



MEMORANDUM

To: Bankruptcy Practitioners, Middle District of Georgia
From: Kyle George, Clerk of Court
Subject: **CORRECTED** Proposed Amendments to Local Rules March 6, 2026

Subsequent to the issuance of the memorandum regarding Local Bankruptcy Rules 7041-1 and 9019-1, published on March 4, 2026, the Judges of the Court have decided to propose additional amendments to Local Bankruptcy Rule 9019-1 in an effort to improve its organization and clarity. Other than the provision referencing new Local Bankruptcy Rule 7041-1, the proposed amendments to Rule 9019-1 are not intended as substantive.

1. The Judges of the Court propose the addition of a new Local Bankruptcy Rule, to be titled “LBR 7041-1 Dismissing Adversary Proceedings.” The new local rule seeks to address the proper manner for dismissal of complaints objecting to discharge under § 727, including in connection with a proposed settlement. There is not a nationally recognized procedure for requesting such dismissals, and the Court believes adding a local rule on the subject would be a benefit to the bench and the bankruptcy bar.

2. The proposed new Local Bankruptcy Rule 7041-1 is as follows:

LBR 7041-1 Dismissing Adversary Proceedings

A complaint objecting to the discharge of the debtor under 11 U.S.C. § 727 shall be dismissed at the plaintiff’s request only by motion (and not by stipulation or notice). The motion shall:

- (a) detail the conditions of dismissal, including any consideration promised to the plaintiff;
- (b) be served upon all creditors and parties in interest in the bankruptcy case, and the Office of the United States Trustee; and
- (c) provide a twenty-one (21) day opportunity to object.

3. Because practitioners might also be inclined to review Local Bankruptcy Rule 9019-1 (Settlements and Agreed Orders Pursuant to FRBP 9019) when contemplating dismissal of an action, LBR 9019-1 will be amended to include reference to the new rule LBR 7041-1. This reference will be included in subsection (a) of LBR 9019-1:

LBR 9019-1. Settlements and Agreed Orders Pursuant to FRBP 9019 (redline version)

~~(a) Settlement. If all or part of an adversary proceeding has been compromised or settled, a motion to compromise shall be filed in the bankruptcy case, not in the adversary proceeding.~~

~~(b) Notice Required. Notices regarding motions to compromise or settle filed under FRBP 9019 a contested matter shall state the nature of the controversy and the terms of the compromise. The movant shall comply with LBR 9007-1 or 2002-1(e). No notice is required with respect to settlements of actions arising under 11 U.S.C. § 523(a), unless directed otherwise by the Court. The parties may move the Court to waive notice in other matters when appropriate. Motions to compromise or settle that include dismissal of a dismiss complaint objecting to discharge under 11 U.S.C. § 727 shall comply with LBR 7041-1, Dismissing Adversary Proceedings.~~

~~(c) Adversary Proceedings Order Approving Compromise. If all or part of an adversary proceeding has been compromised or settled, a motion to compromise shall be filed in the bankruptcy case, and not in the adversary proceeding. An order approving or denying a compromise or settlement shall be entered in the bankruptcy case and a separate disposition shall be entered in the adversary proceeding.~~

LBR 9019-1. Settlements and Agreed Orders Pursuant to FRBP 9019 (conformed version)

(a) Notice Required. Notices regarding motions to compromise or settle filed under FRBP 9019 shall state the nature of the controversy and the terms of the compromise. No notice is required with respect to settlements of actions arising under 11 U.S.C. § 523(a), unless directed otherwise by the Court. Motions to compromise or settle that include dismissal of a complaint objecting to discharge under 11 U.S.C. § 727 shall comply with LBR 7041-1, Dismissing Adversary Proceedings.

(b) Adversary Proceedings. If all or part of an adversary proceeding has been compromised or settled, a motion to compromise shall be filed in the bankruptcy case, and not in the adversary proceeding. An order approving or denying a compromise or settlement shall be entered in the bankruptcy case and a separate disposition shall be entered in the adversary proceeding.

4. If you have any questions or comments regarding the proposed new rule and amended rule, please provide comments to me no later than April 8, 2026 via email at kyle_george@gamb.uscourts.gov.