UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:

PROCEDURES FOR
CHAPTER 11 CASES

:
:
:
:

GENERAL ORDER GOVERNING PROCEDURES FOR COMPLEX CHAPTER 11 CASES

UPON CONSIDERATION of the recommendations of the Chapter 11 Subcommittee of the Lawyers' Advisory Committee to the United States Bankruptcy Court for the District of New Jersey, the Court finds a need to implement policies and procedures to better serve the bench, bar and public in complex Chapter 11 cases, as hereinafter defined. Accordingly, by resolution of the Board of Judges of the United States Bankruptcy Court for the District of New Jersey

IT IS ORDERED that the following procedures shall be implemented in Complex Chapter 11 cases.

1. A "Complex Chapter 11 Case" is defined as a case pending in the District of New Jersey under Chapter 11 of the Bankruptcy Code that requires special scheduling and other procedures because of the existence of one or more of the following factors:

    a. The size of the case in terms of assets, liabilities or number of creditors and/or parties in interest;

    b. The fact that claims against the debtor and/or equity interests in the debtor are publicly traded; or

    c. The case, for reasons satisfactory to the Court, would be more efficiently administered as a Complex Chapter 11 Case.

2. If a party filing a Chapter 11 bankruptcy petition believes that the case should be classified as a Complex Chapter 11 Case, the party shall file with the Chapter 11 petition, an Application For Designation As Complex Chapter 11 Case in the standard form attached hereto as Exhibit A.

3. If a party submitting an Application For Designation As Complex Chapter 11 Case has matters requiring expedited consideration by the Court, it should simultaneously submit an Application For Expedited Consideration Of First Day Matters in the standard form attached hereto as Exhibit B in accordance with the *General Order Adopting Guidelines Governing First Day Matters*.

4. The Court shall proceed as follows:

    a. If the Court determines that the case does not qualify as a Complex Chapter 11 Case, issue an Order Denying Complex Chapter 11 Case Treatment in the standard order form attached hereto as Exhibit C; or

    b. If the Court determines that the case appears to be a Complex Chapter 11 Case, issue an Order Granting Complex Chapter 11 Case Treatment in the standard order form attached hereto as Exhibit D; and

    c. Issue an Order Regarding Application For Expedited Consideration Of The First Day Matters in the standard order form attached hereto as Exhibit E; and

    d. Immediately notify and serve counsel for the Debtor with the Order entered by the Court relating to the complex case treatment; and

    e. Immediately notify and serve counsel for the Debtor with the Order Regarding Application For Expedited Consideration Of First Day Matters.

5. Counsel for the debtor, upon receipt of the above-referenced orders, shall serve by telecopy, electronic transmission, hand delivery or overnight mail a copy of the Order Granting or Denying Complex Chapter 11 Case Treatment and/or Order Regarding Application For Expedited Consideration Of First Day Matters on all affected parties and the United States Trustee within one (1) business day.

6. In a Complex Chapter 11 Case, counsel for the debtor, at the hearing on First Day Matters, shall:

    a. Discuss with the Court, provisions regarding the entry of a proposed case management order in accordance with the instructions set forth in the Guidelines Establishing Case Management and Administrative Procedures For Cases

Designated As Complex Chapter 11 Cases, a copy of which is attached hereto as Exhibit F;

b. Submit within the time prescribed by the Court, a proposed case management order in accordance with said Guidelines; and

c. Show cause, if necessary, as set forth in the Guidelines as to why all motions, pleadings, memoranda of law or other documents to be filed with the Court in a Complex Chapter 11 Case, should not be filed electronically on the Courts' Case Management/Electronic Filing System ("CM/ECF").

7. The Court reserves the right to modify the provisions of this General Order to accommodate the needs of the Complex Chapter 11 Case before it.

8. The above referenced Exhibits/Standard Forms and Orders, may be revised by the Court at any time on an individual basis, without the need to further amend this General Order.

9. To the extent that the complex Chapter 11 procedures referenced herein conflict with the Court's Local Rules, these Procedures shall control for purposes of Complex Chapter 11 Cases.

IT IS FURTHER ORDERED that the procedures set forth herein for Complex Chapter 11 Cases shall apply to cases pending on the date of this Order.

Dated: March 31, 2003

Rosemary Gambardella

Hon. Rosemary Gambardella, Chief Judge
United States Bankruptcy Court
District of New Jersey

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:	:	
	:	*CHAPTER 11*
	:	*CASE NO.*
DEBTOR.	:	

APPLICATION FOR DESIGNATION AS
COMPLEX CHAPTER 11 CASE

This bankruptcy case was filed on _____, 200__. The undersigned party in interest believes that this case qualifies under the Court's General Order Authorizing Procedures For Complex Chapter 11 cases, dated, _____, as a complex Chapter 11 case because: **(check those items that are applicable)**

_____ The Debtor has total liabilities of more than $_____ million;

_____ The Debtor has total assets of more than $_____ million;

_____ There are more than _____ creditors in this case;

_____ Claims against the Debtor are publicly traded;

_____ Other: Substantial explanation is required. (Attach additional sheets if necessary.)

_____

_____

_____

_____

_____, 200__

_____
Name

_____
Address

_____
Telephone and Fax numbers

_____
E-mail Address

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:	:	
	:	*CHAPTER 11*
	:	*CASE NO.*
	:	
DEBTOR.	:	

APPLICATION FOR EXPEDITED CONSIDERATION OF FIRST DAY MATTERS

On _____, _____ filed a petition for relief under Chapter 11 of the Bankruptcy Code.

Counsel for the Debtor requests that the following relief be provided on a first day basis **(check those that apply)**:

1. ____ MOTION SEEKING THE JOINT ADMINISTRATION OF MULTIPLE DEBTOR BANKRUPTCY CASES.

2. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR AN EXTENSION OF TIME WITHIN WHICH TO FILE STATEMENTS AND SCHEDULES.

3. ____ MOTION FOR AN ORDER AUTHORIZING THE EMERGENCY OR INTERIM USE OF CASH COLLATERAL OR DEBTOR-IN-POSSESSION FINANCING PENDING THE NOTICING AND SCHEDULING OF AN INTERIM OR FINAL HEARING FOR FINANCING PURSUANT TO BANKRUPTCY CODE §§ 363 AND 364 AND FED. R. BANKR. P. 4001.

4. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO MAINTAIN EXISTING BANK ACCOUNTS AND BUSINESS FORMS AND CASH MANAGEMENT PROCEDURES PROVIDING THE UNITED STATES TRUSTEE'S OFFICE WITH A 60 DAY PERIOD TO OBJECT TO SAID ORDER BEFORE IT BECOMES A FINAL ORDER.

5. ____ MOTION FOR AN ORDER AUTHORIZING A DEBTOR TO MODIFY THE INVESTMENT GUIDELINES SET FORTH IN BANKRUPTCY CODE § 345 ON AN INTERIM BASIS, PROVIDING THE UNITED STATES TRUSTEE'S

OFFICE AND ANY OTHER PARTIES-IN-INTEREST A 60-DAY PERIOD TO OBJECT TO SAID ORDER BEFORE IT BECOME A FINAL ORDER.

6. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO PAY PRE-PETITION WAGES, SALARIES, COMPENSATION, EMPLOYEE BENEFITS AND REIMBURSABLE BUSINESS EXPENSES UP TO THE LIMITS SET FORTH IN BANKRUPTCY CODE § 507(a).

7. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO PAY PRE-PETITION SALES, USE, PAYROLL AND OTHER TAXES THAT ARE OTHERWISE PRIORITY CLAIMS UNDER BANKRUPTCY CODE § 507.

8. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO CONTINUE CREDIT CARD FACILITIES.

9. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO HONOR CERTAIN PRE-PETITION CUSTOMER OBLIGATIONS, DEPOSITS, REBATES, ETC.

10. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO CONTINUE WITH AND PAY PRE-PETITION OUTSTANDING AMOUNTS DUE ON VARIOUS INSURANCE POLICIES.

11. ____ MOTION FOR AN ORDER AUTHORIZING PAYMENT OF OUTSTANDING AND UNPAID PRE-PETITION DEBT TO CERTAIN VENDORS WHO PROVIDE CRITICAL AND NECESSARY SERVICES AND/OR PRODUCTS TO THE DEBTOR.

12. ____ MOTION FOR AN ORDER PURSUANT TO BANKRUPTCY CODE § 366 REGARDING ADEQUATE ASSURANCE FOR THE FUTURE PERFORMANCE FOR UTILITIES AND ESTABLISHING PROCEDURES FOR DETERMINING REQUESTS FOR ADDITIONAL ADEQUATE ASSURANCE.

13. ____ MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO RETAIN A CLAIMS AND NOTICING AGENT.

14. ____ MOTION FOR AN ORDER ESTABLISHING NOTICING PROCEDURES.

15. ____ *OTHERS [COUNSEL SHOULD ADD ALL OTHER MOTIONS FOR WHICH IT SEEKS CONSIDERATION AS A FIRST DAY MATTER.]*

_____, 200__

_____
Name

_____
Address

_____
Telephone and Fax numbers

_____
E-mail Address

NOTE: Each motion or application for which expedited consideration is requested shall be filed with the Clerk of the U.S. Bankruptcy Court For The District Of New Jersey and served upon the United States Trustee and all affected parties.

EXHIBIT C

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:	:	
	:	*CHAPTER 11*
	:	*CASE NO.*
	:	
DEBTOR.	:	

ORDER DENYING COMPLEX
CHAPTER 11 CASE TREATMENT

This bankruptcy case was filed on _____, 200__. An Application For Designation as Complex Chapter 11 Case was filed. After review of the initial pleadings filed in this case, the Court concludes that the case does not constitute a Complex Chapter 11 case. Therefore, the case will proceed under the local bankruptcy rules and procedures generally applicable to bankruptcy cases without entry of the designation as a complex chapter 11 case pursuant to the Court's *General Order Governing Procedures For Complex Chapter 11 Cases*.

IT IS ORDERED that the Application For Designation As Complex Chapter 11 Case is **HEREBY DENIED,** without prejudice.

Dated:_____

_____
United States Bankruptcy Judge
District of New Jersey

EXHIBIT D

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:	:	
	:	*CHAPTER 11*
	:	*CASE NO.*
	:	
DEBTOR.	:	

ORDER GRANTING COMPLEX
CHAPTER 11 CASE TREATMENT

This bankruptcy case was filed on _____, 200__. An Application For Designation as Complex Chapter 11 Case was filed. After review of the initial pleadings filed in this case, the Court concludes that this case constitutes a Complex Chapter 11 case.

IT IS ORDERED that the request set forth in the Application For Designation As Complex Chapter 11 Case pursuant to the Court's *General Order Governing Procedures For Complex Chapter 11 Cases* is **HEREBY GRANTED**; and

IT IS FURTHERED ORDERED that the *Guidelines Establishing Case Management And Administrative Procedures For Cases Designated As Complex Chapter 11 Cases* as set forth at Exhibit F to the Court's *General Order Governing Procedures For Complex Chapter 11 Cases* shall apply.

Dated:_____

_____
United States Bankruptcy Judge
District of New Jersey

EXHIBIT E

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:	:	
	:	*CHAPTER 11*
	:	*CASE NO.*
	:	
DEBTOR.	:	

ORDER REGARDING APPLICATION FOR EXPEDITED CONSIDERATION OF FIRST DAY MATTERS

This bankruptcy case was filed on _____, 200__. An Application For Expedited Consideration Of First Day Matters was filed. After review of the initial pleadings filed in this case which have been designated by counsel as requiring expedited consideration, and for good cause shown;

IT IS HEREBY ORDERED that the following motions are set down for hearing before The Honorable _____
in Courtroom # _____ located at _____
at the date and time as set forth below:

		Hearing Date and Time
1.	MOTION SEEKING THE JOINT ADMINISTRATION OF MULTIPLE DEBTOR BANKRUPTCY CASES.	_____**at**_____ **.M.**
2.	MOTION FOR AN ORDER AUTHORIZING THE DEBTOR AN EXTENSION OF TIME WITHIN WHICH TO FILE STATEMENTS AND SCHEDULES.	_____**at**_____ **.M.**

Hearing Date and Time

3. MOTION FOR AN ORDER AUTHORIZING THE EMERGENCY USE OF CASH COLLATERAL OR DEBTOR-IN-POSSESSION FINANCING PENDING THE NOTICING AND SCHEDULING OF AN INTERIM HEARING FOR FINANCING PURSUANT TO BANKRUPTCY CODE §§ 363 AND 364 AND FED. R. BANKR. P. 4001. _____**at**_____ **.M.**

4. MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO MAINTAIN EXISTING BANK ACCOUNTS AND BUSINESS FORMS AND } CASH MANAGEMENT PROCEDURES PROVIDING THE UNITED STATES TRUSTEE'S OFFICE WITH A 60 DAY PERIOD TO OBJECT TO SAID ORDER BEFORE IT BECOMES A FINAL ORDER. _____**at**_____ **.M.**

5. MOTION FOR AN ORDER AUTHORIZING A DEBTOR TO MODIFY THE INVESTMENT GUIDELINES SET FORTH IN BANKRUPTCY CODE § 345 ON AN INTERIM BASIS, PROVIDING THE UNITED STATES TRUSTEE'S OFFICE AND ANY OTHER PARTIES-IN-INTEREST A 60-DAY PERIOD TO OBJECT TO SAID ORDER BEFORE IT BECOME A FINAL ORDER. _____**at**_____ **.M.**

6. MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO PAY PRE-PETITION WAGES, SALARIES, COMPENSATION, EMPLOYEE BENEFITS AND REIMBURSABLE BUSINESS EXPENSES UP TO THE LIMITS SET FORTH IN BANKRUPTCY CODE § 507(a). _____**at**_____ **.M.**

7. MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO PAY PRE-PETITION SALES, USE, PAYROLL AND OTHER TAXES THAT ARE OTHERWISE PRIORITY CLAIMS UNDER BANKRUPTCY CODE § 507. _____**at**_____ **.M.**

8. MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO CONTINUE CREDIT CARD FACILITIES. _____**at**_____ **.M.**

		Hearing Date and Time
9.	MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO HONOR CERTAIN PRE-PETITION CUSTOMER OBLIGATIONS, DEPOSITS, REBATES, ETC.	_____**at**_____ **.M.**
10.	MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO CONTINUE WITH AND PAY PRE-PETITION OUTSTANDING AMOUNTS DUE ON VARIOUS INSURANCE POLICIES.	_____**at**_____ **.M.**
11.	MOTION FOR AN ORDER AUTHORIZING PAYMENT OF OUTSTANDING AND UNPAID PRE-PETITION DEBT TO CERTAIN VENDORS WHO PROVIDE CRITICAL AND NECESSARY SERVICES AND/OR PRODUCTS TO THE DEBTOR.	_____**at**_____ **.M.**
12.	MOTION FOR AN ORDER PURSUANT TO BANKRUPTCY CODE § 366 REGARDING ADEQUATE ASSURANCE FOR THE FUTURE PERFORMANCE FOR UTILITIES AND ESTABLISHING PROCEDURES FOR DETERMINING REQUESTS FOR ADDITIONAL ADEQUATE ASSURANCE.	_____**at**_____ **.M.**
13.	MOTION FOR AN ORDER AUTHORIZING THE DEBTOR TO RETAIN A CLAIMS AND NOTICING AGENT.	_____**at**_____ **.M.**
14.	MOTION FOR AN ORDER ESTABLISHING NOTICING PROCEDURES.	_____**at**_____ **.M.**
15.	***OTHERS [COUNSEL SHOULD ADD ALL OTHER MOTIONS FOR WHICH IT SEEKS CONSIDERATION AS FIRST DAY MATTERS AS SET FORTH IN THE UNDERLYING REQUEST.]***	_____**at**_____ **.M.**

IT IS FURTHER ORDERED, that Service of the within Order shall be made in accordance with the Court's *General Order Adopting Guidelines Governing First Day Matters*; and

IT IS FURTHER ORDERED, that objections and/or responses to First Day Matters, if any, shall be made in accordance with the Court's *General Order Adopting Guidelines Governing First Day Matters.*

Dated:_____

_____
United States Bankruptcy Judge
District of New Jersey

EXHIBIT F

GUIDELINES ESTABLISHING CASE MANAGEMENT AND ADMINISTRATIVE PROCEDURES FOR CASES DESIGNATED AS COMPLEX CHAPTER 11 CASES

After review of the initial pleadings filed in a case designated and approved as "complex" and the Court conducting its initial status conference at the hearing on First Day Matters, and for which the court concludes that the case is appropriate for the entry of a case management and administrative procedures order, the following guidelines as they relate to case management and administrative procedures may be requested by Debtor's counsel upon the submission of an "Order Establishing Case Management And Administrative Procedures For Cases Designated As Complex Chapter 11 Cases".

A. OMNIBUS HEARING DATES

1. The Court may conduct omnibus hearings on a weekly/bi-monthly/monthly basis as dictated by the circumstances of the case (the "Omnibus Hearing Dates").

2. Omnibus Hearing Dates will occur thereafter as may be scheduled by the Court. To the extent possible, all matters requiring a hearing in this case shall be set for and be heard on Omnibus Hearing Dates unless alternative hearing dates are approved by the Court for good cause shown.

B. EXPEDITED HEARINGS

3. If a party in interest has an emergency or other situation that it believes requires consideration on less than the 20-days notice as required by D.N.J.LBR 9013-1(c), the moving party should file and serve, a separate written application requesting shortened time and expedited hearing in respect of the underlying motion in the form provided at D.N.J.LBR 9013-1(e).

4. The Court will rule on the request for shortened time within twenty-four (24) hours of the time it is presented. If the court grants the motion for expedited hearing, the underlying motion will be set at the next available omnibus hearing date or at some other appropriate shortened date approved by the Court.

5. Requests for expedited hearings will only be granted under emergency or exigent circumstances.

6. This section does not apply to matters filed under an Application For Expedited Consideration Of First Day Matters and all parties are directed to consult the *General Order Adopting Guidelines Governing First Day Matters*.

C. COMPLIANCE WITH TERMS OF ORDER ESTABLISHING CASE MANAGEMENT AND ADMINISTRATIVE PROCEDURES

7. If any person makes any filing in contravention of the omnibus dates process established pursuant to a particular chapter 11 case Order Establishing Case Management and Administrative Procedures entered by the Court by, among other things, setting a hearing on such filing for a date and time other than an omnibus hearing date without an order from this Court authorizing such hearing for cause, the Debtor's counsel shall forward a copy of the Order Establishing Case Management And Administrative Procedures to such person within three (3) business days of the receipt of such filing. If such filing is filed at least twenty (20) days from the next Omnibus Hearing Date, then the hearing with respect to such filing shall be deemed to be on such omnibus hearing date. If such filing is less than twenty (20) days prior to the next omnibus hearing date then the hearing with respect to such filing shall be the next omnibus hearing date thereafter. The movant must provide notice of the corrected hearing date to all affected parties and thereafter file a certificate of service regarding the notice.

D. NOTICING PROCEDURES

8. All filings in this case, unless otherwise ordered by the Court, shall be served upon the following entities constituting the "Core Service List":

(a) The Debtor(s);

(b) The Debtor's counsel;

(c) The Newark office of the United States Trustee for Region III;

(d) The chairperson of any official committees established pursuant to section 1102 of the Bankruptcy Code;

(e) Counsel retained by any official committees established pursuant to Section 1102 of the Bankruptcy Code, or twenty (20) largest creditors if an official committee has not been appointed;

(f) Counsel to secured creditors; and

(g) Any other person, entity as authorized by the Court.

9. Debtor's counsel or counsel to the trustee, if one is appointed, must maintain and update the Core Service List at least every fifteen (15) days during the first sixty (60) days of the case and at least every thirty (30) days thereafter. Further, Debtor's counsel must file a Core Service List with the Court every time it is updated.

10. Debtor's counsel or counsel to the trustee shall also maintain and update a master service list (the "Master Service List") which shall be comprised of the Core Service List and the parties that have filed a notice of appearance and request for notices in the Debtor's case. Service on the persons/entities listed on the Master Service List shall be made only with respect to those matters enumerated in the Order Establishing Case Management And Administrative Procedures. Debtor's counsel must update the Master Service List at least every fifteen (15) days during the first sixty (60) days of the case and at least every thirty (30) days thereafter. Further, Debtor's counsel must file the Master Service List with the Court each time it is updated.

11. The certificate of service for each filing must be filed with the Court together with the complete service list that was utilized and served for a particular filing but said certificate of service is not to be served via hard copy on the recipients of the filing.

12. Whether filed conventionally or electronically, summons and complaints or the initiating motion in a contested matter shall be served in hard copy format pursuant to Fed. R.Bankr.P. 7004, upon all parties having a particularized interest in the subject of the filings or motions and parties listed on the Core Service List.

13. All notices required by subdivisions (a)(2), (3) and (6) of Fed. R.Bankr.P. 2002 and by Fed. R.Bankr.P. 4001 shall be served upon:

(a) Each entity designated on the Core Service List; and

(b) When the notice is of a proposed use, sale, lease or abandonment of property or of a hearing thereon, each entity designated on the most recent Master Service List and each entity having an interest in the property; and

(c) When the notice relates to relief from the stay in order to take action against property of the Debtor's Estate, each entity having a lien, encumbrance or interest in the subject property; and

(d) When the notice relates to use of cash collateral or obtaining credit, each entity who has an interest in the cash collateral or each entity who has a lien or other interest in property on which a lien is proposed to be granted; and

(e) When the notice is of a proposed compromise or settlement or of a hearing thereon, each entity designated on the most recent Master Service List and each entity who is a party to the compromise or settlement; and

(f) When the notice is of an application for compensation or reimbursement of expenses or of a hearing thereon, each entity designated on the most recent Master Service List and each professional person who is seeking compensation or

reimbursement whose retention in these cases is authorized by the Court.

E. NEGATIVE NOTICING PROCEDURES

14. Subject to the Court's discretion, the Court may approve notice procedures which provide that if no objections are timely filed and served by a deadline set in accordance with the Federal Rules of Bankruptcy Procedure and/or the Order Establishing Case Management And Administrative Procedures and/or the District of New Jersey Local Bankruptcy Rules, the Court may enter an order granting the relief requested without further notice or a hearing ("Negative Notice"). The notice of motion accompanying such motion must specifically advise parties of the objection deadline, and must also inform the recipient that if no objections are filed and served, the Court may enter an order granting the motion without further notice or hearing.

15. "Negative Notice" may be used in connection with motions including, but not limited to, matters requesting the following relief:

(a) Rejection of a non-residential real property lease or executory contract pursuant to 11 U.S.C. § 365;

(b) Retention and employment of professional pursuant to 11 U.S.C. § 327, 328 and 330 and 28 U.S.C. § 156(o);

(c) Extension of deadline to seek removal action pursuant to Federal Rules of Bankruptcy Procedures 9027;

(d) Sales of assets outside the ordinary course of business pursuant to 11 U.S.C. § 363 with a purchase price set on a case by case basis;

(e) Approval of settlements and compromises pursuant to Federal Rules of Bankruptcy Procedures 9019 of claims where the settled amount of the claim does not exceed an amount set on a case by case basis; and

(f) Nothing contained herein shall be construed to limit a party in interest's ability to request that the court approve the use of Negative Notice procedures in connection with motions not specifically identified above.

16. If an objection is timely filed and served, a hearing will be scheduled for the next omnibus hearing date unless otherwise ordered by the Court.

F. CERTIFICATION OF NO OBJECTION

17. After the objection date has passed with no objection having been filed or served, counsel for the movant may file a Certification Of No Objection substantially in the form

as it appears on the annexed Schedule "1" stating that no objection has been filed or served on the movant.

18. By filing such certifications, counsel for the movant is representing to the Court that the movant is unaware of any objection to the motion or application and that counsel has reviewed the Court's docket and no objection appears thereon.

19. Upon receipt of the Certification Of No Objection, the Court may enter the Order accompanying the motion or application without further pleading or hearing and, once the Order is entered, the hearing scheduled on the motion or application shall be cancelled without further notice.

G. NOTICE OF AGENDA

20. Subject to the Court's discretion, in a case that has been designated as complex and if the Court has authorized a Notice of Agenda to be utilized, debtor's counsel or counsel to the trustee, if one is appointed shall maintain file and serve a Notice of Agenda for each hearing held in the case in conformity with the proposed form annexed hereto as Schedule "2" and the guidelines set forth below (G 21-G 28) unless modified or otherwise directed by the Court to the contrary.

21. Counsel (as described above in section "G 20") shall file a proposed Notice of Agenda before 12:00 Noon on the day that is two (2) business days before the date of the omnibus hearing.

22. Resolved or continued matters shall be listed ahead of unresolved matters on the Notice of Agenda. Contested matters shall be listed in the order of docketing with corresponding docket number.

23. All amended Notices of Agenda shall list matters as listed in the original Notice of Agenda with all edits and additional information being listed in **boldface type**.

24. Copies of the Notice of Agenda shall be served upon local counsel who have entered an appearance in the case, as well as all other counsel with a direct interest in any matter on the Notice of Agenda and the United States Trustee simultaneously with the filing of the Notice of Agenda with the Court.

25. For each motion and/or application the Notice of Agenda shall indicate the movant and/or the applicant, the nature of the motion and the docket number. Supporting papers of the movant/applicant shall be similarly denoted.

26. For each motion/application the Notice of Agenda shall indicate the objection deadline and any objection filed and its docket number, if available.

27. For each motion/application the Notice of Agenda shall indicate whether the matter is going forward, whether a continuance is requested (and any opposition to the continuance if known), whether any or all of the objections have been resolved and any other pertinent status information.

28. When an adversary proceeding is scheduled the Notice of Agenda shall indicate the adversary proceeding number and the corresponding docket number for pleadings filed in the adversary proceeding on the Notice of Agenda, in addition to the information regularly required in a Notice of Agenda.

H. *PRO HAC VICE* APPLICATIONS

29. Application by non-resident attorneys for permission to practice before the Court in this case, *pro hac vice*, may not be set for hearing unless the Court requires otherwise. These applications may be GRANTED by the Court unless objections are promptly filed thereto. *Pro hac vice* applications must be served upon each entity designated on the Core Service List.

30. The Court will require parties to obtain local counsel in accordance with the District Of New Jersey Local District Court Rules And Local Bankruptcy Rules.

I. ELECTRONIC FILING PROCEDURES

31. Pursuant to this Court's *General Order Authorizing Administrative Procedures For The Electronic Filing, Signing And Verification Of Documents,* dated March 27, 2002, except with regard to documents which may be filed under seal, unless good cause can be demonstrated and established to the contrary at the return date on the hearing(s) of the First Day Matters, all motions, pleadings, memoranda of law or other documents to be filed with the Court in a Complex Chapter 11 Case shall be electronically filed on the Court's Electronic Filing System.

32. Notwithstanding the above, the Office of the United States Trustee for Region III—New Jersey Office requires service upon it of the following documents in hard copy format regardless of whether the United States Trustee's Office receives same electronically:

a. Petition;
b. Schedules and Statement Of Financial Affairs;
c. Chapter 11 plan and Disclosure Statement;
d. Fee applications;
e. All First Day Matters and supporting pleadings and documents thereto; and
f. Monthly Operating Reports.

J. MAILING MATRIX

33. A mailing matrix submitted electronically shall be prepared in accordance with D.N.J. LBR 1007-2.

K. OTHER ADMINISTRATIVE ISSUES

34. Any party may at anytime apply for reconsideration or modification of the Order Establishing Case Management And Administrative Procedures. Service of said motion shall be made to all persons/entities on the Master Service List. The court may amend the Order Establishing Case Management And Administrative Procedure from time to time as is necessary.

SCHEDULE "1"

"PROPOSED FORM OF CERTIFICATION OF NO OBJECTION

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In Re:	:	
,	:	
	:	Chapter 11
Debtor.	:	
	:	Bankruptcy Case No. ( )

CERTIFICATION OF NO OBJECTION
REGARDING [*INSERT TITLE OF MOTION*]
DOCKET NO. _____

The undersigned hereby certifies that, as of [insert date], [insert attorney's name] has received no answer, objection or other responsive pleading to [insert name of motion/application] [Docket No. _____] filed on [insert date of filing]. The undersigned further certifies that I have reviewed the Court's docket in this case and no answer, objection or other responsive pleading to the [insert title of motion/application] appears thereon. Pursuant to Notice of [insert title of motion/application], objections to the [insert title of motion/application] were to be filed and served no later than [insert objection date].

It is hereby respectfully requested that the Order attached to the [insert title of motion/application] be entered at the earliest convenience of the Court.

Dated:

Law Firm
Counsel to [ ]

By:_____
Name of Attorney

SCHEDULE "2"

"PROPOSED FORM OF NOTICE OF AGENDA"

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In Re:	:	
,	:	
	:	Chapter 11
Debtor.	:	
	:	Bankruptcy Case No. ( )

NOTICE OF AGENDA OF MATTERS
SCHEDULED ON _____, 200__@ __.M.

CONTINUED MATTERS

1. Title of Motion [Docket #]

   - Response Deadline:
   - Response (s) Received:
   - Related Documents:
   - Status: (Practice Note For Bar – state the continued hearing date, if known or date needs to be determined)

UNCONTESTED MATTERS

2. Title of Motion [Docket #]

   - Response Deadline:
   - Response(s) Received:
   - Related Documents:
   - Status: (Practice Note For Bar – state no objections leave been received and a Certification Of No Objection has or will be filled.)

PRETRIAL CONFERENCES

3. Pretrial Conference on Complaint Re: [Caption of Adversary] Adversary Pro. No. ( )

- Related Documents:
- Adversary Complaint of _____ [Docket No._____]
- Response/Answer Deadline:
- Response(s) Received:
- Scheduling Order:
- Status: (Practice Note For Bar – state whether first pre-trial conference; whether parties are discussing settlement; discovery ongoing; need for mediation; need for settlement conference, etc.)

CONTESTED MATTERS

4. Title of Motion [Docket #]

- Response Deadline:
- Response(s) Received:
- Related Documents:
- Status: (The matter is going forward, Practice Note For Bar: If the parties are still negotiating please also state this development to the court)

CONTESTED MATTER –EVIDENTIARY HEARING REQUIRED

5. Title of Motion [Docket #]

- Response Deadline:
- Response(s) Received:
- Related Documents:
- Status: (Practice Note For Bar – state number witnesses to testify and estimated time needed.)

FEE APPLICATIONS

- Title of Fee Application [Docket #]
- Response Deadline:
- Response(s) Received:
- Related Documents:
- Status

Date:

_____
Signature

IMPORTANT NOTES TO NOTICE OF AGENDA

*Number agenda matters consecutively. Therefore, do not start with number 1 at each new section.

*Include docket numbers for any pleadings referenced on Notice of Agenda.

*List response(s)/objection(s) in order they appear on the docket.

*Amended Notices of Agenda should have new material in **bold** only. There is no need to italicize, underline, or blackline. DO NOT REARRANGE the numbering of the Notice of Agenda when and if submitting an amended Notice of Agenda.

*Double check the updated docket before filing a Notice of Agenda to be sure you have included all docket numbers on pleadings listed. If for some reason a pleading is not docketed please note TBD and state date when pleading filed with the court.