

Bankruptcy Bugle



AUGUST 2011

NEWSLETTER

Inside this issue:

| | |
|--------------------------------|---|
| Matters on Calendar | 1 |
| Obtaining Hearing Dates | 1 |
| SNABA | 2 |
| Adversary/Discovery Procedures | 2 |
| Calendar Reminders | 2 |
| Address Change Information | 3 |
| Opening a New Petition | 4 |

SETTLED OR CONTINUED MATTERS

E-filers are reminded that you are under duty to promptly notify the court of any settlements or continuance requests for all matters calendared for hearing. All matters will remain on calendar unless a continuance is ordered by the court prior to the hearing.

HEARING DATES AND TIMES

To obtain a hearing date, visit our website at:

<http://www.nvb.uscourts.gov/calendars/hearing-request-form/>.

The **Self-Calendaring** prompt is specifically for matters to: AVOID LIEN; LOAN MODIFICATION; RELIEF FROM AUTOMATIC STAY; VALUE COLLATERAL. Fill out the information fields to obtain your date. For all other matters, i.e motions to convert; compensation; employ, choose **Request a Hearing Date** and fill out the form with the information required in the fields provided. Your request will be processed and you will be notified via e-mail of the date and time assigned for your motion.

Please note that if you incorrectly calendar a motion, your matter will be taken off calendar.

CD'S AND TRANSCRIPTS

341 hearing transcripts are available through the Trustee/US Trustee's office only. To order a CD of a hearing through the Bankruptcy Court, please allow 24 hours for turnaround. Note: the Judge's initials must be on the transcript order form or your request will not be processed.

BANKRUPTCY COURT CONTACT NUMBERS

LAS VEGAS CLERK'S OFFICE: (702) 527-7000
RENO CLERK'S OFFICE: (775) 326-2100
CM/ECF HELP DESK: (866) 232-1266



Frequently called numbers and e-mail addresses are listed on the court's website under Court Information:

<http://www.nvb.uscourts.gov/about-the-court/contact-information/>

BANKRUPTCY BUGLE

SNABA

SOUTHERN NEVADA ASSOCIATION OF BANKRUPTCY ATTORNEYS

Augie Landis, of the United States Trustee's office will be the guest speaker for the next luncheon on **August 25, 2011, at the Pullman Grill at Main Street Station, from 11:30 AM to 1:00 PM.**

Another roundtable is being organized for late September. It will be a 3-part series on individual chapter 11's. More details will be posted in the next issue of the Bugle.

Bankruptcy Attorneys: If you are not on the e-mail list for SNABA you may sign up at snaba@fritzlawyers.com you will be added to the list. It is FREE to join SNABA! Your participation is welcome at their luncheon meetings, roundtables and events.

ADVERSARY/DISCOVERY PROCEEDING PROCEDURES

Meet and Confer Immediately After Answer. Within thirty (30) days after the first defendant has answered or otherwise appeared, the parties must meet and confer as required by Fed.R.Bankr.P.7026 and Local Rule 7026. No later than 14 days after the initial meeting, the parties must complete and submit a discovery plan or, if applicable, file a request for waiver.

Motions. All motions to amend the pleadings pursuant to Fed.R.Bankr.P.7015 and/or to join parties pursuant to Fed.Bankr.P.7019 must be filed in time to be heard no later than the close of discovery. If an amendment or joinder is allowed, and unless the court orders otherwise, discovery will be extended for an additional 45 days from the original date for the close of discovery. This type of an extension is for the limited purpose of conducting discovery only with respect to the amendment or joinder.

Discovery. Unless the parties otherwise agree, and the court approves that agreement, all Discovery must be completed no later than 120 days after the answer is filed or after the first appearance by the first defendant, et al.



COURT CALENDAR REMINDERS

Chapter 11 Plan hearings that are continued or set by the court cannot be taken off calendar by filing a Notice to Vacate/Withdraw. Appearance is required.

If Oppositions, Replies or Responses are filed on a motion that is on calendar and a withdrawal is filed, your appearance may be required. For further verification and requirements, please contact the courtroom deputy for the assigned Judge.

Chapter 13 Loan Modifications, please refer to Administrative Order 2010-03 for 10 day noticing requirements.

On cases that have been reassigned, be sure to change the Judge's initials to the new Judge to avoid delays in processing e-orders and other e-filed documents, as well as courtesy copy routing.

BANKRUPTCY BUGLE



COURTESY COPIES

Local Rule 9014(e)(2) requires paper courtesy copies on matters with a hearing date and time. Courtesy copies are required to be filed within 2 business days of the electronic filing. If you mail your courtesy copies to the Court, please address them to the Clerk of the Court (as courtesy copies), and not directly to the assigned Judge. The Clerk's office will distribute the courtesy copies to the appropriate parties.

PASSWORDS AND LOGINS

The login assigned by the court to an individual represents one way you sign your document. You have agreed to be responsible for anyone who uses that login. This also includes financial responsibility. That is why it is so important to change your passwords often! CM/ECF passwords should be changed on a regular basis and should always be changed when you have staff turnover.

To change your password, go to

**UTILITIES > YOUR ACCOUNT >
MAINTAIN YOUR ECF ACCOUNT >
MORE USER INFORMATION.**

Delete your old password and re-type your new password. Return to Account Screen, then click on "submit" to complete the process.



BUGLE MANIA!

Get your Bankruptcy Bugle
HOT-OFF-THE-PRESS!

Be the first in town to **READ
ALL ABOUT IT!**

If you want to be one of those "In-The-Know" Bugle Fans you can sign up to receive your Bugle via e-mail right from the Court! Just drop us a line at:

HelpDesk@nvb.uscourts.gov

Give us your current e-mail address and we'll do the rest!



ADDRESS INFORMATION

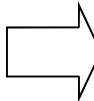
There are two steps to change the **attorney's** address in ECF. First, docket a Change of Address in all open and closed cases (Local Rule 5005 (d)) by following these steps: **Bankruptcy > Miscellaneous > Change of Address**, attaching the PDF as prompted. Second, update your ECF User Account by following these steps: **Utilities > Maintain Your ECF Account**, update the attorney information on that screen. When finished updating, click on Submit and follow the docket prompts until the Transaction Successful message appears.

To change or add a **creditor's** address in a bankruptcy case, docket a Change of Address (for creditors) following the same steps listed above. Then add the new address to the creditor's list of that bankruptcy case following these steps: **Bankruptcy > Creditor Maintenance**, choose *Enter Individual Creditors*.

BANKRUPTCY BUGLE

STEPS TO MANUALLY OPEN A VOLUNTARY PETITION

(Note: Steps 2-6 should be done immediately after opening.)

- 1 Upload **VOLUNTARY PETITION**
- 2 Upload **MATRIX**
- 3 Docket **JUDGE/
TRUSTEE
ASSIGNMENT** 
- 4 Docket **STATEMENT OF
SOCIAL SECURITY**
- 5 Docket **DECLARATION OF
ELECTRONIC FILING**
- 6 Docket **MEANS TEST
(Individuals Only)**
- 7 Docket **CERTIFICATE OF
CREDIT COUNSELING
(Individuals Only)**
- 8 Docket **CHAPTER 13 Plan
(if Applicable)**

ALL Chapter 13 and 11 cases are opened as **ASSET** cases.

VOLUNTARY PETITION

Official Form B1, known as a "Voluntary Petition" must be filed by a debtor to begin a bankruptcy case.

JUDGE/TRUSTEE ASSIGNMENT

THIS IS A VERY IMPORTANT STEP in opening a new petition.

It is a crucial part of case opening, and will ensure that you receive your 341 notice immediately.

The file size limits of PDFs in ECF have increased from 3 MB to 4 MB.

Past issues of the **BANKRUPTCY BUGLE** make excellent reference materials for docketing tips and procedures. You may access past issues by clicking on the link below.

<http://www.nvb.uscourts.gov/electronic-case-filing/bugle-newsletter/>

