UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:	)	GENERAL ORDER
AMENDMENT TO LOCAL BANKRUPTCY RULE 9013-1	)	No. 09-01

Pursuant to the General Order of the United States District Court for the Eastern District of Washington dated March 6, 1996, FRBP 8018 and 9029, FRCP 83, and 28 U.S.C. § 2071, Local Bankruptcy Rule 9013-1(c)(1)(2) is amended as set out in the attachment hereto.

The amendment to the aforementioned local bankruptcy rule shall be effective as soon as practicable, and shall govern all pending matters, except to the extent, in the opinion of the Court, application of the change would not be feasible or would work an injustice, in which event the procedure set forth in the former shall apply.

DATED: 7-20-09

Frank L. Kurtz
Chief Bankruptcy Judge

Patricia C. Williams
Bankruptcy Judge

John A. Rossmeissl
Bankruptcy Judge

Rule 9013 - 1

Motions and Orders

(a) Adversary Proceeding

(1) If the moving party so elects, a motion in an adversary proceeding may be made after notice and hearing pursuant to LBR 2002-1. Notice need be given only to the parties to the adversary proceeding.

(2) If the election in paragraph (a)(1) is not made, a hearing date of a motion in an adversary proceeding shall be requested from the Court's website.

(b) Combining of Motions

(1) Motions may be combined with other motions, except motions to lift the automatic stay unless permitted by LBR 4001-1, motions to withdraw the reference, or motions to reopen cases.

(2) If motions are combined, each request shall be clearly identified in the caption and in the body of the pleading.

(3) If different objection periods or service or notice requirements are required for combined motions, the longest objection period and most complete service or notice shall be used for all the combined motions.

(4) Motions in adversary proceedings and bankruptcy cases shall not be combined.

(c) Proposed Orders

(1) ~~Request for Entry~~ ***Submission of Proposed Orders***

A party desiring that a proposed order be entered shall file *the proposed order with a cover sheet* on the prescribed form ~~a~~ *(*Request for Entry of Order, *Local Form 9013)*. ~~granting motion.~~

(2) ***Form***

~~All proposed orders submitted to the court for signature shall be by separate document, and~~ *T*he last page of *the proposed order* ~~which~~ shall be identified by case number and nature of document or contain some portion of the text~~. Proposed orders are not to be filed, but submitted in the manner and form designated by the Clerk.~~

(3) Orders Upon Stipulations

A party seeking approval of a stipulation shall:

(A) file the stipulation, accompanied by a motion to approve the stipulation or relate it to a previously filed motion;

(B) satisfy notice and hearing requirements as to any provision in the stipulation;

(C) not provide for the dismissal or conversion of a case without the need for a separate order; and

(D) obtain the endorsement of the Chapter 12 or 13 trustee as appropriate if any of the provisions of the stipulation affect the trustee's administration of the plan.

(4) Orders Prepared by the Court

Orders resulting from a hearing before the Court will be prepared by the Court unless otherwise directed by the Court.

(d) Memorandum of Authorities

(1) A party may, or when required by the Court shall, file in support of or in opposition to a motion or other request for an order of the Court, a brief written memorandum of reasons and a list of authorities on which the party relies. Such memorandum must be filed and served on the opposing party in accordance with LBR 5005-1(c).

(2) Citations to Washington cases in a memorandum of authorities shall be to the Washington Reports. Citations to cases from other states shall be to the National Reporter System. Citations to federal cases shall be to the United States Reports, Federal Reporter, or Federal Supplement. Citations to bankruptcy cases shall be to West's Bankruptcy Reporter, Collier's Bankruptcy Cases or Bankruptcy Court Decisions.

Related Provisions

FRBP 9013	Motions: Form and Service
FRBP 9014	Contested Matters
FRBP 9021	Entry of Judgment

LBR 2002-1	Notice to Creditors and Other Interested Parties
LBR 4001-1	Automatic Stay - Relief From
LBR 5010-1	Reopening Cases
LBR 5011-1	Withdrawal of Reference
LBR 6007-1	Abandonment