

Rule 1017-3

Conversion or Dismissal of Chapter 11 Cases

(a) Notice Requirement

A party in interest desiring that a Chapter 11 case be converted or dismissed pursuant to § 1112 (b) of the Code shall do so by motion and give twenty-one (21) days notice and hearing to the debtor or debtor in possession, the attorney for the debtor or the debtor in possession, the trustee if one is appointed, the United States trustee and the Master Mailing List (MML) in accordance with LBR 2002-1.

(b) Obtaining Hearing Date

- (1) Prior to filing the motion, the moving party shall obtain a hearing date and time pursuant to LBR 9073-1(a).
- (2) Failure to obtain a hearing date prior to the filing of the motion in accordance with (b)(1) above waives the requirement for a hearing within 30 days pursuant to § 1112 (b)(3) of the Code.

(c) Information Required in Motion and Notice

In addition to the information required by LBR 2002-1(a), the notice and motion shall also contain a detailed statement as to the cause that forms the basis of the motion and the time and place of the hearing of the motion.

Related Provisions

FRBP 1017 Dismissal or Conversion of Case; Suspension
FRBP 2002(a) Twenty-One Day Notices to Parties in Interest

LBR 1017-1 Conversion or Dismissal of Joint Cases
LBR 1017-2 Conversion of Chapter 11 Case to Chapter 12 or Chapter 13 Case
LBR 1017-4 Dividing of Joint Cases
LBR 2001-1 Notice to Creditors and Other Interested Parties
LBR 9073-1 Hearings

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AUGUST 1, 2011