

LBR 2002-1. NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

(a) Noticing of FRBP 2002(a) Matters. The Clerk of Court shall serve the notices required by FRBP 2002(a)(1), 2002(a)(7), and 2002(a)(8). If additional creditors are added by amendment after the commencement of the case, the attorney for the debtor shall give the notice that is required by FRBP 2002(a)(1), FRBP 2002(a)(7), 2002(f)(4), and 2002(f)(5) to any creditor added. The party filing any motion or application shall serve any other notice required by FRBP 2002(a).

(b) Noticing of FRBP 2002(b) Matters. The party filing any motion or application shall serve any notices required by FRBP 2002(b).

(c) Other Notices. The Clerk of Court shall serve the notices required by FRBP 2002(e), 2002(f)(1), 2002(f)(2), 2002(f)(3), 2002(f)(4), 2002(f)(5), 2002(f)(6), 2002(f)(7), 2002(f)(9), 2002(f)(10), 2002(f)(11), 2002(o), 3002(c)(5), 3004, 4007(c), 4007(d), 7054(b), 8004, and 9022(a). The party filing any motion or application shall serve any other notice required by FRBP 2002 that is not otherwise specified in this or other sub-parts of this Rule.

(d) Certificate of Service. The party filing any motion or application who is required by this Rule to serve notices shall, upon completion of the service required by this Rule, file a certificate of service with the Court.

(e) Service.

1. Whenever a pleading or other document is filed electronically, the electronic case filing system automatically generates a notice of electronic filing at the time of the docketing. Participants in the electronic case filing system, by possessing a login and password from the Court, agree to receive notice and service by electronic means through the notice of electronic filing for notices both from the Court and from other system participants, wherever located.

2. An attorney filing a pleading or other document electronically resulting in a notice of electronic filing shall be deemed to have served the notice on participants in the Court's system and such service shall be considered the equivalent of service of the pleading or other document by first class mail, postage pre-paid. This form of service applies only to

recipients of a notice of service who are registered participants in the electronic case filing system or have agreed in writing with the filer to accept such service in lieu of service by first class mail but shall not apply to service of a motion or a contested matter pursuant to FRBP 9014. The named respondent in a contested matter under FRBP 9014 must receive service by first class mail. If a debtor is the respondent to a motion or contested matter under FRBP 9014, the attorney for debtor can still receive service by electronic means. For all remaining recipients of service or notice, the filing attorney shall serve the pleading or the document upon those recipients in accordance with applicable bankruptcy rules.

3. The following language is recommended for the certificate of service:

"I hereby certify that the following parties have been served with the [designate the pleading or notice]. Those not served by electronic means by the Court's electronic filing system have been served [designate the alternative method of services used such as first class mail]:"

(f) Content of Notice. All notices except those notices served electronically pursuant to FRBP 9036 shall comply with the provisions of LBR 9004-1.

(g) Matters Requiring Expedited Hearing. When a party files a pleading and seeks to expedite its consideration by the Court, a separate motion for expedited hearing shall be filed contemporaneously with the affected pleading. The motion shall contain sufficient information on its face to permit the Court to determine the necessity for expedited treatment. All motions to expedite shall have a separate certification regarding the request for emergency hearing and a proposed order sent to the Court's electronic case filing system. The certificate shall substantially comply with the form certificate found in the Clerk's Instructions.

(h) Returned Notices. Notices from the Court as generated by and mailed out of the Bankruptcy Noticing Center including notice of any orders entered by the Court shall contain a return address for the attorney representing the debtor. If the debtor is pro se, the notices shall be returned to the Clerk of Court. If a notice is returned to debtor's attorney as undelivered, or the attorney is given notice by the Bankruptcy Noticing Center that a notice was returned to the Bankruptcy Noticing Center, the debtor's

attorney shall be responsible for determining the correct address for the addressee on each returned notice. The debtor's attorney shall re-serve the notice and file a certificate of such service. At the time of the certification, the debtor's attorney shall also provide the Clerk of Court with any corrected address. If corrected addresses are unavailable, counsel for debtor shall inform the Clerk by filing an appropriate certification, and the Clerk is then authorized to remove any incorrect address from the mailing list. If the debtor is pro se, the Clerk's office shall attempt to resolve any undelivered notices. If unable to locate a corrected address for a returned notice, the Clerk is authorized to remove any incorrect address from the mailing list.

(i) Undeliverable Notices. If a creditor address is provided to the Court, which cannot be mailed by the Bankruptcy Noticing Center, the debtor's attorney will be notified that the address is insufficient and the notice of the § 341(a) Meeting of Creditors for the particular creditor involved was undeliverable. The attorney shall immediately ascertain the correct address for such creditor and serve the notice of the § 341(a) Meeting of Creditors at the correct address. The attorney shall file a certification regarding service of such notices in a form specified in the Clerk's Instructions.