

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

FILED
SEP -2 2022
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re

ORDER ADOPTING REVISIONS TO
LOCAL BANKRUPTCY RULES

General Order 22-03

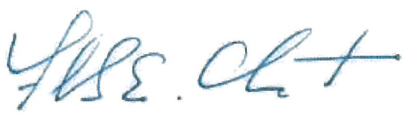
IT IS HEREBY ORDERED, that the Local Bankruptcy Rules of the United States Bankruptcy Court, Eastern District of California, be amended to include changes to LBR 7005-1, as reflected in the attached redlined version;

IT IS FURTHER ORDERED that the Official Certificate of Service Form, required by Local Rule 7005-1, is revised as reflected in the attached redlined version. The Official Certificate of Service Form is optional until November 1, 2022, unless the serving party intends to limit notice as specified in our local rules. As of November 1, 2022, use of the Official Certificate of Service Form will be mandatory for attorneys and trustees.

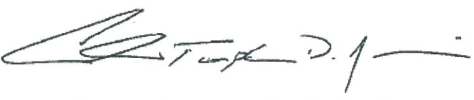
DATED: 09/01/2022




Ronald H. Sargis
Chief Bankruptcy Judge



Fredrick E. Clement
Bankruptcy Judge



Christopher D. Jaime
Bankruptcy Judge



René Lastreto II
Bankruptcy Judge



Honorable Jennifer E. Niemann
United States Bankruptcy Judge

LOCAL RULE 7005-1

Mandatory Certificate of Service Form for Use by Attorneys, Trustees, or Other Registered Electronic Filing System Users

The service of pleadings and other documents in adversary proceedings, contested matters in the bankruptcy case, and all other proceedings in the Eastern District of California Bankruptcy Court by either attorneys, trustees, or other Registered Electronic Filing System Users shall be documented using the Official Certificate of Service Form (Form EDC 007-005) adopted by this Court. In addition to other requirements stated on the Official Certificate of Service Form:

- (a) Unless service is on six or fewer parties in interest and a custom service list is used or the persons served are not on the Clerk of the Court's Matrix, the Certificate of Service Form shall have attached to it: ~~(1)~~ the Clerk of the Court's Official Matrix, as appropriate: (1) for the case or the adversary proceeding; (2) ~~the~~ list of ECF Registered Users; ~~and/or~~ (3) list of persons who have filed Requests for Special Notice; and/or (4) the list of Equity Security Holders as applicable.
- (b) For persons served electronically pursuant to their consent to such service (not ECF Registered User service by the Clerk of the Court), a copy of the written consent to such electronic service must be attached to the Certificate of Service.
- (c) When a Clerk's Office Matrix is attached to the Certificate of Service, for the persons not served by that method of service, the filer shall strike out the names of such persons not served by that method of service.
- (d) Where the Clerk's Matrix of Creditors is attached to the Certificate of Service form, such list shall be downloaded not more than 7 days prior to the date of filing servicing the pleadings and other documents and shall reflect the date of downloading. The serving party may download that matrix either in "pdf label format" or in "raw data format." Where the matrix attached is in "raw data format," signature on the Certificate of Service is the signor's representation that no changes, e.g., additions, deletions, modifications, of the data have been made except: (1) formatting of existing data; or (2) removing creditors from that list by the method described in paragraph (c) of this rule.

The Official Certificate of Service Form (Form EDC 007-005) may be found on the Court's Website using the Bankruptcy Forms, Forms and Publications link.

Attorney for:

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In re: Debtor(s)	<u>Bankruptcy Case No.:</u> <u>Docket Control Number:</u> <u>Hearing Information (if applicable):</u> Hearing Date: Hearing Time: Location: Judge:
v. Plaintiff(s) Defendant(s)	<u>Adversary Proceeding No. (if applicable):</u> <u>Docket Control Number:</u> <u>Hearing Information (if applicable):</u> Hearing Date: Hearing Time: Location: Judge:

CERTIFICATE OF SERVICE OF

I, the undersigned, certify and declare:

1. **Personal knowledge.** I am over the age of 18 years and not a party to the above-entitled case.
2. **Status.** I am an attorney of record in this case/adversary proceeding, **or** trustee, **or** my business/employer is _____ and my business address **or** mailing address if not a business is: _____
3. **About the Case/Proceeding.** (Check at least one type of case/proceeding and as many subheadings thereunder as applicable.)

<input type="checkbox"/> Chapter 7 case (indicate below if subject to limited noticing; check all that are applicable.)	<input type="checkbox"/> Chapter 12 or 13 case (indicate below if subject to limited noticing; check all that are applicable.)
<input type="checkbox"/> Rule 2002(h) Limited Noticing. Fed. R. Bankr. P. 2002(h); LBR 2002-3. (Check all that are applicable.)	<input type="checkbox"/> Rule 2002(h) Limited Noticing. This case is subject to limited noticing because at least 70 days have elapsed since the order for relief. Fed. R. Bankr. P. 2002(h); LBR 2002-3.7.
<input type="checkbox"/> One of the following applies: (1) This is a voluntary asset case and at least 70 days have elapsed since the order for relief; (2) This is an involuntary asset case and at least 90 days have elapsed since the order for relief; (3) This is a no asset case and at least 90 days have elapsed since the mailing of the notice of time for filing claims under Fed. R. Bankr. P. 3002(c)(5).	<input type="checkbox"/> Rule 3015(h) Limited Noticing (post-confirmation plan modification only). This case is subject to limited noticing because the debtor(s) has confirmed at least one plan and the modified plan filed herewith neither lengthens the term of, nor diminishes the dividend due general unsecured creditors, from the most recently confirmed plan. Fed. R. Bankr. P. 3015(h); LBR 3015-1(d)(3).
<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. Rule 2002(m). The order limiting service is docketed at ECF no. _____.	<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. 2002(m). The order limiting service is docketed at ECF no. _____.
<input type="checkbox"/> Chapter 9 case (indicate below if subject to limited noticing)	<input type="checkbox"/> Chapter 11 case (indicate below if subject to limited noticing)
<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. 2002(m). The order limiting service is docketed at ECF no. _____.	<input type="checkbox"/> This case is subject to limited noticing because one or more creditors/equity holders committees have been appointed. Fed. R. Bankr. P. 2002(i); LBR 2002-4.
	<input type="checkbox"/> This case is subject to an order limiting service. Fed. R. Bankr. P. 2002(m). The order limiting service is docketed at ECF no. _____.
<input type="checkbox"/> Chapter 15 case	<input type="checkbox"/> Adversary Proceeding

4. **About the Documents Served**
On _____, 20____, by the method(s) specified below, the following documents were served (list in space provided):

or those documents described in the list appended hereto and numbered **Attachment 4**.

5. **Who is Being Served**

Unless otherwise indicated below, all indicated parties below have received all documents described in Section 4.

<input type="checkbox"/> Debtor(s)	<input type="checkbox"/> All creditors and parties in interest
<input type="checkbox"/> Debtor's attorney(s)	<input type="checkbox"/> All creditors and parties in interest (Notice of Hearing only)
<input type="checkbox"/> Trustee	<input type="checkbox"/> Creditors that have filed claims
<input type="checkbox"/> U.S. Trustee	<input type="checkbox"/> Creditors that have filed claims (Notice of Hearing only)
<input type="checkbox"/> 20 largest creditors	<input type="checkbox"/> Administrative claimants
<input type="checkbox"/> Attorneys of record who have appeared in the Bankruptcy Case, the Adversary Proceeding, or contested matter.	<input type="checkbox"/> Creditors holding allowed secured claims
<input type="checkbox"/> Plaintiff(s)	<input type="checkbox"/> Creditors holding allowed priority unsecured claims
<input type="checkbox"/> Defendant(s)	<input type="checkbox"/> Creditors holding leases or executory contracts that have been assumed
<input type="checkbox"/> All committee members	<input type="checkbox"/> Persons who have filed a Request for Notice (see Attch.5)
<input type="checkbox"/> Attorney for committee members	<input type="checkbox"/> Other party(ies) in interest (see Attch.5)
<input type="checkbox"/> Equity security holders	

or those parties in interest described in the list appended hereto and numbered **Attachment 5**.

6. **How Service is Accomplished**

A. **Rule 7004 Service.** (Check at least one, if applicable.)

1. **First Class Mail**

Service was effected on those persons listed below on the attachment by placing a true and correct copy of the document(s) served in a sealed envelope, first class mail, postage prepaid in the United States Postal Service (or in a place designated by the law firm or trustee for outgoing mail prior to the last regular pick up of outgoing mailing for the day) for each of the persons listed below. Fed. R. Bankr. P. 7004(b); 7004(g). A list of the persons served, including their name/capacity to receive service, and address is appended hereto and numbered **Attachment 6A1**.

2. **Certified Mail**

Service was effected on those persons listed on the attachment by placing a true and correct copy of the document(s) served in a sealed envelope, certified mail, postage prepaid in the United States Postal Service (or in a place designated by the law firm or trustee for outgoing mail prior to the last regular pick up of outgoing mailing for the day) for each of the persons indicated below. Fed. R. Bankr. P. 7004(h). A list of the persons served, including their name/capacity to receive service, and address is appended hereto and numbered Attachment 6A2.

3. **Publication**

Service was effected by publication as ordered by the court and docketed at ECF no. _____. Fed. R. Bankr. P. 7004(c). Attestation(s) as to the manner and form of such publication is appended hereto and numbered Attachment 6A3.

B. **Rule 5 and Rules 7005, 9036 (when Rule 7004 service is not required) Service** (Check at least one, if applicable.)

1. **Electronic Service on Registered Users of the Court's Electronic Filing System.**

Service on those parties in interest, listed below, will be effected by filing those documents, listed above, with the Clerk of the Court. Fed. R. Bankr. P. 9036, 7005; Fed. R. Civ. P. 5(b). Electronic service on registered users of the electronic filing system is not permitted for pleadings or papers that must be served in accordance with Fed. R. Bankr. P. 7004. A copy of the Clerk's Electronic Service Matrix applicable to this case and/or adversary proceeding is appended hereto and numbered **Attachment 6B1**.

2. **U.S. Mail**

Service on those parties, listed below, was effected by placing a true and correct copy of the document(s) served in a sealed envelope, first class mail, postage prepaid in the United States Postal Service (or in a place designated by the law firm or trustee for outgoing mail prior to the last regular pick up of outgoing mailing for the day) for each of the persons indicated below. Fed. R. Civ. P. 5(b)(2)(c); FRBP Fed. R. Bankr. P. 9014.

Parties in Interest

- Clerk's Matrix of Creditors.** A copy of the matrix of creditors maintained by the Clerk of the Court as applicable to this case and/or adversary proceeding is appended hereto and numbered **Attachment 6B2**. Such list shall be downloaded not more than seven days prior to the date of filing of the pleadings and other documents and shall reflect the date of downloading. *~~WARNING: If "raw data format of the Clerk's Matrix of Creditors is Attachment 6B2, the signor of the Certificate of Service hereby swears that no changes to the matrix have been made except (1) formatting; and/or (2) "X" ing out of person not served. Such list shall be downloaded not more than seven days prior to the date of filing of the pleadings and other documents and shall reflect the date of downloading.~~*

- List Other Than the Clerk's Matrix of Creditors.** Where service by U.S. Mail is effected on six or fewer parties in interest, parties may (but need not) use a service list. A copy of the custom service list is appended hereto and numbered **Attachment 6B2**.

- Request for Special Notice List.** A copy of the Clerk of the Court's matrix of creditors who have filed a Request for Special Notice is appended hereto and numbered Attachment 6B3.

- Equity Holders List.** A copy of the Clerk of the Court's matrix of equity holders is appended hereto and numbered Attachment 6B4.

- Other Parties in Interest Checked in Section 5.** A list of the named and addresses of other parties in interest served (if checked in section 5 above) is appended hereto and numbered Attachment 6B5.

3. **Other Methods of Service**

Specify the means of delivery. Fed. R. Civ. P. 5 (b)(2) (A)-(F). A list of those persons so served and the addresses at which they are served is appended hereto and numbered **Attachment 6B36**.

I swear or certify under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20_____, at _____.

City

State

Print Name

Signature