

Rule 4002-1
DEBTOR DUTIES

(g) CHAPTER 13 - DEBTOR DUTIES. The following shall apply in chapter 13 cases.

- (4) DISPOSITION OF PROPERTY. After the filing of the petition and until the plan is completed, the debtor shall not dispose of any ~~non-exempt~~ property (whether vested or not) ~~having a fair market value of more than \$10,000~~ with non-exempt equity in excess of \$12,000 by sale or otherwise without prior approval of the trustee and an order of the court. “Non-exempt equity” shall be calculated using the fair market value of the property as of the date of sale or transfer after subtracting the amount of any claimed, allowed exemption and the petition date amount of any non-avoidable lien.
- (5) POST-PETITION DEBT. After the filing of the petition and until the plan is completed, a debtor shall not incur additional debt of \$10,000 or more, in a single or a series of related transactions, without prior approval from the court. The debtor shall file an application to incur the debt with ~~a fourteen-day~~ notice to the chapter 13 trustee pursuant to the service chart in the Administrative Guide. If no objection is filed, the court may approve the application without a hearing.
- (6) POST-PETITION PURCHASES. After the filing of the petition and until the plan is completed, a debtor shall not purchase any item of property of \$10,000 or more with non-exempt assets without prior approval from the court. The debtor shall file an application to purchase property with ~~a fourteen-day~~ notice to the chapter 13 trustee pursuant to the service chart in the Administrative Guide. If no objection is filed, the court may approve the application without a hearing.

Rule 9027-1
REMOVAL AND REMAND PROCEDURES

- (a) NOTICE OF REMOVAL. A notice of removal filed under Rule 9027(1) of the Federal Rules of Bankruptcy Procedure must be promptly served on:
- (1) All other parties to the removed action;
 - (2) Any trustee appointed in the bankruptcy case; and
 - (3) The Office of the Bankruptcy Administrator.
- (b) FILING REQUIREMENTS. Unless otherwise ordered by the Court, the removing party must file with the Clerk:
- (1) ADVERSARY PROCEEDING COVER SHEET. An Adversary Proceeding Cover Sheet unless filed by a CM/ECF Filer.
 - (2) LIST OF PARTIES AND COUNSEL. A list containing the name of each party to the removed case, and the names, addresses and telephone numbers of their counsel, or the party, if *pro se*, must be filed with the Notice of Removal.
 - (3) DOCKET SHEET. The removing party must file, if available, a complete docket sheet and chronological listing of all filings and activity in the prior court from which the subject action was removed.
 - (4) COMPILATION OF PROCESS, PLEADINGS, AND ORDERS. Within fourteen (14) days of filing the notice of removal, the removing party must file with the Clerk, in chronological order, copies of all process, pleadings, orders, and minute entries issued, filed, entered, or made prior to removal, along with an index in the form prescribed in the Administrative Guide to Practice and Procedure.
 - (5) CONSENT IN CORE PROCEEDING. Each party who files a pleading in connection with a removed cause of action, including the notice of removal, shall include in their initial post-removal filing a statement pursuant to Fed. R. Bankr. P. 9027(e)(3) asserting whether, with respect to each claim or counterclaim:
 - (A) The proceeding is core or non-core; and
 - (B) The party consents to the entry of a final order or judgment by the Bankruptcy Court.If no such statement is included, unless otherwise ordered by the Court, the party filing the notice of removal or initial post-removal filing shall have waived the right to contest the authority of the Court to enter final orders or judgments.
 - (6) CORPORATE OWNERSHIP STATEMENT as defined by Fed. R. Bankr. P. 7007.1.
 - (7) JURY DEMAND. Within fourteen (14) days of service of the notice of removal, a party must comply with Rule 9015 to preserve any right to a jury trial.
 - (8) CERTIFICATE OF SERVICE. Not later than seven (7) days after service, the party filing the notice must file a Certification of Service.
- (c) TIMING. The removing party must file all of the required documents within thirty (30) days of filing a notice of removal.
- (d) REMAND. A motion for remand must be filed with the Clerk's office where the bankruptcy is pending within 30 days after the date of filing the notice of removal, and served on all parties listed in subparagraph (a) of this Rule.

- (1) If the Court remands the case, a certified copy of the order of remand shall be mailed by the Clerk to the clerk of the court from which the civil action or proceeding was removed, and that court may thereupon proceed with the case.
 - (2) If, at any time before final judgment, it appears that the civil action or proceeding was removed improvidently or that this Court lacks jurisdiction to adjudicate the matter, this Court will remand the case to the court from which it was removed and may order the payment of reasonable and justified costs.
- (e) FEES. Unless otherwise ordered by the Court or by applicable rule, the adversary proceeding fee is due upon the filing of the notice of removal.
- (f) PENDING MOTIONS. When an action or proceeding is removed to this Court with pending motions on which briefs have not been submitted, the moving party must serve a memorandum in support of the motion within fourteen (14) days after removal. Each party opposing the motion must respond in compliance with these local rules.