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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:	)	
	)	
ABROGATION OF LOCAL BANKRUPTCY RULE 2016-1 AND REVISION TO LOCAL BANKRUPTCY RULE 9022-1	)	GENERAL ORDER 04-02

Notice and opportunity for public comment having been given in accordance with Federal Rule of Bankruptcy Procedure 9029, and those comments received having been duly reviewed and considered by the Court,

IT IS HEREBY ORDERED that Local Bankruptcy Rule 2016-1, Compensation of Debtor-in-Possession (DIP), Officers and Insiders, is abrogated and Local Bankruptcy Rule 9022-1, Notice of Entry of Judgment Pursuant to FRBP 9022 is amended as set forth on the attachment hereto effective March 1, 2004.

IT IS SO ORDERED.

DATED: March 1, 2004

Michael S. McManus
Chief Bankruptcy Judge

Christopher M. Klein
Bankruptcy Judge

Jane Dickson McKeag
Bankruptcy Judge

Whitney Rimel
Bankruptcy Judge

Thomas C. Holman
Bankruptcy Judge

W. Richard Lee
Bankruptcy Judge

PROPOSED ABROGATION OF LOCAL RULE 2016-1

Compensation of Debtor-in-Possession (DIP), Officers and Insiders

[Abrogated].

Comment: *Any insider compensation issues in chapter 11 cases will be dealt with on a case-by-case basis, typically in connection with a status conference.*

PROPOSED REVISION TO LOCAL RULE 9022-1

Notice of Entry of Judgment Pursuant to FRBP 9022

(a) On Whom Notice Must Be Served. Unless otherwise ordered by the Court, the requirements of FRBP 9022 shall be satisfied by service of the notice of entry of judgment or of order on only those contesting parties who appeared in connection with the judgment or order. Appearances are defined in the Local Rules of Practice of the United States District Court for the Eastern District of California, Rules 83-182 and 83-183, which are made applicable to these rules pursuant to LBR 1001-1(c). Contested matters are governed by FRBP 9014.

(b) Procedure.

(1) When Proposed Judgment or Order is Lodged By a Party. Except in those circumstances where the clerk is required to provide notice by FRBP 2002(f) and except as provided by subsection (2) below, in all matters heard by the Court, the party lodging the judgment or order shall submit with it a Request for Clerk's Notice of Entry (EDC 3-965 for bankruptcy cases and EDC 3-966 for adversary proceedings) containing the names and mailing addresses of all parties to be served.

(2) When Judgment or Order is Prepared By the Court. In those instances where the Court has prepared the judgment or order, the clerk shall serve notice of entry on the parties who appeared in connection with the judgment or order pursuant to subsection (c) below, unless the Court otherwise directs.

(c) Method of Service.

The clerk shall serve notice of entry as follows:

(1) By sending the appropriate Bankruptcy Noticing Center (BNC) notice for service on parties who appeared in connection with the judgment or order.

(2) Unless the case is a chapter 9 municipality case, the clerk shall forthwith transmit to the United States Trustee a copy of the judgment or order.

Comment: *Federal Rule of Bankruptcy Procedure 9022 does not require the clerk's office to serve actual judgments/orders on parties other than the United*

States Trustee; rather, only a notice of entry is required to be served to satisfy the rule. This change will allow the clerk's office to streamline its operation and reduce costs by utilizing the Bankruptcy Noticing Center (BNC) to serve notices of entry of judgments/orders. Parties shall utilize EDC form 3-965 (Request for Clerk's Notice of Entry) for main bankruptcy cases and EDC 3-966 (Request for Clerk's Notice of Entry) for adversary proceedings and submit an original form for each request when the proposed judgment/order is lodged with the court.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re	)	Case No.
	)	
	)	DC No.
	)	
Debtor(s).	)	
	)	

REQUEST FOR CLERK'S NOTICE OF ENTRY

A proposed judgment/order entitled _____ was submitted on _____. Upon entry on docket, please prepare a notice of entry and, pursuant to Local Rule 9022-1(a), serve it by mail upon the following parties who appeared in connection with the judgment or order, at the addresses shown below.

DATED: _____

Do not submit this **Request for Clerk's Notice of Entry** form for: (1) Judgments/Orders on uncontested matters where only the movant appeared at the hearing, (2) Stipulations and Judgments/Orders, (3) Orders to Continue a Hearing, or (4) Orders relating to dismissal, discharge, conversion, or confirming plan in the main bankruptcy case.
EDC 3-965 (New 1/12/04)

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re	)	Case No.
	)	
	)	
	)	Adv. Pro. No.
Debtor(s).	)	
	)	
	)	DC No.
	)	
Plaintiff(s),	)	
vs.	)	
	)	**REQUEST FOR CLERK'S NOTICE OF ENTRY**
	)	
Defendant(s).	)	
	)	

A proposed judgment/order entitled _____ was submitted on _____. Upon entry on docket, please prepare a notice of entry and, pursuant to Local Rule 9022-1(a), serve it by mail upon the following parties who have appeared in connection with the judgment or order, at the addresses shown below.

DATED: _____

Do not submit this **Request for Clerk's Notice of Entry** form for: (1) Judgments/Orders on uncontested matters where only the movant appeared at the hearing, (2) Stipulations and Judgments/Orders, (3) Orders to Continue a Hearing, or (4) Orders relating to dismissal, discharge, conversion, or confirming plan in the main bankruptcy case.
EDC 3-966 (New 1/12/04)