

LOCAL OFFICIAL FORM NO. 5

NOTICE UNDER LBR 6004-1 OF
PROPOSED USE, SALE, OR LEASE OF PROPERTY

[CAPTION]

NOTICE OF PROPOSED [SALE, USE, OR LEASE] OF [DESCRIBE PROPERTY]

PLEASE TAKE NOTICE that [sale, use, or lease] of the following- described property of the estate, not in the ordinary course of business, is proposed in accordance with Fed. R. Bankr. P. 6004(a):

[Detailed Property Description]

It is proposed that the property be [describe sale, use, or lease]. [Insert information required by LBR 6004-1(a) and Fed. R. Bankr. P. 2002(c).]

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 [sale, use, or lease] to become effective, or if you want the Court to consider your views on the proposed [sale, use, or lease], then:

on or before [deadline] [the 5th day before the date set for the proposed [sale, use, or lease], you or your attorney must file with the Court a written objection to the proposed [sale, use, or lease], 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, E. Barrett Prettyman 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 or your attorney 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 or your attorney must also mail a copy of your objection to:

[movant's attorney's name and address]

[names and addresses of others to be served]

IN THE ABSENCE OF A TIMELY OBJECTION, THE [SALE, USE, OR LEASE] WILL BE AUTHORIZED BY THE BANKRUPTCY CODE AND BY THE RULES OF THE COURT WITHOUT THE NECESSITY OF A COURT ORDER. The Court may authorize the [sale, use, or lease] without a hearing if the objection filed states inadequate grounds for denial. Parties in interest with questions may contact the undersigned.

Dated: _____
[Movant's Counsel's Name, Address, E-Mail Address, and Phone No.]

[CERTIFICATE OF SERVICE UNDER LBR 5005-3]

NOTE: This form is to be used when a sale, use, or lease out of the ordinary course of business can be authorized on notice without the necessity of Court order, if there is no objection. A sale free and clear of liens requires a motion and a proposed order.