

Rule 2002 - 1

Notice To Creditors & Other Interested Parties

(b) Service of Notice

(3) How Given

All notices shall be by mail where required unless electronic notice is authorized by FRBP 9036.

Note: This addition is suggested to clarify that where mailing of a notice is required by federal rule that notice may not be provided by electronic means unless authorized by FRBP 9036. FRBP 9036 provides that where the entity entitled to the notice has requested in writing electronic notice be sent in a specified type of electronic transmission. Some courts have provided in their implementation of ECF that entities using the ECF system be required to agree to accept as notice the so called “one free look” included as a part of ECF. This court has not made that a requirement of participating in the ECF program.

(4) Certification of Giving ~~Notification of Mailing~~ of Notice

Note: This change in the title of this sub-section is suggested as being more accurate since under some circumstances electronic notice is allowed as set out in FRBP 9036.

(d) Mailing Lists

(2) Notice in non-lead Consolidated or Joint Administration Cases

In order to be presumed appropriate notice given to the MML or LML of a non-lead case that was consolidated or where joint administration was ordered shall include, in addition to the names contained on the MLM or LML of the non-lead case, all entities that filed a request for notice in the lead case after the cases were consolidated or joint administration ordered.

Note: Where cases are consolidated or joint administration is ordered, one of the cases is designated as the “lead” case and from that time forwards, pleadings are only filed in the “lead” case. However, mailing lists are maintained separately in the cases. After the cases are either consolidated or joint administration is ordered, all pleading in any of the cases are filed in the “lead” case. A request for notice filed in the “lead” case will not automatically be added to the mailing list on a non-lead case, thus as party giving notice to the MML or LML of a non-lead case must add the names all entities who have requested notice.