

APPENDIX

Local Bankruptcy Forms

Local Bankruptcy Form 2083-1. Verification and Request for Chapter 13 Discharge - Local Rule 2083-1 (m)

Local Bankruptcy Form 2083-1-A. Notice of Amended Plan (*Notice Required*) – Local Rule 2083-1(b).

Local Bankruptcy Form 2083-1-B. Notice of Modification of Prior Plan (*No Additional Notice Required*) – Local Rule 2083-1(b).

Local Bankruptcy Form 2083-1-C. Notice of Adequate Protection Payments Under § 1326(a)(1) – Local Rule 2083-1(d).

Local Bankruptcy Form 2083-1-D. Notice of Postconfirmation Reduction of Equal Monthly Plan Payment(s) to Secured Creditor(s) – Local Rule 2083-1(k).

Local Bankruptcy Form 2083-2. Lien Avoidance Worksheet – Local Rule 2083-2(j)(4).

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Local Bankruptcy Form 2090-1-A. Application for Admission Pro Hac Vice – Local Rule 2090-1(c)(2).

Local Bankruptcy Form 2091-2. Motion to Withdraw as Counsel - Local Rule 2091-2(b)(1)(A).

Local Bankruptcy Form 2091-2-A. Order Granting Motion to Withdraw as Counsel - Local Form 2091-2(b)(1)(B).

Local Bankruptcy Form 3011-1. Payment of Unclaimed Funds - Local Rule 3011-1.

Local Bankruptcy Form 6070-1. Declaration Regarding Tax Returns - Local Rule 2083-1(e)(1)(E) and Local Rule 6070-1(c)(2).

Local Bankruptcy Form 7016-1. Report of Parties' Planning Meeting –Local Rule 7016-1(b).

Local Bankruptcy Form 7016-1-A. Pretrial Order - Local Rule 7016-1(h).

Local Bankruptcy Form 9013-1. Notice of Hearing - Local Rule 9013-1(d)(1).

Local Bankruptcy Form 9013-2. Notice of Opportunity for Hearing - Local Rule 9013-2(d)(1).

Local Bankruptcy Form 9013-3. Certificate of Service - Local Rule 9013-1(l) and 9013-2(g).

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LOCAL FORM 2083-1

Verification and Request for Chapter 13 Discharge - Local Rule 2083-1(m)

Submitting Attorney (Utah State Bar No.)
Address
Telephone No.
Facsimile No. (Optional)
E-Mail Address (Recommended)
Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

VERIFICATION AND REQUEST FOR CHAPTER 13 DISCHARGE

The Debtor(s), in the above-captioned case, being duly sworn, state as follows:

1. The Chapter 13 Trustee has issued a Notice of Completion of Plan Payments and the Debtors hereby request the court to enter a discharge in this case.

2. The Debtors have filed with the Bankruptcy Court Official Form 23 (Debtor's Certification of Completion of Postpetition Instructional Course Concerning Personal Financial Management).

3. A. I/We have not been required by a judicial or administrative order, or by statute to pay any domestic support obligation as defined in 11 U.S.C. §101(14A) either before this bankruptcy was filed or at any time after the filing of this bankruptcy.

OR

3. B. I/We certify that prior to the date of this affidavit I/We have paid all amounts due under any domestic support obligation (as defined in 11 U.S.C. §101(14A)) required by a

judicial or administrative order, or by statute including amounts due before this bankruptcy was filed, to the extent provided for by the plan. The name and address of each holder of a domestic support obligation are as follows:

_____ Name _____

_____ Address _____

_____ Address _____

[Note: If “3.B” is applicable, all information required in questions B.1 through 3 below must also be provided]

B.1. My/Our most recent address is as follows:

_____ Address _____

_____ Address _____

B.2. The name and address of my/our most recent employer(s) is as follows:

_____ Name _____

_____ Address _____

_____ Address _____

B.3. The following creditors hold a claim that is not discharged under 11 U.S.C. § 523(a)(2) or (a)(4), or a claim that was reaffirmed under 11 U.S.C. § 524(c):

_____ Name _____

_____ Name _____

4. I/We have not received a discharge in a Chapter 7, 11 or 12 bankruptcy case filed within 4 years prior to filing this Chapter 13 bankruptcy.

5. I/We have not received a discharge in another Chapter 13 bankruptcy case filed within 2 years prior to filing this Chapter 13 bankruptcy case.

6. A. I/We did not have either at the time of filing this bankruptcy or at the present time, equity in excess of \$125,000.00 in the type of property described in 11 U.S.C. § 522(p)(1) [generally the debtor's homestead]

OR

B. There is not currently pending any proceeding in which I [in an individual case] or either of us [in a joint case] may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522 (q)(1)(B).

_____/s/_____
Debtor
_____/s/_____
Debtor

NOTICE OF DEADLINE TO OBJECT

Any objection to this verification and the entry of a discharge for the above-named debtor(s) must be filed within 21 days after the service date set forth below. If no objection is filed, the court may enter a discharge pursuant to 28 U.S.C. § 1328(a) without further notice or hearing.

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

COMMITTEE NOTE (2013)

Section 1328 sets the requirements for a Chapter 13 debtor to receive a discharge. Bankruptcy Rules 1007(b)(7) and (8) also require the debtor to make certain verifications before the entry of a discharge. This form contains the information and verifications required to establish the debtor's qualification to receive a discharge.

The form must be filed within 60 days after the Chapter 13 trustee files the Notice of Completion of Plan Payments, and it must be served on all parties-in-interest using the most current official mailing matrix from the Court. *See 11 U.S.C. § 1328; Fed. R. Bankr. P. 1007(b)(7) and (8) and (c); Local Rule 2083-1(m).*

If no objection is filed within 21 days after service, the court may enter a discharge pursuant to § 1328(a) without further notice or hearing (see Local Rule 2083-1(m)). **If this form is not timely filed, the court may close the case without the entry of a discharge.**

LOCAL FORM 2083-1-A (NEW FORM)

Notice of Amended Plan (Notice Required) – Local Rule 2083-1(b)

Submitting Attorney (Utah State Bar No.)

Address

Telephone No.

Facsimile No. (Optional)

E-Mail Address (Recommended)

Attorney for

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re: Debtor(s).	Bankruptcy No. Chapter Hon. (<u>Judge's Name</u>)
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NOTICE OF AMENDED CHAPTER 13 PLAN

(IF PART 3.2 OR 3.4 OF THE PLAN ARE BEING UTILIZED, INCLUDE DESIGNATION AS REQUIRED IN THE CHECK BOX IN PART 1 OF THE PLAN)

**NOTICE OF REQUEST FOR VALUATION OF SECURITY AND MODIFICATION
OF UNDERSECURED CLAIMS UNDER PART 3.2 OF THE PLAN**

**NOTICE OF REQUEST FOR § 522(f) LIEN AVOIDANCE
UNDER PART 3.4 OF THE PLAN**

(OBJECTION DEADLINE: _____)

(HEARING DATE: _____)

PLEASE TAKE NOTICE that the Debtor(s) have filed with the United States Bankruptcy Court for the District of Utah an Amended Chapter 13 Plan under 11 U.S.C. § 1323.

YOUR RIGHTS MAY BE AFFECTED. You should review these papers carefully and discuss them with your attorney, if you have one. If you disagree with the terms of the Amended Plan stated herein, you or your attorney must file with the Bankruptcy Court a written objection before the deadline stated above. In the absence of a timely written objection, the Court may grant the requested relief and confirm the Amended Plan without further notice or hearing.

The most recently filed plan is hereby modified as follows:

Plan Part No.	Previously filed plan provision	Plan as modified

The above is a summary of the amended changes. Parties are advised to review the filed plan to determine if any further changes apply to them.

If you do not want the Court to grant confirmation of the Amended Plan, then you **must** timely take both of the following actions:

- (1) On or before [*objection deadline*], you or your lawyer must file with the bankruptcy court at the following address a written objection explaining your opposition to the Amended Plan:

United States Bankruptcy Court
350 South Main Street, Room 301
Salt Lake City UT 84101

If you mail your objection, it must be mailed early enough so that the court will **receive** it on or before [*objection deadline*].

- (2) And you must attend the hearing on confirmation, which is set for [*hearing date and time*]. Failure to attend the hearing may be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose confirmation of the Amended Plan and may enter an order granting confirmation without a hearing. In the absence of a timely filed objection, the Bankruptcy Court may strike the hearing and enter an order confirming the Amended Plan.

Dated: _____

Signature

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

LOCAL FORM 2083-1-B (NEW FORM)

Notice of Amended Plan (No Additional Notice Required)

– Local Rule 2083-1(b)

Submitting Attorney (Utah State Bar No.)
Address
Telephone No.
Facsimile No. (Optional)
E-Mail Address (Recommended)
Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re: Debtor(s).	Bankruptcy No. Chapter Hon. (<u>Judge's Name</u>)
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NOTICE OF MODIFIED CHAPTER 13 PLAN

(OR NOTICE OF AMENDED PLAN UNDER LOCAL RULE 2083-1(b))

PLEASE TAKE NOTICE that the Debtor(s) has filed with the United States Bankruptcy Court for the District of Utah a request to modify the previously filed Chapter 13 Plan under 11 U.S.C. § 1323. The Debtor(s) moves the Court for confirmation of the Plan as modified without further notice and hearing. In support thereof, the Debtor(s) represents as follows:

The most recently filed plan is hereby modified as follows:

Plan Part No.	Previously Filed Plan Provision	Plan as Modified

The modification does not negatively impact secured, priority or nonpriority unsecured creditors because [explain].

Under § 1323(c), any holder of a secured claim that has accepted or rejected, as the case may be, the prior plan is deemed to have accepted or rejected the plan as modified, unless the modification provides for a change in the rights of such holder from what such rights were under the plan before modification, and changes such holder's previous acceptance or rejection.

THEREFORE, because the modification does not require notice to creditors, the Debtor(s) requests the Bankruptcy Court to confirm the plan as modified without further notice or hearing.

Dated: _____

Signature

CERTIFICATE OF SERVICE
(Use Local Form 9013-3)

LOCAL FORM 2083-1-C (NEW FORM)

Adequate Protection Payments Under § 1326(a)(1) – Local Rule 2083-1(d)

Submitting Attorney (Utah State Bar No.)
Address
Telephone No.
Facsimile No. (Optional)
E-Mail Address (Recommended)
Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

<p>In re:</p> <p style="text-align: center;">Debtor(s).</p>	<p>Bankruptcy No.</p> <p>Chapter</p> <p>Hon. (<u>Judge's Name</u>)</p>
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**NOTICE OF ADEQUATE PROTECTION PAYMENTS
UNDER 11 U.S.C. § 1326 AND OPPORTUNITY TO OBJECT**

The Debtor states as follows:

1. On *[enter date]*, the Debtor(s) filed a voluntary petition under Title 11 commencing a chapter 13 bankruptcy case.
2. The Debtor proposes to make Adequate Protection Payments, pursuant to § 1326(a)(1)(C) accruing with the initial plan payment which is due no later than the originally scheduled meeting of creditors under § 341 and continuing to accrue on the first day of each month thereafter, to the holders of the allowed secured claims in the amounts specified below:

Secured Creditor	Description of Collateral	Amount of Adequate Protection Payment	Number of Months in Adequate Protection Period

3. The monthly plan payments proposed by the Debtor(s) shall include the amount necessary to pay all Adequate Protection Payments and the amount necessary to pay the Trustee's statutory fee.
4. Upon completion of the Adequate Protection Payment period designated herein for each listed secured creditor, the Equal Monthly Plan Payment identified in each Part of the Plan shall be the monthly payment and shall accrue on the first day of each month.
5. This Notice shall govern Adequate Protection Payments to each listed secured creditor unless subsequent Notice is filed by Debtor or otherwise ordered by the Court.
6. Objections, if any, to the proposed Adequate Protection Payments shall be filed as objections to confirmation of the Plan. Objections must be filed and served no later than 7 days before the date set for the hearing on confirmation of the Plan.

Dated: _____

Debtor(s)' Counsel

[Unless the debtor includes the Notice of Adequate Protection Payments as an attachment to the Plan, a certificate of service is required establishing compliance with all applicable noticing requirements.]

CERTIFICATE OF SERVICE
(Use Local Form 9013-3)

LOCAL FORM 2083-1-D (NEW FORM)

Notice of Postconfirmation Reduction of Equal Monthly Plan Payment

– Local Rule 2083-1(k)

Submitting Attorney (Utah State Bar No.)
Address
Telephone No.
Facsimile No. (Optional)
E-Mail Address (Recommended)
Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

**NOTICE OF POSTCONFIRMATION REDUCTION OF EQUAL
MONTHLY PLAN PAYMENT(S) TO SECURED CREDITOR(S)
AND OPPORTUNITY TO OBJECT**

1. On *[enter date]*, the Debtor(s) filed a Motion to Modify Plan which includes a request to reduce the monthly payment to secured creditor(s) during the period of payment of attorney's fees awarded under 11 U.S.C. § 330.
2. The Debtor proposes to make reduced the Equal Monthly Plan Payment (aka "Adequate Protection Payment") to the holder(s) of allowed secured claims in the amounts and for the period specified below, accruing with the first day of the month after entry of the order awarding attorney's fees under 11 U.S.C. § 330 and Court approval of the reduced payment:

Secured Creditor	Collateral Description	Amount of Monthly Adequate Protection Payment	Number of Months to Pay Adequate Protection

3. Upon completion of the adequate protection period designated above for each affected secured creditor, the payment to the creditor shall revert to the Equal Monthly Plan Payment specified in the applicable Part of the Plan.
4. Creditors may object to the proposed Adequate Protection Payment no later than the deadline to object to the Debtor's Motion to Modify. The deadline for filing objections to the Motion to Modify is: _____.

Dated: _____

Debtor(s)' Counsel

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

LOCAL FORM 2083-2 (NEW FORM)

Lien Avoidance Worksheet –Local Rule 2083-2(j)(4)

Information regarding judicial lien or security interest	Lien Avoidance Calculation		Treatment of remaining secured claim
Name of creditor: <hr/> <hr/> <hr/>	a. Amount of lien subject to avoidance	\$ <hr/>	Amount of secured claim after avoidance (line f not to exceed line a) \$ <hr/>
Description of Collateral: <hr/> <hr/> <hr/>	b. Value of property securing lien subject to avoidance	\$ <hr/>	
Lien identification Information (e.g., judgment date; date entered in registry; date of lien recording, including entry number, book and/or page number, etc.) <hr/> <hr/> <hr/>	c. Amount of liens senior to the lien subject to avoidance (identify each lien and amount)	\$ <hr/>	
	d. Value of claimed exemption(s) in property	\$ <hr/>	Interest rate (if applicable) _____%
	e. Total of lines c and d	\$ <hr/>	Monthly payment on secured claim \$ <hr/>
	f. Value of debtor(s)' equity interest in property (subtract line e from line b)	\$ <hr/>	
	g. Amount of lien to be avoided (amount of line a which exceeds line f)	\$ <hr/>	
[Insert additional claims as needed]	Extent of exemption impairment (Check applicable box): <input type="checkbox"/> Line f is zero or less: The entire lien is avoided. (Do not complete the next column.) <input type="checkbox"/> Line f is more than zero: A portion of the lien is avoided. (Complete next column.)		Estimated total payments on secured claim \$ <hr/>

LOCAL FORM 2090-1 (NEW FORM)

Motion for Admission Pro Hac Vice and Consent Of
Designated Associate Local Counsel – Local Rule 2090-1(c)(1)

Submitting Attorney (Utah State Bar No.)
Address
Telephone No.
Facsimile No. (Optional)
E-Mail Address (Recommended)
Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re: Debtor(s).	Bankruptcy No. Chapter Hon. (<u>Judge's Name</u>)
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MOTION FOR ADMISSION PRO HAC VICE AND CONSENT
OF DESIGNATED ASSOCIATE LOCAL COUNSEL

I, _____, hereby move the pro hac vice admission of applicant to practice in this Court. I hereby agree to serve as designated local counsel for the subject case; to readily communicate with opposing counsel and the Court regarding the conduct of this case; and to accept papers when served and recognize my responsibility and full authority to act for and on behalf of the client in all case-related proceedings, including hearings, pretrial conferences, and trials, should applicant fail to respond to any Court order.

Dated:

(Signature of Local Counsel)
(Utah Bar Number)

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

LOCAL FORM 2090-1-A (NEW FORM)

Application for Admission Pro Hac Vice –Local Rule 2090-1(c)(2)
(attach to Motion for Admission Pro Hac Vice)

APPLICATION FOR ADMISSION PRO HAC VICE

Applicant, _____, hereby requests permission to appear pro hac vice in the subject case. Applicant states under penalty of perjury that he/she is a member in good standing of the bar of the highest court of a state or the District of Columbia; is (i) ____ a non-resident of the state of Utah or, (ii) ____ a new resident who has applied for admission to the Utah State Bar and will take the bar examination at the next scheduled date; and, under DUCivR83-1.1(d) and Local Rule 2090-1, has associated local counsel in this case. Applicant's address, office telephone, fax number, e-mail address and the courts to which admitted, and the respective dates of admission are provided as required.

Applicant designates _____ as [*check one*]: ____ lead counsel; ____ associate local counsel.

Dated:

(Signature of Applicant)

APPLICATION FOR ADMISSION PRO HAC VICE, CONTINUED

Name of Applicant: _____

Business Address: _____

Main Office Telephone Number: (____) _____

Fax Number: (____) _____

E-mail Address: _____

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BAR ADMISSION HISTORY

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
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(If additional space is needed, attach separate sheet.)

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PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT

CASE TITLE	CASE NUMBER	DATE OF ADMISSION
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(If additional space is needed, attach separate sheet.)

Motion to Withdraw as Counsel – Local Rule 2091-2(b)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

3. In the event this motion is granted, Client or new counsel for Client (including new counsel in the withdrawing attorney's law firm), must file a notice of appearance within 21

days after entry of the order, unless otherwise ordered by the court. Pursuant to Local Rule 9011-2(a), no corporation, association, partnership, limited liability company or other artificial entity may appear pro se, but must be represented by an attorney who is admitted to practice in this court.

4. This motion is made: [*State the alternative that applies*]

_____ with the client's consent, which is attached to this motion; or

_____ without client's consent and is accompanied by:

_____ certification that Client has been served with (i) a copy of this motion, (ii) the attached written description of the status of the case, including the dates and times of any scheduled court proceedings, pending compliance with any existing court orders, and the possibility of sanctions; or

_____ certification that the Client cannot be located or, for any other reason, cannot be notified of the pendency of the motion and status of the case.

5. The undersigned certifies: [*State the alternative that applies*]

_____ there are no pending motions or trials; or

_____ a hearing on [*State the matter set for hearing*].

_____ a certification signed by Counsel is attached indicating that Client is prepared for trial as scheduled and is eligible pursuant to Local Rule 9011-2(b) to appear *pro se* at trial; or

_____ the following specific facts justify withdrawal of counsel

without the present appearance of substitute counsel or the
appearance by the individual party *pro se*: [Set forth specific facts]

CERTIFICATION

Counsel hereby certifies that a copy of this Motion for Withdrawal of Counsel has been
sent to the Client at the address indicated above.

Dated this ____ Day of _____, 20__.

Moving Attorney

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

Order Granting Motion to Withdraw as Counsel - Local Rule 2091-2

Submitting Attorney (Utah State Bar No.)
Address
Telephone No.
Facsimile No. (Optional)
E-Mail Address (Recommended)
Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

ORDER APPROVING WITHDRAWAL OF COUNSEL

Pursuant to the motion to withdraw as counsel under Local Rule 2091-2(b)(1)(A), and for good cause appearing, the Court hereby **ORDERS** as follows:

1. [enter attorney's name] may withdraw as counsel of record for [enter client's name] (the "Client") in the above-captioned case.
2. With regard to Client's continued representation, the Court Orders as follows:
 - (a) Client or new counsel for Client must file a Notice of Appearance within 21 days after the entry of this order. Pursuant to Local Rule 9011-2(a), no corporation, association, partnership, limited liability company or other artificial entity may appear *pro se*, but must be represented by an attorney who is admitted to practice before this Court.
 - (b) If the Client fails to file a Notice of Substitution of Counsel or Notice of Appearance as set forth above, the Court will deem such party to be proceeding *pro*

se, and such party may be subject to sanctions under Federal Rule of Civil Procedure 16(f)(1), including but not limited to dismissal or entry of a default judgment.

(c) With regard to scheduling, the Court orders as follows: [*State the alternative that applies*]

_____ All litigation dates pursuant to the current scheduling order remain in effect; or

_____ A scheduling conference is set before the Court on _____; or

_____ The action shall be stayed until 21 days after entry of this order.

DESIGNATION OF PARTIES TO RECEIVE NOTICE OF COURT ORDER

Service of the foregoing Order [*enter exact title of order*] shall be served on the parties in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users.

[List the name and email address for each party receiving electronic notice. The names and email addresses for each party may be obtained and copied into the certificate of service by accessing the Court's mailing report through CM/ECF–Utilities–Miscellaneous–Mailings–Mailing Info for a Case.]

By U.S. Mail - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

- [*State “None” if there are no additional parties.*]
- [*If there are additional parties list the names and addresses of the additional parties.*]
- [*If all parties on the official case matrix should receive notice, state “All parties on the Court’s official case matrix.”*]

(Signature by Filer)

Application for Payment of Unclaimed Funds – Local Rule 3011-1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

The undersigned, under penalty of perjury under the laws of the United States of America, declare that the following statements and information are true and correct:

2. (check applicable paragraph)

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- ☐ Claimant is the holder of a valid assignment of a claim listed in the trustee's unclaimed funds report and appropriate documentation substantiating the assignment of the original claim [e.g. a notarized acknowledgment of assignment] is attached hereto; or
- ☐ The original claimant listed in the trustee's unclaimed funds report filed in this case is deceased, and Claimant is a person authorized to act on behalf of the estate of the original claimant and appropriate documentation substantiating Claimant's authority [e.g., certified copies of all probate documents including a copy of the death certificate and appointment of executor] is attached.

3. Claimant has made sufficient inquiry and has no knowledge that this claim has been previously paid, that any other application for this claim is currently pending before this Court, or that any party other than the Claimant is entitled to submit an application for the payment of this claim.

4. Claimant has provided notice to the United States Attorney for the District of Utah of this Application pursuant to 28 U.S.C. § 2042 and a certificate of mailing is attached to this Application.

5. A photocopy of government issued photo identification of Claimant showing Claimant's signature [e.g. driver's license or passport] is attached. If name of the Applicant is different from the name of the original claimant due to marriage, divorce, etc., appropriate documentation [e.g. certified copy of divorce decree, marriage license] is attached.

6. I understand that, pursuant to 18 U.S.C. §§ 152 and 3571, I will be fined not more than \$500,000, or imprisoned not more than five years, or both, if I have knowingly and

fraudulently made any false statements in this document.

Privacy Policy

Applicant shall redact only the following personal data identifiers from the Application and any supporting documentation attached to the Application before filing such documents: (i) all but the last four digits of a social security number or a tax ID number; (ii) all names of minor children (use minors' initials); (iii) all but the last four digits of any bank, savings or similar account numbers; and (iv) all birth date information except the year.

The responsibility for redacting personal data identifiers rests solely with the filing party.

NOTICE OF OBJECTION DEADLINE

Any party in interest who objects to the relief sought in this Application must, within twenty-one (21) days of the mailing of this Application, serve and file an objection or other appropriate response to this Application with the Bankruptcy Court Clerk's Office 350 South Main Street, 3rd Floor, Salt Lake City, UT 84101.

Date

Printed name of Claimant(s)

Signature of Claimant(s)

Street Address

City and State

Last Four Digits of SSN or full Tax ID Number if Claimant is a business

Telephone and Email Address

STATE OF _____)
: ss.
COUNTY OF _____)

The foregoing instrument was subscribed and sworn to and acknowledged before me

This _____ Day of _____, 20_____.

My Commission Expires:

(Notary Public)

CERTIFICATE OF MAILING

I hereby certify that on _____(date), I mailed a
copy of this foregoing Application and all attachments to the following:

Office of the United States Attorney
District of Utah
185 South State Street, Suite 300
Salt Lake City, UT 84111

United States Trustee
Ken Garff Building
405 South Main Street, Suite 300
Salt Lake City, UT 84111

Chapter ____ Trustee
(Name and address of case trustee)

Debtor
(Name and address of Debtor)

Debtors' Attorney
(Name and address of Debtor's Attorney)

Original Claimant
(Name and address of original claimant)

Dated: _____

(Claimant's Signature)

Declaration Regarding Tax Returns -
Local Rule 2083-1(e)(1)(E) and Local Rule 6007-1(c)(3)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

_____ b. The following tax returns for taxable periods ending during the four-year period before the filing of the petition have not been filed.

2. Complete for any tax return filed after the filing of the bankruptcy petition.

On or before [enter date], the above-named debtor(s) delivered the following copies of tax returns to the Insolvency Unit of the Internal Revenue Service and/or the Bankruptcy Unit of the Utah State Tax Commission and that such returns disclosed the following liabilities and/or refunds:

Federal or State	Tax Year	Type of Tax/Form No.	Tax Liability	Tax Refund

3. I/we acknowledge that the court will not confirm any Chapter 13 Plan and the case may be dismissed at or before the confirmation hearing unless all tax returns have been filed.

4. I/we further acknowledge that I/we will file and serve on the trustee an amended declaration if further required tax returns are filed with the taxing authorities after the date indicated in paragraph 1 above.

DATED this ____ day of _____, 20____.

Debtor

Debtor

Debtor(s)' Counsel

LOCAL FORM 7016-1

Report of Parties' Planning Meeting - Local Rule 7016-1(b)

Submitting Attorney (Utah State Bar No.)

Address

Telephone No.

Facsimile No. (Optional)

E-Mail Address (Recommended)

Attorney for

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

<p>In re:</p> <p style="text-align: center;">Debtor(s).</p>	<p>Bankruptcy No.</p> <p>Chapter</p> <p>Adversary Proceeding No.</p> <p>Hon. (<u>Judge's Name</u>)</p>
<p style="text-align: center;">Plaintiff(s),</p> <p style="text-align: center;">v.</p> <p style="text-align: center;">Defendant(s).</p>	
REPORT OF PARTIES' PLANNING MEETING	

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on (date) at (place) and was attended by:

(name)	for plaintiff(s)	(party name)
(name)	for plaintiff(s)	(party name)
(name)	for plaintiff(s)	(party name)

2. **Pre-Discovery Disclosures.** The parties [have exchanged] [will exchange by (date)] the information required by Fed. R. Civ. P. 26(a)(1) and Local Rule 7016-1.

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan: *[Use separate paragraphs or subparagraphs as necessary if parties disagree.]*

- a. Discovery will be needed on the following subjects: *[brief description of discovery subjects]*.
- b. Disclosure or discovery of electronically stored information should be handled as follows: *[brief description of parties' proposals]*.
- c. The parties have agreed to an order regarding claims of privilege or of protection as trial preparation material asserted after production, as follows: *[brief description of provisions of proposed order]*.
- d. All discovery commenced in time to be completed by *[enter date]*. Discovery on *[describe issue for early discovery]* to be completed by *[enter date]*.
- e. Maximum of ____ interrogatories by each party to any other party. [Responses due ____ days after service.]
- f. Maximum of ____ requests for admission by each party to any other party. [Response due ____ days after service.]
- g. Maximum of ____ depositions by plaintiff(s) and ____ by defendant(s).
- h. Each deposition [other than of ____] limited to maximum of ____ hours unless extended by agreement of parties.
- i. Reports from retained experts under Rule 26(a)(2) due:

from plaintiff(s) by *[enter date]*.

from defendant(s) by *[enter date]*.

Supplementations under Rule 26(c) due ____ (time(s) or interval(s)).

4. **Other Items.** [*Use separate paragraphs or subparagraphs as necessary if parties disagree.*]

- a. The parties [request] [do not request] a conference with the court before entry of the scheduling order.
- b. The parties request a pretrial conference in [*enter month and year*].
- c. Plaintiff(s) should be allowed until [*enter date*] to join additional parties and until [*enter date*] to amend the pleadings.
- d. Defendant(s) should be allowed until [*enter date*] to join additional parties and until [*enter date*] to amend the pleadings.
- e. All potentially dispositive motions should be filed by [*enter date*].
- f. Settlement [is likely] [is unlikely] [cannot be evaluated prior to [*enter date*]] [may be enhanced by use of the following alternative dispute resolution procedure:
[*enter procedure*].
- g. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due
from plaintiff(s) by [*enter date*]
from defendant(s) by [*enter date*]
- h. Parties should have ____ days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).
- i. The case should be ready for trial by [*enter date*] [and at this time is expected to take approximately [*enter length of time*].

5. **[Other matters.]**

Date: _____

LOCAL FROM 7016-1-A

Pretrial Order - Local Rule 7016-1(h)

Submitting Attorney (Utah State Bar No.)

Address

Telephone No.

Facsimile No. (Optional)

E-Mail Address (Recommended)

Attorney for

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

<p>In re:</p> <p style="text-align: center;">Debtor(s).</p>	<p>Bankruptcy No.</p> <p>Chapter</p>
<p style="text-align: center;">Plaintiff(s),</p> <p style="text-align: center;">v.</p> <p style="text-align: center;">Defendant(s).</p>	<p>Adversary Proceeding No.</p> <p>Hon. (<u>Judge's Name</u>)</p>
PRETRIAL ORDER	

This matter having come before the court on *[insert date]* at a pretrial conference held before *[insert name]* pursuant to Fed. R. Bankr. P. 7016; and *[insert name]* having appeared as counsel for plaintiff and *[insert name]* having appeared as counsel for defendant and *[insert name]* having appeared as counsel for *[insert name]*; the following action was taken: *[State]*.
[Delete foregoing if no final pretrial conference is held.]

1. **JURISDICTION.** The jurisdiction of the court is properly invoked under 28 U.S.C. § 1334. The parties *[consent/do not consent]* to entry of a final judgment or order by the bankruptcy judge. The jurisdiction of the court is not disputed and is hereby determined to be present.

2. **VENUE.** Venue is laid in the *[insert either Central or Northern]* Division of the District of Utah.

3. **GENERAL NATURE OF THE CLAIMS OF THE PARTIES.**

- (a) Plaintiff's claims. *[State brief summary.]*
- (b) Defendant's claims. *[State brief summary.]*
- (c) Other parties' claims. *[State brief summary for each party.]*

4. **UNCONTROVERTED FACTS.** The following facts are established by admissions in the pleadings or by stipulation of counsel. *[Set out uncontroverted facts, including admitted jurisdictional facts and all other material facts concerning which there is no genuine issue.]*

5. **CONTESTED ISSUES OF FACT.** The contested issues of fact remaining for decision are: *[List]*

6. **CONTESTED ISSUES OF LAW.** The contested issues of law in addition to those implicit in the foregoing issues of fact are: *[List]*

7. **EXHIBITS.** The following, constituting all of the exhibits to be introduced at trial, have been exchanged between the parties:

- (a) Plaintiff's exhibits: *[List]*
- (b) Defendant's exhibits: *[List]*
- (c) Exhibits of other parties (if involved): *[List]*

(d) Exhibits shall be presented to and marked for identification by the clerk prior to the day of trial in accordance with Local Rule 9070-1(a) or (d). The handling of exhibits both during and after trial is governed by Local Rule 9070-1(b) and (c).

8. **WITNESSES.**

(a) In the absence of reasonable notice to opposing counsel to the contrary, plaintiff will call as witnesses: *[List]*; plaintiff may call: *[List]*; and plaintiff will use the following depositions: *[List]*

(b) In the absence of reasonable notice to opposing counsel to the contrary, defendant will call as witnesses: *[List]*; defendant may call: *[List]*; and defendant will use the following depositions: *[List]*

(c) In the absence of reasonable notice to opposing counsel to the contrary *[identify additional party]* will call as witnesses: *[List]*; *[identify additional party]* may

call: *[List]*; and *[identify additional party]* will use the following depositions: *[List]*.

(d) In the event that other witnesses are to be called at the trial, a statement of their names and addresses and the general subject matter of their testimony will be served upon opposing counsel and filed with the court at least *[insert]* days prior to trial. This restriction shall not apply to rebuttal witnesses, the necessity of whose testimony reasonably cannot be anticipated before the time of trial.

9. **AMENDMENTS TO PLEADINGS.** There are no requests to amend pleadings.
[or] The following order was made regarding amendments to the pleadings: *[State]*.

10. **DISCOVERY.** *[Check or state one]*

☐ Discovery has been completed.

☐ Discovery is to be completed by *[insert date]*.

☐ Further discovery is limited to *[state terms]*.

☐ The following provisions were made for discovery: *[state provisions]*.

11. **TRIAL SETTING.** The adversary proceeding is set for trial on *[insert date]* at *[insert time]*. Estimated length of trial is *[insert number]* days.

12. **SETTLEMENT.** Counsel have conferred respecting settlement of this matter and consider the possibility of settlement *[insert good/fair/poor]*. Trial will not be postponed for purposes of further settlement negotiations except upon a showing of good cause.

The foregoing proposed pretrial order (prior to execution by the court) is hereby adopted this _____ day of _____, 20____.

[Insert signature lines, including address and telephone numbers for all parties]

Notice of Hearing - Local Rule 9013-1

Notice of Hearing - Local Rule 9013-1

(Hearing will be held unless stricken.)

Submitting Attorney (Utah State Bar No.)

Address

Telephone No.

Facsimile No. (Optional)

E-Mail Address (Recommended)

Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

NOTICE OF [MOTION TO] [APPLICATION FOR] [OBJECTION TO CLAIM]
AND NOTICE OF HEARING

(Objection Deadline: _____)

(Hearing Date: _____)

PLEASE TAKE NOTICE that [movant's name] has filed with the United States Bankruptcy Court for the District of Utah, [*title of pleading*] (the Motion/Application/Objection).

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

[Insert a specific statement of the relief requested, action intended or claim, including the amount of fees to be paid pursuant to Fed. R. Bankr. P. 2002(c)(2), if applicable; amount of debt to be incurred; amount of payment to be made; the basic terms and provisions of a settlement or compromise; or, with respect to a proposed sale of property, a description of the property, the time and place of any public sale, and the terms and conditions of any private sale, all sufficient to meaningfully inform the parties of the intended action or claim.]

If you do not want the Court to grant the relief requested in the [*Motion/Application/Objection*], then you or your attorney must take the following two steps:

(1) On or before [*enter objection deadline*], file with the Bankruptcy Court a written Objection explaining your position. Your written objection must be filed electronically, by mail, or by hand–delivery at:

United States Bankruptcy Court
350 South Main Street, Room 301
Salt Lake City, UT 84101

If you mail your objection to the Bankruptcy Court for filing, it must be deposited in the U.S. Mail in sufficient time for it to be **received** by the Court on or before [*objection deadline*]. You must also mail a copy to the undersigned counsel at [*name and address of movant's attorney*].

(2) You must attend the hearing on the [*Motion/Application/ Objection*] which is set for [*enter date and time*] in Courtroom ____, United States Bankruptcy Court, Frank E. Moss Courthouse, 350 South Main Street, Salt Lake City, UT 84101. Failure to attend the hearing will be deemed a waiver of your objection.

If you or your attorney do not take these two steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the [*Motion/Application/ Objection*] and may enter an

order granting that relief. In the absence of a timely filed objection, the undersigned counsel may and will ask the Court to strike the hearing enter an order approving the [*Motion/Application/Objection*] without hearing.

Dated this ____ Day of _____, 20__.

Signature

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

LOCAL FORM 9013-2

Notice of Opportunity for Hearing - Local Rule 9013-2

(Hearing will only be activated upon the filing of a response to the motion or at the request of the court.)

Submitting Attorney (Utah State Bar No.)

Address

Telephone No.

Facsimile No. (Optional)

E-Mail Address (Recommended)

Attorney for

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:	Bankruptcy No.
Debtor(s).	Chapter
	Hon. (<u>Judge's Name</u>)

NOTICE OF [MOTION TO] [APPLICATION FOR] [OBJECTION TO CLAIM]
AND NOTICE OF OPPORTUNITY FOR HEARING

(Objection Deadline: _____)

PLEASE TAKE NOTICE that [movant's name] has filed with the United States Bankruptcy Court for the District of Utah, [title of pleading] (the Motion/Application/Objection).

YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

[Insert a specific statement of the relief requested, action intended or claim, including the amount of fees to be paid pursuant to Bankruptcy Rule 2002(c)(2), if applicable; amount of debt to be incurred; amount of payment to be made; the basic terms and provisions of a settlement or compromise; or, with respect to a proposed sale of property, a description of the property, the time and place of any public sale, and the terms and conditions of any private sale, all sufficient to meaningfully inform the parties of the intended action or claim.]

NO HEARING WILL BE CONDUCTED ON THIS [MOTION/APPLICATION/
OBJECTION] UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE
COURT ON OR BEFORE THE OBJECTION DEADLINE SET FORTH BELOW.

If you do not want the Court to grant the relief requested in the [Motion/Application/
Objection] then you or your attorney must take the following two steps:

(1) On or before [enter objection deadline], file with the Bankruptcy Court a
written Objection explaining your position. Your written objection must be filed
electronically, by mail, or by hand-delivery at:

United States Bankruptcy Court
350 South Main Street, Room 301
Salt Lake City, UT 84101

If you mail your objection to the Bankruptcy Court for filing, it must be deposited in the
U.S. Mail in sufficient time for it to be **received** by the Court on or before [objection
deadline]. You must also mail a copy to the undersigned counsel at [name and address of
movant's attorney].

(2) Attend a hearing on [enter date and time] in Courtroom ____, United States
Bankruptcy Court, Frank E. Moss Courthouse, 350 South Main Street, Salt Lake City,

UT 84101. **There will be no further notice of the hearing**, and failure to attend the hearing will be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the [*Motion/Application/ Objection*] and may enter an order granting the requested relief. In the absence of a timely filed objection, the undersigned counsel may and will ask the Court to enter an order approving the [*Motion/Application/ Objection*] without hearing.

Dated this ____ Day of _____, 20__.

Signature

CERTIFICATE OF SERVICE

(Use Local Form 9013-3)

LOCAL FORM 9013-3

Certificate of Service - Local Rule 9013-1(l) and 9013-2(g).

CERTIFICATE OF SERVICE BY ELECTRONIC NOTICE (CM/ECF)

I hereby certify that on [enter date], I electronically filed the foregoing [state title of document] with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users.

[List the name and email address for each party receiving electronic notice. The names and email addresses of parties receiving electronic notice in a particular case may be obtained and copied into this certificate of service by going to CM/ECF and using Utilities–Miscellaneous–Mailings–Mailing Info for a Case.]

CERTIFICATE OF SERVICE BY MAIL OR OTHER MEANS

I hereby certify that on [enter date], I caused to be served a true and correct copy of the foregoing [enter name of document] as follows: [Select only the methods of service that apply]

Mail Service: First–class U.S. mail, postage pre-paid, addressed to:

[If service is not to the entire mailing matrix, list names and complete addresses of all parties who will receive notice by mail].

Mail Service to Entire Matrix: First–class U.S. mail, postage pre-paid, addressed to all parties who did not receive electronic service as set forth herein listed on the Official Court Mailing Matrix dated _____ attached hereto.

*[If notice is required to be served on all parties in interest (i.e. Rule 2002 notices), **you must attach** a copy of the court’s official case mailing matrix bearing the same date as the certificate of service. You can obtain a PDF copy of the most current mailing matrix by going to CM/ECF and using Utilities–Miscellaneous–Mailings–Mailing Matrix by Case. Note that parties receiving electronic notice do not need to receive additional notice by mail.]*

Certified Mail Service – By certified United States mail, postage pre-paid, addressed to:

Hand Delivery – By delivery to the following parties at:

Other – [identify parties served and manner of service]:

(Signature)

COMMITTEE NOTE (2013)

The purpose and intent the Certificate of Service is to establish that the serving party has complied with all applicable notice requirements. The Certificate of Service should only state the applicable method(s) of service used. Any modification of the form should include the same information required by this form.

Service on all parties in interest will only be deemed effective if a copy of the court's official mailing matrix, bearing essentially the same date as the time of mailing, is attached to the Certificate of Service.

LOCAL FORM 9021-1

Designation of Parties to Receive Notice of Court Order - Local Rule 9021-1(e)

DESIGNATION OF PARTIES TO RECEIVE NOTICE OF COURT ORDER

Service of the foregoing Order [*enter exact title of order*] shall be served on the parties in the manner designated below:

By Electronic Service: I certify that the parties of record in this case, as identified below, are registered CM/ECF users.

[List the name and email address for each party receiving electronic notice. The names and email addresses for each party may be obtained and copied into the certificate of service by accessing the Court's mailing report through CM/ECF–Utilities–Miscellaneous–Mailings–Mailing Info for a Case.]

By U.S. Mail: In addition to the parties receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

- *[State “None” if there are no additional parties.]*
- *If there are additional parties, list their names and addresses.*
- *If all parties on the official case matrix should receive notice, state: “All parties on the Court’s official case matrix.”]*

(Signature by Filer)

COMMITTEE NOTE (2017)

This form identifies parties entitled to receive notice of the entry of an order pursuant to Fed. R. Bankr. P. 9022(a). Because of the significant mailing costs incurred by the Court, notice by mail should be limited to contesting parties and entities required to receive notice pursuant to the Bankruptcy Code, the Bankruptcy Rules, or these Local Rules.