



MEMORANDUM

To: Bankruptcy Practitioners, Middle District of Georgia
From: Kyle George, Clerk of Court
Subject: Important Information for Bankruptcy Practitioners February 28, 2019

1. I have been asked to notify you of several changes regarding motion practice in the court and to remind practitioners of certain duties and responsibilities:

a. **“Motion to Assume Lease or Executory Contract”** has been placed on the court’s **“Negative Notice”** list and is available in Court Hearing Scheduler (CHS) with a 21-day notice period as of February 28, 2019. Please note that the notice form in Local Bankruptcy Rule 9004-1(c)(5)(B) is required for this motion.

b. **“Motion to Reject Lease or Executory Contract”** has been placed on the court’s **“Negative Notice”** list and is available in CHS with a 21-day notice period as of February 28, 2019. Please note that the notice form in Local Bankruptcy Rule 9004-1(c)(5)(B) is required for this motion.

c. **“Motion to Extend or Limit Exclusivity Period”** has been placed on the **“Hearing Required”** list and is available in CHS as of February 28, 2019. Please note that the notice form in Local Bankruptcy Rule 9004-1(c)(6) is required for this motion.

d. Attorneys are reminded of their duties under FRBP 7008: “In an adversary proceeding before a bankruptcy court, the complaint, counterclaim, cross-claim, or third-party complaint shall contain a statement that the pleader does or does not consent to entry of final orders or judgment by the bankruptcy court,” and under FRBP 7012(b): “A responsive pleading shall include a statement that the party does or does not consent to entry of final orders or judgment by the bankruptcy court.” Failure to comply with these requirements may result in the presiding judge requiring parties to file additional appropriate documents with the court to comply with federal rules.

Important Information for Bankruptcy Practitioners

February 28, 2019

Page 2

e. Attorneys are reminded that when a summons is requested, the court's address for the pre-trial conference (in the division where the pre-trial conference will be held) should be listed whether the pre-trial conference is a telephonic hearing or not. This ensures that any participant who does not desire to participate by telephone knows the physical address of the court.

f. In the December 2018 rule changes, one of the changes we made was the language in our LBR 3015-2 Rescheduled Confirmation Hearing Notice Form which changed the language regarding the response time (formerly "...within 21 days of service of this notice..." and changed to "...no later than 7 days before the date set for the rescheduled confirmation hearing noted below..."). Some attorneys have not complied with this new requirement. We ask that you review your notice forms to make sure you are in compliance with the form which can be found in LBR 3015-2(d)(2)(A).

2. If you have any comments or suggestions please contact me at Kyle_George@gamb.uscourts.gov. Your assistance in this matter is greatly appreciated.