

FILED AND ENTERED
ON DOCKET
UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re
AMERCO, a Nevada corporation
Debtor.

Case No. 03-52103⁰³ JUN 20 P5:00

In Proceedings Under Chapter 11
Chief Judge Gregg W. Zive

ORDER UNDER 11 U.S.C. §§ 102 AND
105(a), BANKRUPTCY RULE 2002(m)
AND 9007, AND LOCAL
BANKRUPTCY RULE 2002
ESTABLISHING OMNIBUS HEARING
DATES AND CERTAIN NOTICE,
CASE MANAGEMENT AND
ADMINISTRATIVE PROCEDURES

Date of Hearing: June 20, 2003
Time of Hearing: 3:00 p.m. P.D.T.

Upon the motion, dated June 20, 2003 (the "**Motion**"), of the above-captioned debtor and debtor-in-possession (the "**Debtor**"), for entry of an order under 11 U.S.C. §§ 102(1) and 105(a), Rules 2002(m) and 9007 of the Federal Rules of Bankruptcy Procedure, and Rule 2002 of the Local Bankruptcy Rules: establishing omnibus hearing dates and certain notice, case management, and administrative procedures in the Debtor's chapter 11 case; and upon the "Declaration of Andrew A. Stevens in Support of Chapter 11 Petition and First Day Motions," this Court finds that: (i) it has jurisdiction over the matters raised in the Motion under 28 U.S.C. §§ 157 and 1334; (ii) venue of this matter is proper under 28 U.S.C. §§ 1408 and 1409; (iii) this matter is a core proceeding under 28 U.S.C. § 157(b)(2); (iv) the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors, and other parties-in-interest; (v) adequate and proper notice of the Motion and the hearing thereon has been given and that, given the nature of the relief requested, no other or further notice is

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necessary; and (vi) good and sufficient cause exists for the granting of the relief requested in the Motion as set forth herein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED.

A. Monthly Omnibus Hearing Dates

2. The Court shall conduct the following Omnibus Hearings on a monthly basis in this case

(the "Omnibus Hearing Dates"):

CP
All parties must call the calendar clerk at (775) 784-5023 (ext. 3111) to RESERVE PARTICIPATION ON ANY OF THE HEARING DATES.

July 16 at 2:00 ^{P.M.} (Prevailing Pacific Time)

August 14 at 9:30 ^{A.M.} (Prevailing Pacific Time)

September 23 at 2:00 (Prevailing Pacific Time)

October 20 at 2:00 ^{P.M.} (Prevailing Pacific Time)

November 18 at 2:00 ^{P.M.} (Prevailing Pacific Time)

3. Omnibus Hearing Dates will occur thereafter as may be scheduled by the Court. 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.

The court reserves the right to manage its calendar and schedule hearings at other dates and limit the number of motions on any particular day

B. Electronic Filing and Notice Procedures

4. The Debtor is authorized and directed to establish a website for posting pleadings and other documents that it files in this case, except for those documents that may be filed under seal (the "Website") and provide all parties in interest access to the Website for viewing and downloading of pleadings and other documents. *CP*

5. The Debtor shall maintain a service list (the "Master Service List") identifying the parties that must be served by conventional and electronic means whenever a motion, pleading, memorandum of law or other document to be filed with the Court in this chapter 11 case (collectively, the "Filings") requires the service of notice. The Master Mailing List shall consist of the following:

- (a) The Debtor and its counsel;
- (b) The Office of the United States Trustee;
- (c) Counsel to any official committee(s) established in this case pursuant to section 1102 of the Bankruptcy Code (the "Committee(s)");
- (d) Milbank, Tweed, Hadley & McCloy L.L.P. as advisors to the *ad hoc* committee of holders of bonds issued by the Debtor;
- (e) J.P. Morgan Chase & Co., as Administrative Agent, Issuing Lender and Swingline Lender under the Debtor's pre-petition Amended and Restated Revolving Credit Agreement, and its counsel;
- (f) Counsel to the agent for the Debtor's post-petition credit facility;
- (g) Citibank as holder of swap note and its counsel;
- (h) The Internal Revenue Service;
- (i) The Nevada Department of Taxation Bankruptcy Division;
- (j) The Department of Employment, Training & Rehabilitation, Employment Security Division;
- (k) The State of Nevada Department of Motor Vehicles & Public Safety, Registration Division, Motor Carrier Bureau;
- (l) Any party whose interests are directly affected by a specific Filing; and
- (m) Those parties that may be added to the Master Service List upon written consent of the Debtor or as ordered by the Court for good and sufficient cause.

6. Under: (i) The Court's Administrative Order No. 02-1 (Order Adopting Case Management/Electronic Case Filing Procedures), dated May 14, 2002 (the "Administrative Order"); and (ii) sections IV, V, and X of the Electronic Filing Procedures attached to the Administrative Order as Exhibit "1" (the "Administrative Procedures"):

- a. ~~Except with regard to documents which may be filed under seal, all Filings shall be electronically filed on the Court's Electronic Filing System.~~
- b. Except with respect to parties who have properly requested to be exempt from electronic service, and as set forth in sub-paragraphs c - e below, each party that files a notice of appearance and a request for service of papers in this case shall be deemed to have consented to electronic service of papers and will not be entitled

to be served with paper copies of Filings.

- c. Notwithstanding subparagraph b above, the entities on the Master Service List shall always be served with paper and electronic copies of all Filings in this case.
- d. Notwithstanding sub-paragraph b above, conventional service of Filings in paper form must be made in accordance with the applicable Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**") in the following circumstances:
 - i. Service of a summons and a complaint under Bankruptcy Rule 7004;
 - ii. Service of a subpoena under Bankruptcy Rule 9016 and Federal Rule of Civil Procedure 45;
 - iii. Notice of the meeting of creditors under Section 341 of the Bankruptcy Code;
 - iv. The time fixed for filing proofs of claim pursuant to Bankruptcy Rule 3003(c);
 - v. The time fixed for filing objections and the hearing to consider approval of a disclosure statement or confirmation of a plan of reorganization; and
 - vi. Notice of and transmittal of ballots for accepting or rejecting a plan of reorganization.
- e. Additionally, all entities submitting a Filing to the Court by means of the Electronic Filing Procedures shall provide paper courtesy copies of such Filings, including all exhibits and attachments thereto. *To the Court* *oo*

7. Those members of the Debtor's lead counsel, Squire, Sanders & Dempsey L.L.P. ("**Squire Sanders**"), which have been or may in the future be admitted to practice *pro hac vice* before this Court, are hereby exempted from the provisions of section II.B. of the Administrative Procedures which limit the distribution of logins and passwords for purposes of filing documents electronically.

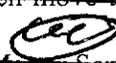
C. Additional Notice Procedures

8. Parties may be added or deleted from the Master Service List upon written request for good and sufficient cause, in accordance with the procedures set forth in this Order.

9. All persons on the Master Service List, including parties with a particularized interest in

the subject of the Filing, shall be served with Filings by United States mail postage pre-paid. All objections, responses or statements in support of Filings as well as any replies thereto (collectively "Responses") need only be served on counsel who served such Filings and the parties described in (a) through (k) of paragraph 4 above, provided that all such Responses shall be served so as to be actually received by such parties by the applicable objection deadline. Other than as set forth herein, parties in interest that are not on the Master Service List shall only receive court-generated electronic notice of Filings.

10. All Notice Requests, whether now filed or filed in the future, for automatic receipt of copies of Filings, Responses, Adversary Pleadings and other documents or writings filed in this case and any adversary proceeding will be denied except as set forth herein.

11. Parties who file notices of appearance and who desire to be added to the Master Service List shall make a written request to that effect to the Debtor. In the written request, the requesting party shall advise the Debtor of the party's interest in the bankruptcy case and why cause exists for the party's inclusion on the Master Service List. The Debtor shall have ^{ten 10} ~~twenty (20)~~ business days from receipt of such a request to consider such a request. If the Debtor declines the request or fails to respond to the same within such ¹⁰ ~~20~~-day period, ~~the requesting party may then move the Court in accordance with the Notice Procedures, for good cause shown, to be added to the Master Service List.~~ ~~the Court shall grant such request. HE~~ ~~shall be deemed allowed.~~ 

12. On the last day of each calendar month, or as soon thereafter as is practicable, a copy of this Order, as it maybe modified or amended from time to time, shall be served by the Debtor on each party that has filed a notice of appearance or request for notice in this case during the preceding calendar month.

D. Response Deadlines

13. In the event that a Filing is a motion or application for relief, the objection deadline shall

be: (a) No later than the seventh (7th) calendar date before the Applicable Hearing Date if the Filing is served at least twenty (20) days prior to the Applicable Hearing Date; (b) no later than the third (3rd) calendar date before the Applicable Hearing Date if the Filing is served less than twenty (20) but at least ten (10) days prior to the Applicable Hearing Date; or (c) otherwise as ordered by the Court. The relief requested in the Filing may be granted without a hearing if no objection is timely filed. Should a timely objection be submitted, the party filing the initial motion is allowed, but not required, to file a reply to such objection at any time prior to the Applicable Hearing Date.

14. The Hearing Date shall be the date of the "request" to modify the automatic stay under section 362 of the Bankruptcy Code (a "Lift Stay Motion"). In accordance with the deadline and Hearing Date procedures outlined above, and pursuant to section 362(e) of the Bankruptcy Code, unless the Court orders otherwise for good cause shown, if a Lift Stay Motion is filed more than fourteen (14) days before the next scheduled Omnibus Hearing Date, the preliminary hearing / "request" with respect to such Motion shall be such Omnibus Hearing Date. The preliminary hearing / "request" with respect to any Lift Stay Motion filed less than fourteen (14) days before the next scheduled Omnibus Hearing Date shall be the Omnibus Hearing Date following the next Omnibus Hearing Date. Except as specifically set forth herein, all other procedures for Lift Stay Motions shall otherwise conform to the Local Rules and the Bankruptcy Rules.

15. If any person makes any Filing in contravention of the Omnibus Hearing Date process 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 shall forward a copy of the Procedures Order to such person within three (3) business days after receipt. If such Filing is filed at least twenty (20) days prior to 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 filed

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.

D. Official Copy Service

16. Sierra Legal Duplicating, 124 West Taylor Street, Reno, Nevada, 89509, tel: (775) 786-8224, is designated the Official Copy Service. Any entity, including the Debtor, submitting any Filing, Response, Adversary Pleadings or other notices or documents to the Court shall also, on the day such document is submitted with the Court, provide one copy thereof to the Official Copy Service. The Official Copy Service shall monitor the docket in this case and coordinate with Debtor's counsel to ensure that they have copies of all documents filed in the Debtor's case.

17. The Official Copy Service will maintain (or have access to) a complete set of all documents filed in this case henceforth. Upon request of any person, the Official Copy Service will supply a copy of any designated document, at a cost to be paid by the person requesting it at the prevailing fee being charged by the Official Copy Service. The Official Copy Service will accommodate document requests during normal business hours, Monday to Friday (excluding recognized holidays).¹ Any party that desires copies of every document filed in this case may obtain such documents at its own expense by arrangement with the Official Copy Service.

18. The Court may conduct status conferences under 11 U.S.C. §105 to review these matters from time to time with representatives of the Debtor, the United States Trustee, and the Clerk of the Bankruptcy Court.

DATED this 20th day of June 2003.


CHIEF UNITED STATES BANKRUPTCY JUDGE

¹ Normal business hours for the Official Copy Service are from 9:00 a.m. to 5:00 p.m. (Prevailing Eastern Time).