

LOCAL OFFICIAL FORM NO. 3

NOTICE OF DEADLINE TO OBJECT TO
MOTION COMMENCING CONTESTED MATTER

[CAPTION]

NOTICE OF DEADLINE TO FILE AND
SERVE OBJECTION TO [NAME OF MOTION]

_____ has filed a [insert name of motion] seeking
[describe the relief sought in the motion].

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.)

If you do not want the Court to [relief sought in motion], or if
you want the Court to consider your views on the [motion] then:

on or before [date of deadline], you or your attorney
must file with the Court a written objection to the
[motion], together with the proposed order required by
Local Bankruptcy Rule 9072-1. The objection and
proposed order must be filed with the Clerk of the
Bankruptcy Court, U.S. Courthouse, 3rd and
Constitution Avenue, N.W., Washington, D.C. 20001.
You may append affidavits and documents in support of
your objection.

If you mail your objection to the Court for filing,
you must mail it early enough so the Court will
receive it on or before the date stated above.

You must also mail a copy of your objection to:

[movant's attorney's name and address]

[names and addresses of others to be served]

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the [motion] and may enter an order granting relief. The Court may grant the [motion] without a hearing if the objection filed states inadequate grounds for denial of the [relief sought in motion or other filing].

Dated: _____

[Movant's Attorney's Name, Addr., E-Mail Addr., and Phone No.]

[CERTIFICATE OF SERVICE UNDER LBR 5005-1(h)]

NOTES:

- 1. The Notice of Deadline optionally may appear conspicuously in the Motion, with the title of the Motion to read "MOTION . . . AND NOTICE OF DEADLINE TO FILE AND SERVE OBJECTION TO MOTION."*
- 2. When a Rule requires that the deadline be measured from the date of service, instead of from the date of filing, and service is made by mail, Fed. R. Bankr. P. 9006(f) requires that the date of the deadline is changed to three (3) days after the deadline date that would otherwise apply.*
- 3. Once the paper commencing a contested matter has been served, generally there is no need, when a later motion is filed in the contested matter, to include a notice of the deadline to object to that motion. An exception would be a motion for contempt against a witness (for example, for failing to comply with a subpoena).*

4. *Official Local Form No. 4 is substantially similar, but is tailored to be used for such miscellaneous filings as a notice of a proposed abandonment, and it includes Notes pertinent to service on the entire creditor body.*