

FOR YOUR INFORMATION:

We hope you find our new e-mail service to be an effective way to receive correspondence from our office. Depending on when your e-mail address was added to our E-mail Notification Service (ENS) list, you should have received a welcome notification and an e-mail regarding the creditor mailing matrix. Please review the following site if you did not receive the information regarding the creditor mailing matrix:

<http://www.ndb.uscourts.gov/ens/2004.Creditor.Matrix.pdf>

Attached to this e-mail correspondence, you will find three general orders entered on May 14, 2004 and effective June 1, 2004. The court has been reviewing its practices and procedures in preparation for CM/ECF. These general orders are the first of several orders or operating procedures that will be in place prior to our expected CM/ECF live date of July 1, 2004. A brief explanation of the orders follows:

- 1) Service of Notices and Petitions upon U.S. Agencies. - Order instructing the debtor or debtor's attorney to add agencies to mailing matrices depend on conditions and case chapter. Also instructs that only the original petition or amendments must be filed, no copies will be needed.
- 2) Scheduling of Hearings - A thorough review of the Bankruptcy Rules and Code was completed and this order further broadens the motion practice of this court that will have a notice of opportunity to object, prior to the scheduling of hearing. The attachment on common motion practice will be on our web site and will be updated as needed.
- 3) Amendment Filing Fees - Due to a recent determination, we can no longer waive the filing fee for amendments by local rule. Waiver can still be accomplishing by filing a motion for good cause shown. The amendment filing fee must be charged for any amendment to the debtor's schedules of creditors, lists of creditors, matrix or mailing list.

Please do not hesitate to contact our office at 701-297-7100, if you have any questions regarding these general orders.

Dianne G. Schmitz, Chief Deputy Clerk
U.S. Bankruptcy Court
District of North Dakota
dianne_schmitz@ndb.uscourts.gov

If you have any questions regarding this e-mail notification service or if you would like something about your subscription to this service changed, please contact the clerk's office via one of the following methods:

E-mail: webmaster@ndb.uscourts.gov

Phone: 701-297-7100
Fax: 701-297-7105

Mail: U.S. Bankruptcy Court Clerk's Office
Quentin N. Burdick United States Courthouse
655 1st Ave. N, Suite 210
Fargo, ND 58102-4932

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

Notice of Entry
Under F.R.B.P. 9022 (a)
FILED

IN RE:)
)
SERVICE OF NOTICES AND PETITIONS)
UPON U.S. AGENCIES)
_____)

MAY 21 2004

Clerk
U.S. Bankruptcy Court
District of North Dakota

GENERAL ORDER

Pursuant to a General Order entered on October 25, 1996, the clerk has been granted the authority to direct noticing responsibility pursuant to Federal Rule of Bankruptcy Procedure 2002.

Rule 2002(j) provides for the noticing requirements regarding the United States. For more effective case administration and in preparation for the implementation of Electronic Case Files (ECF), it is hereby ordered that the debtor or debtor's attorney shall add the United States attorney for this district (address below) to the creditor mailing matrix in any case where a debt to the United States is disclosed, other than for taxes.

United States Attorney's Office
655 1st Ave. N., Suite 250
Fargo, ND 58102-4932

Additionally, in a Chapter 11 bankruptcy case, the debtor or the debtor's attorney shall add the following agency addresses to the creditor mailing matrix:

Internal Revenue Service
P.O. Box 2461
Fargo, ND 58108-2461

Securities and Exchange Commission
175 W. Jackson Blvd, Suite 900
Chicago, IL 60604

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Based on the foregoing and in anticipation of ECF, it is further ordered that Local Rule 1002-1 is amended to state that only the original petition need be filed in conventionally or electronically filed cases and ordered that Local Rule 1002-1 is amended to state that only the original amendment need be filed in conventionally or electronically filed cases.

To afford parties ample time to implement this procedure, this general order will be effective July 12, 2004, and is entered pending promulgation of revised Local Rules of Bankruptcy Procedure for the District of North Dakota and supersedes any conflicting language in LR 1002-1 (Number of Copies of Petition) and LR 1009-1 (Amendments to *Bankruptcy Petitions, Schedules and Statements*).

Dated: May 21, 2004



WILLIAM A. HILL, JUDGE
U.S. BANKRUPTCY COURT

Federal Rule of Bankruptcy Procedure 1002
Federal Rule of Bankruptcy Procedure 2002
Local Rule 1002-1
Local Rule 1009-1
General Order of October 25, 1996

Comments: This order entered on May 14, 2004 was reissued on May 21, 2004 to correct an address and to change the effective date of the order to read July 12, 2004.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

IN RE:)
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SCHEDULING OF HEARINGS)
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Notice of Entry
Under F.R.B.P. 9022 (a)
FILED

MAY 14 2004

Clerk
U.S. Bankruptcy Court
District of North Dakota

GENERAL ORDER

Pending the promulgation of revised Local Rules for the U.S. Bankruptcy Court for the District of North Dakota, the court hereby orders the following pertaining to the scheduling of hearings:

Hearings will be scheduled by the clerk's office for the following matters:

- 1) Confirmation of Chapter 11, 12 or 13 Plan, (Chapter 13 debtor need not attend if uncontested);
- 2) Objection to Claim(s); and
- 3) Valuation hearings (Motion to be filed only after appraisals complete and agreement can not be accomplished)

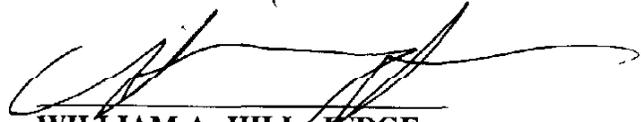
Hearings for other matters will be scheduled as needed following the deadline for objecting or otherwise responding to a motion or request for relief.

A list detailing the objection periods for common motion practice is attached to this general order and will be posted on the court's website and updated as necessary.

Applications, motions and objections not provided for in this list may be filed without notice. The clerk's office will contact the moving party with the appropriate scheduling procedure.

This general order is effective June 1, 2004, and is entered pending promulgation of revised Local Rules of Bankruptcy Procedures and supersedes any conflicting language in Local Rule 2002-1, 2002-2 and 2002-3.

Dated: May 14, 2004



**WILLIAM A. HILL, JUDGE
U.S. BANKRUPTCY COURT**

Relations to Rules

Federal Rule of Bankruptcy Procedure 2002

Local Rules of Bankruptcy Procedure, District of North Dakota 2002-1

Local Rules of Bankruptcy Procedure, District of North Dakota 2002-2

Local Rules of Bankruptcy Procedure, District of North Dakota 2002-3

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

COMMON MOTION/APPLICATION PRACTICE

Action	Notice of Opportunity to Object or Hearing Set (bold denotes a change from current practice)
These are the most common conversions	
Notice of Conversion (debtor) 12 and 13 to 7	Automatic
Debtor Motion to Convert 7 to any other chapter (no previous conversion)	Automatic
Motion to Convert by Creditor	20 day notice
Debtor Motion to Convert 7 to any other chapter (previous conversion)	20 day notice
Dismissal - Most common	
Motion to Dismiss - any party (except below)	20 day notice
Motion to Dismiss - Debtor - (12 or 13)	Automatic
Most Commons Motion/Applications	
Motion for Relief from Stay	15 day notice
Motions for Use, Sale, Lease, or Abandonment - any party	15 day notice
Objection to Exemptions	15 day notice
Objection to Claim	Schedule for Hearing
Motion for Lien Avoidance	15 day notice
Application for Compensation (under \$1000)	20 day limited notice
Application for Compensation (over \$1000)	No change - 20 day notice
Motion to Approve Settlement/Compromise	20 day notice
Motions to Compel Assumption/Rejection of Executory Contact	15 day notice
Motion for Turnover per 11 USC 543	15 day notice
Motion to Obtain Credit	15 day notice

Motion for Valuation	Motion filed after appraisals complete for both sides, hearing will be set upon filing of motion
Motion for Use of Cash Collateral	15 day notice
Plan Events	
Chapter 13 Confirmation	Schedule for hearing - debtors do not appear unless objection filed within 5 days prior to hearing.
Chapter 11 Plan	Schedule for hearing with 25 day objection period
Approval of Disclosure Statement	25 day notice
Chapter 12 Plan	Schedule for hearing with 20 day objection period
All modifications to Plans and Disclosure Statement	20 day notice

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

IN RE:)
)
AMENDMENT FILING FEES)
)
_____)

Notice of Entry
Under F.R.B.P. 9022 (a)
FILED

MAY 14 2004

Clerk
U.S. Bankruptcy Court
District of North Dakota

GENERAL ORDER

Traditionally, and most recently by Local Rule 1009-1, this court has waived the filing fee for all amendments to the petition, schedules and statements filed in all pending bankruptcy cases. The Administrative Office has recently clarified the requirements of the filing fee regarding amendments and has advised courts that the blanket waiver of all amendment filing fees is prohibited. Based on this clarification, Local Rule 1009-1 is hereby amended by to exclude the first sentence. An amendment filing fee must be included with any amendment to the debtor's schedules of creditors, lists of creditors, matrix or mailing list. No fee is required for a change of address of a creditor or an attorney for a creditor listed on the schedules; to add the name and address of an attorney for a listed creditor nor for amendments to the petition and statements.

Parties may move the court for waiver of this filing fee for good cause shown.

This general order is effective June 1, 2004 and is entered pending promulgation of revised Local Rules of Bankruptcy Procedures and supersedes any conflicting language in Local Rule 1009-1 (Amendments to Bankruptcy Petitions, Schedules and Statements).

Dated: May 14, 2004



**WILLIAM A. HILL, JUDGE
U.S. BANKRUPTCY COURT**

Relations to Rules
Federal Rule of Bankruptcy Procedure 1009
28 U.S.C. §1930
Local Rules of Bankruptcy Procedure, District of North Dakota 1009-1

AO 72A
(Rev. 8/82)

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