.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§554(c)-Motion by trustee excepting property of the estate from abandonment	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 7</u> Debtor, debtor's attorney, UST & parties in interest.	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.
§722-Motion to redeem tangible personal property intended for personal, family or household use from a lien securing a dischargeable consumer debt	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 7</u> Debtor, debtor's attorney, any other creditor which is a party to the motion and its attorney, UST & trustee.	(1) Cover sheet, (2) Proof of value in the form of a signed appraisal or letter of valuation, and proof of perfection, if applicable, must be attached to the motion, (3) Default language pursuant to Standing Order dated 7/25/94 must be included, (4) A proposed order as an exhibit to the motion, (5) Affidavit of service, and (6) An original order to be submitted for determination. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>§727-Motion to extend the time to file complaints objecting to the discharge of the debtor</p>	<p>12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7</u> Debtor, debtor's attorney, UST & trustee.</p>	<p>(1) Papers are to clearly set forth detailed facts so that the Court can make the required affirmative finding of cause, (2) Default language pursuant to Standing Order dated 6/29/99 must be included, (3) An original order and two copies to be submitted for determination, (4) A proposed order to be attached to the motion as an exhibit, and (5) Affidavit of service. A consent order may be submitted at least one day prior to the return date.</p>
<p>§1112-Motion to convert or dismiss</p>	<p>20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 11</u> Debtor, debtor's attorney, trustee (if one is appointed), UST, equity security holders, all creditors & attorney for creditors committee, if any.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date. Pursuant to 28 U.S.C. §1930(b), a conversion fee is due upon the filing of a motion to convert a Chapter 11 to Chapter 7. No fee is due if the request is to convert to a Chapter 12 or Chapter 13.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§1121(d)-Motion to extend the exclusive time within which a debtor in possession must file a plan and disclosure statement	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 11</u> UST, trustee (if one is appointed), creditors committee & its attorney, if any. Absent a committee-serve the 20 largest unsecured creditors.	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, and (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.
§1221-Motion to extend the time to file a plan	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<u>Chapter 12</u> UST & trustee.	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§1228(b)-Motion for hardship discharge	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 12</u></p> <p>Trustee, UST & all creditors.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, and (3) A proposed order to be attached to the motion as an exhibit, (4) Affidavit of service. The order shall incorporate three elements: (1) Language that the last day for filing complaints under 11 U.S.C. §1228(c) objecting to the discharge of particular debts shall be thirty (30) days from the date of the order and if no complaint is filed the debts may be discharged, (2) Reaffirmation agreements must be filed within sixty (60) days of the last day fixed for filing complaints against the discharge, and (3) If the movant is a debtor(s) not represented by counsel, the order shall also contain language that should the debtor(s) plan to file a reaffirmation agreement, a request for a §524(d) hearing along with the reaffirmation agreement must be filed within sixty (60) days of the last day fixed for filing complaints against the discharge.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§1229 & 1329-Motions to modify the plan	20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date and pursuant to FRBP 9006(a).	<u>Chapter 12 & 13</u> Trustee & all creditors.	(1) Cover sheet must accompany motion & also be served on all creditors & the trustee, (2) Default language pursuant to Standing Order dated 7/26/95 must be included, (3) Full application must be served upon any affected secured creditor, trustee, debtor, and any creditor or their attorney who appeared at the §341 meeting or confirmation hearing, (4) Additional professional fee requests should be addressed in the motion and indicated whether or not fees are to be paid within or outside the plan, (5) The amended budget is to be contained with the motion, (6) An original order to be submitted for determination, (7) A proposed order to be attached to the motion as an exhibit, and (8) Affidavit of service. The order shall incorporate four elements : (1) Language that the plan has been confirmed, (2) Changes made to the plan, (3) Attorney's fees to be paid through the plan and, (4) A statement acknowledging that the remaining provisions of the original plan are still in effect. A consent order may be submitted at least one day before the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§1301 -Motion for Relief from Stay of Action against Co-Debtor	20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date and pursuant to FRBP 9006(a).	<u>Chapter 13</u> Debtor, debtor s attorney, trustee & co-debtor.	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) Proposed order to be attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
§1328(d)-Motions for hardship discharge	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 13</u></p> <p>Trustee, UST & all creditors.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. The order shall incorporate three elements: (1) Language that the last day for filing complaints under 11 U.S.C. §1328(c),(d) objecting to the discharge of particular debts shall be thirty (30) days from the date of the order, and if no complaint is filed the debts may be discharged, (2) Reaffirmation agreements must be filed within sixty (60) days of the last day fixed for filing complaints against the discharge, and (3) If the movant is a debtor(s) not represented by counsel, the order shall also contain language that should the debtor(s) plan to file a reaffirmation agreement, a request for a §524(d) hearing along with the reaffirmation agreement must be filed within sixty (60) days of the last day fixed for filing complaints against the discharge.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
FRBP 1014(a)-Motion to change venue	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 7, 12 & 13</u></p> <p>Trustee, UST & all creditors.</p> <p><u>Chapter 11</u></p> <p>Trustee (if one is appointed), UST, all creditors & attorney for creditors committee, if any.</p>	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>FRBP 2002(a)(3)-Motion to approve the compromise of a controversy in an adversary proceeding</p> <p>Note: The below intervention language must be included in Notices of Hearing to Compromise or Settle in a §727 Adversary Proceeding pursuant to FRBP 7024 Creditors may elect to continue the adversary proceeding to deny the discharge of the debtor(s) under 11 U.S.C. §727 by filing a notice of intervention with the Clerk's Office within 3 days of the hearing date. Absent intervention, an Order will be signed approving the compromise/settlement .</p>	<p>20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date and pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee & all creditors.</p> <p><u>Chapter 11</u></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee (if one is appointed), all creditors & attorney for creditors committee, if any.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
FRBP 2002(a)(3)-Motion to approve the compromise of a controversy in a bankruptcy proceeding	20 days prior to the return date and filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date and pursuant to FRBP 9006(a).	<p><u>Chapter 7</u></p> <p>Debtor, debtor s attorney, UST, all creditors.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor s attorney, UST, attorney for creditors committee, if any, all creditors.</p>	(1) Default language pursuant to Standing Order dated 6/29/99 must be included, (2) An original order and two copies to be submitted for determination, (3) A proposed order to be attached to the motion as an exhibit, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
FRBP 3007-Objection to claims	30 days prior to the return date pursuant to FRBP 3007. Responses shall be in writing and served not less than 3 days prior to the return date and pursuant to FRBP 9006(a).	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtor s attorney, trustee, UST, claimant, claimant s attorney (if known) or person designated as power of attorney.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor s attorney, trustee (if one is appointed), UST, claimant, claimant s attorney (if known) or person designated as power of attorney, creditors committee and its attorney, if any. Absent a creditors committee serve the 20 largest unsecured creditors.</p>	(1) Default language pursuant to Standing Order dated 5/20/93 must be included, (2) Only one claim objection will be allowed per notice or order unless the objecting party is granted permission by the presiding judge to use another format, (3) The objection to claim shall include a copy of the proposed order on the reverse side of the objection and, (4) Affidavit of service. A hearing will always be held with regard to an objection to the claim of the United States unless the United States consents to a waiver of hearing. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
FRBP 3007-Objection to claims (cont)	See previous page	<p>Note: If IRS is the claimant, service shall be upon IRS, the Attorney General & U.S. Attorney.</p> <p>If NYS is the claimant, service shall be upon NYS Dept. of Taxation & Finance in Albany & NYS Dept. of Taxation & Finance in Rochester.</p>	See previous page

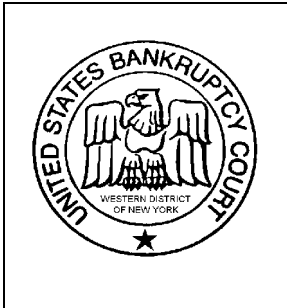
***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
<p>FRBP 7024-Motion to Intervene</p> <p>Note: The below intervention language must be included in Notices of Hearing to Compromise or Settle in a §727 Adversary proceeding pursuant to FRBP 7024: Creditors may elect to continue the adversary proceeding to deny the discharge of the debtor(s) under 11 U.S.C. §727 by filing a notice of intervention with the Clerk's Office within 3 days of the hearing date. Absent intervention, an Order will be signed approving the compromise/settlement .</p>	<p>12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).</p>	<p><u>Chapter 7, 12 & 13</u></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee & all creditors.</p> <p><u>Chapter 11</u></p> <p>Plaintiff, plaintiff's attorney, defendant, defendant's attorney, UST, debtor, debtor's attorney, trustee (if one is appointed), all creditors & attorney for creditors committee, if any.</p>	<p>(1) Default language pursuant to Standing Order dated 6/29/99, (2) Propose order attached to the motion as an exhibit, (3) An original order and two copies to be submitted for determination, and (4) Affidavit of service. A consent order may be submitted at least one day prior to the return date.</p>

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**

DEFAULT	SERVICE REQUIREMENTS	PARTIES SERVED*	SPECIAL REQUIREMENTS
FRBP 7055-Motion for entry of default judgment against the debtor	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, debtor s attorney, UST, trustee, defendant & defendant s attorney.</p> <p><u>Chapter 11</u></p> <p>Debtor, debtor s attorney, UST, trustee (if one is appointed) defendant & defendant s attorney.</p>	(1) Default language pursuant to Standing Order dated 6/29/99, (2) Documentation in support of request, (3) Judgment by Default (Form D-3), (4) Proposed order for the entry of default judgment (items #2, #3 & #4) are to be attached to the notice of motion as exhibits), (5) Originals of #3 & #4 must be submitted separately for determination, (6) Affidavit of service, and (7) Four copies of the original Order for the Entry of Judgment.
Local Rule 2091-A(1)-Motion to withdraw as an attorney	12 days prior to the return date & filed with the Clerk at least 7 days prior to the return date. Responses shall be in writing and filed not less than 3 days prior to the return date of the motion & pursuant to FRBP 9006(a).	<p><u>Chapter 7, 12 & 13</u></p> <p>Debtor, trustee & UST.</p> <p><u>Chapter 11</u></p> <p>Debtor, trustee (if one is appointed), UST & attorney for creditors committee, if any.</p>	(1) Application should set forth sufficient detail as to why such a withdrawal will not substantially prejudice the client, (2) Default language pursuant to Standing Order dated 6/29/99 must be included, (3) An original order and two copies to be submitted for determination, (4) A proposed order to be attached to the motion as an exhibit, and (5) Affidavit of service. A consent order may be submitted at least one day prior to the return date.

***At a minimum opposition must be served upon the moving party and any trustee if the trustee is not the moving party and with the Clerk of the Bankruptcy Court**



**COMPREHENSIVE LIST OF DEFAULT STATEMENTS BY MOTION TYPE
IN ROCHESTER AND WATKINS GLEN**

EXHIBIT C

Motion Type	Default Statements Must Be Typed In Bold Print
§362(d)	<p>PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND THE STANDING ORDER ENTITLED SECTION 362 MOTIONS IN CHAPTER 7 AND CHAPTER 13 CASES IN ROCHESTER AND WATKINS GLEN DATED AUGUST 5, 1992, IF YOU INTEND TO OPPOSE THE MOTION, YOU MUST SERVE ON THE MOVANT S COUNSEL AND THE TRUSTEE, AND FILE WITH THE CLERK, WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. IN THE EVENT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION AS UNOPPOSED.</p>
§522(f)	<p>PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND THE REVISED STANDING ORDER ENTITLED SECTION 522 (F) MOTIONS IN ROCHESTER AND WATKINS GLEN DATED APRIL 13, 1993, IF YOU INTEND TO OPPOSE THE MOTION, YOU MUST SERVE THE FOLLOWING: THE DEBTOR, DEBTOR S ATTORNEY, ANY OTHER JUDGMENT CREDITOR WHICH IS A PARTY TO THE MOTION AND ITS ATTORNEY, THE ATTORNEY FOR ANY JUDGMENT CREDITOR AT THE TIME THE JUDGMENT WAS TAKEN, U.S. TRUSTEE AND THE TRUSTEE AND FILE WITH THE CLERK, WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. IN THE EVENT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION AS UNOPPOSED.</p>

Motion Type	Default Statements Must Be Typed In Bold Print
§554	<p>PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND THE STANDING ORDER ENTITLED SECTION 554 MOTIONS IN ROCHESTER AND WATKINS GLEN DATED MARCH 9, 1993, IF YOU INTEND TO OPPOSE THE MOTION, YOU MUST SERVE ON THE DEBTOR, DEBTOR S ATTORNEY, THE TRUSTEE, AND THE U.S. TRUSTEE AND FILE WITH THE CLERK, WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. IN THE EVENT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION AS UNOPPOSED.</p>
§722	<p>PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND 6008 THE STANDING ORDER ENTITLED SECTION 722 MOTIONS IN ROCHESTER AND WATKINS GLEN DATED JULY 25, 1994" IF YOU INTEND TO OPPOSE THE MOTION YOU MUST SERVE THE FOLLOWING: THE DEBTOR, DEBTOR S ATTORNEY, ANY OTHER CREDITOR WHICH IS A PARTY TO THE MOTION AND ITS ATTORNEY, U.S. TRUSTEE AND THE TRUSTEE AND FILE WITH THE CLERK, WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. IN THE EVENT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION AS UNOPPOSED.</p>
§1229 & §1329	<p>PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND THE STANDING ORDER ENTITLED §1229 & §1329 MODIFICATION MOTIONS IN ROCHESTER AND WATKINS GLEN DATED JULY 26, 1995" IF YOU INTEND TO OPPOSE THE MOTION YOU MUST SERVE ALL PAPERS IN OPPOSITION UPON THE FOLLOWING PERSONS: THE STANDING CHAPTER 13 TRUSTEE/CHAPTER 12 TRUSTEE AND ALL CREDITORS PURSUANT TO BANKRUPTCY RULE 2002(a) (6); IN ADDITION, YOU MUST FILE WITH THE CLERK WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. IF NO WRITTEN OBJECTION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION AS UNOPPOSED.</p>

Motion Type	Default Statements Must Be Typed In Bold Print
FRBP 3007	<p>PURSUANT TO FEDERAL RULES OF BANKRUPTCY PROCEDURE 3007 AND 9014 AND THE STANDING ORDER ENTITLED FEDERAL RULES OF BANKRUPTCY PROCEDURE 3007 - OBJECTIONS TO CLAIMS - PROCEDURE IN ROCHESTER AND WATKINS GLEN DATED MAY 20, 1993, IF YOU OPPOSE THE OBJECTION AND REQUEST A HEARING, YOU MUST SERVE ON THE OBJECTING PARTY AND FILE WITH THE CLERK, A WRITTEN REQUEST FOR A HEARING TO THE OBJECTION TO CLAIM NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE AS SET FORTH IN THIS NOTICE AND APPEAR AT THE HEARING AS SCHEDULED. IN THE EVENT NO WRITTEN REQUEST FOR A HEARING AND RESPONSE TO THE OBJECTION IS SERVED AND FILED, NO HEARING ON THE OBJECTION WILL BE HELD ON THE RETURN DATE. THE COURT WILL CONSIDER THE OBJECTION, DETERMINE THE SUFFICIENCY OF THE CLAIM, AND IF THE OBJECTION IS DETERMINED BY THE COURT TO BE VALID, THE ORDER WILL BE ENTERED. THE UNITED STATES IS SPECIFICALLY EXEMPT FROM THE REQUIREMENT THAT IT MUST REQUEST A HEARING IN WRITING. A HEARING INVOLVING THE UNITED STATES WILL BE HELD AS SCHEDULED UNLESS IT CONSENTS TO THE RELIEF REQUESTED.</p> <p>IF YOU OPPOSE THE OBJECTION TO YOUR CLAIM, YOU MAY ALSO WISH TO IMMEDIATELY CONTACT THE OBJECTING PARTY IN A SEPARATE WRITING WITH A COPY TO THE COURT BEFORE YOU FILE THE FORMAL WRITTEN REQUEST FOR A HEARING AND RESPONSE TO THE OBJECTION IN ORDER TO ATTEMPT TO RESOLVE AND SETTLE THE CLAIM OBJECTION WITHOUT THE NEED FOR AN ATTORNEY AND/OR A COURT APPEARANCE.</p>

Motion Type	Default Statements Must Be Typed In Bold Print
§363 §363(b) §364 §365 §365(d)(4) §522 §523 §542 §544(c) §727 §1112 §1121(d) §1221 §1228(b) §1301 §1328(d) FRBP 1014(a) FRBP 2002(a)(3) - Bankruptcy FRBP 2002(a)(3) - Adversary FRBP 7024 FRBP 7055 Local Rule 2091-A(1)	<p>PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9014 AND THE STANDING ORDER ENTITLED, REVISION NO. 1 TO EXPANDED DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN TO INCLUDE MOTIONS AS INDEXED ON EXHIBIT A , DATED JUNE 29, 1999: IF YOU INTEND TO OPPOSE THE MOTION, YOU MUST SERVE THE APPROPRIATE PARTIES LISTED IN THE <u>PARTIES SERVED COLUMN</u> ON THE APPROPRIATE EXHIBIT, WHICH IN ALL CASES REQUIRES OPPOSITION AT A MINIMUM TO BE SERVED UPON THE MOVING PARTY AND ANY TRUSTEE IF THE TRUSTEE IS NOT THE MOVING PARTY, AND FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NOT LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION. PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9006 (a), SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS SHALL BE EXCLUDED FROM THE COMPUTATION OF THE THREE (3) DAY RESPONSE TIME. IN THE EVENT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD BEFORE THE COURT ON THE RETURN DATE, AND THE COURT WILL CONSIDER THE MOTION AS UNOPPOSED.</p>