

ADVERSARY CASE OPENING

An adversary proceeding is commenced by the filing of a complaint. To file a complaint, you must first **Open an AP case**.

You must have the following PDF documents prepared prior to Open a New Adversary:

- Complaint
- Adversary Coversheet (available from our Internet Site, Bankruptcy Form-apncover.pdf)
- Exhibits, if any

STEP 1 Click **Adversary** from the **Main** menu. From the **Adversary Events** menu, select **Open an AP Case**.

STEP 2 The **Open a New Adversary Case** screen is displayed.



Open a New Adversary Case

Case type ap ▼

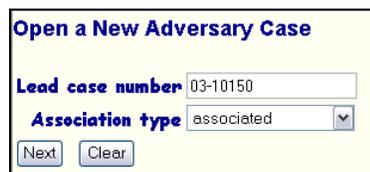
Date filed 8/5/2003

Complaint y ▼

Next Clear

- **Case Type:** defaults to “ap.” for adversary proceeding
- **Date Filed:** displays current date; cannot be changed
- **Complaint:** select “y” for a complaint, “n” for a Notice of Removal
- Select **Next** to continue (selecting **Clear** will reset defaults).

STEP 3 The **Lead Case Number** screen is displayed.



Open a New Adversary Case

Lead case number 03-10150

Association type associated ▼

Next Clear

- **Lead case number:** key the related Bankruptcy case number in the format YY-XXXXX.
- **Association type:** select 'associated.'
- Click **Next** to continue or **Clear** to reset defaults).

STEP 4 The **Case Assignment** screen appears, displaying the Division and the Judge assigned to the case, based on the lead bankruptcy case.

Open a New Adversary Case

Case is assigned to **Alexandria** Division, Judge **Mitchell** based on the lead Bankruptcy case 03-10150-55M.

- Click **Next** to continue.

STEP 5 The **Search for a party** screen appears. In this step you will be adding the parties to this adversary proceeding (plaintiffs and defendants), and their attorneys (if applicable). Parties may be added in any order.

Open a New Adversary Case

Search for a party

SSN **Tax Id**

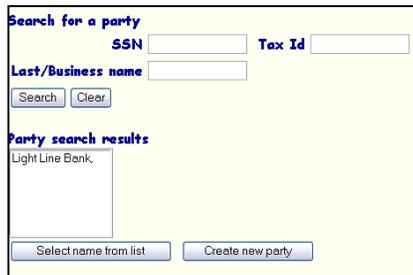
Last/Business name

- Search for your first party, plaintiff or defendant, to the adversary proceeding, using either the SSN, Tax I.D. or the last/business name of the party.
- Click **Search**.

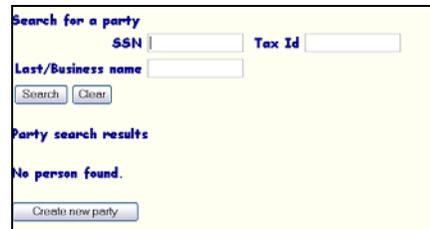
STEP 6 The **Party search results** screen appears.



- If the party's name appears in **Party search results** window, highlight the name (A pop-up window will appear listing the name and any address for the party selected.). If the plaintiff or defendant party is listed with an address, select the party and modify or remove the address on the **Party Information** screen. Click **Select name from list** to proceed to **STEP 7**.



or



- If the party's name does not appear in the **Party search results** window or results indicate **No person found** click **Create new party** and proceed to add the party using the instructions in **STEP 7** through **STEP 13**.

STEP 7 A **Party Information** screen appears.

- If the party's name **appeared** from the search in **STEP 6**, the following **Party Information** screen appears to update any existing information:

Party Information

Heavy Bank SSN: Unknown

Office **Address 1**

Address 2 **Address 3**

City **State** **Zip**

County **Country**

Phone **Fax**

E-mail

ProSe no **Role** Plaintiff (pla.pty)

Party text

Attorney... Alias... Review... Add all attorneys and aliases before clicking the Submit button.

Submit Cancel Clear

- Change the **Role** field to reflect the role of the party being added, either Plaintiff or Defendant, by clicking in the box or the down arrow next to the field name. You will need to use the scroll bar to navigate through the list. The field defaults to **blank (blank:)** and must be changed before you are allowed to proceed.
 - If an address is included for the party, either modify or remove as necessary.
 - If there is text that you wish to appear on the docket in the header information (after the party's name; i.e. 'a Virginia Corporation', 'as Trustee...', etc.) key information in **Party text** field.
 - Select appropriate status for the party in the **Pro Se** field. Proceed to **STEP 8**.
- If the party's name **did not appear** from the search in **STEP 6**, the following **New Party Information** screen appears to key the new party information:

Party Information

Last name er Side Federal Credit Union **First name**

Middle name **Generation** **Title**

SSN 222-11-1234 **Tax ID**

Office **Address 1**

Address 2 **Address 3**

City **State** **Zip**

County **Country**

Phone **Fax**

E-mail

ProSe no **Role** Plaintiff (pla.pty)

Party text

Attorney... Alias... Review... Add all attorneys and aliases before clicking the Submit button.

Submit Cancel Clear

- Enter the party information in the appropriate fields. (If you are adding a business, use the *Last Name* field for the full business name.) Please DO NOT add address information, on this screen, for any party that you are associating with a case.
- Select the appropriate **Role** - either Plaintiff or Defendant, by clicking in the box or the down arrow next to the field name. You will need to use the scroll bar to navigate through the list. The field defaults to **blank (blank:)** and must be changed before you are allowed to proceed.
- If you wish to include **Party Text** (such as a Virginia Corporation, etc.) add in box provided
- Select appropriate status for the party in the **Pro Se** field. Proceed to **Step 8**.

STEP 8

If the party has been or is known by any other names, select **Alias**. The **Create Alias** screen will appear to allow for the inclusion of one or more aliases for the party. Up to five aliases may added on one screen.

Alias Information (Party Heavy Bank,)					
	Last/Business name	First name	Middle name	Generation	Role
1	LightLine Bank				fdba
2					aka
3					aka
4					aka
5					aka

Click the Add aliases button to return to the Party screen and submit all information for this party.

- Add alias information as indicated above.
- If business, the full business name is keyed in Last/Business name field. Select appropriate alias role.
- Click **Add aliases** to return to **Party Information** screen, or **Clear** to re-key alias information. Proceed to **STEP 9**.

STEP 9

If the party is represented by an attorney, select the **Attorney** button. The **Search for an Attorney** screen will display.

Search for an attorney	
Bar Id	<input type="text"/>
Last name	Flowers
<input type="button" value="Search"/>	<input type="button" value="Clear"/>

- Search for the party’s attorney by keying up to 10 letters of the attorney’s last name in the **Last name** field. Note: do not search for an attorney by **Bar Id**. Click **Search**.

STEP 10 Attorney Search Results screen appears.



- If attorney’s name does not appear, make sure that the name has been searched correctly, then contact the appropriate divisional office for assistance.
- If attorney’s name appears, click to highlight. A pop-up window appears displaying name and address of attorney. If correct attorney, click **Select name from list**.

STEP 11 The **Attorney Information** screen appears. Verify the information contained. Modify information if necessary. Any changes made to the attorney’s contact information will apply only to this adversary proceeding.

- **Lead attorney** – select “yes” if this is the lead (or only) attorney for this party.
- Click **Add attorney** to add or **Cancel attorney** to cancel addition and return to **Party Information** screen.

Attorney Information (Party Heavy Bank.)

Evelyn Flowers Bar Id:Unknown Bar Status:Unknown

Office Flowers and Flowers Address 1 2 Stay St.

Address 2 Address 3

City Alexandria State Va.

Zip 27066 Country

Phone Fax

E-mail evelyn_flowers@vaeb.uscourts.gov Lead attorney yes

Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

STEP 12 Party Information screen re-appears.

Party Information

Heavy Bank SSN:Unknown

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

ProSe no Role Plaintiff (pla:pty)

Party text

Add all attorneys and aliases before clicking the Submit button.

To review attorney and alias information keyed for this party, click **Review**.

STEP 13 The **Review attorneys and aliases** screen appears.

Review attorneys and aliases
Heavy Bank

Uncheck to remove from list

Attorneys added:
 Flowers, Evelyn
 Flowers and Flowers
 2 Stay St.
 Alexandria, Va 27066

Aliases added:
 Light Line Bank, (fdb)

- If either attorney or alias information is incorrect, click the appropriate box to remove the check and remove the information, and click **Return to Party screen**; or
- If all information is correct, click **Return to Party screen**.
- Click **Submit** to add party and proceed with adding additional parties.

STEP 14 The **Search for a party** again displays.

Open a New Adversary Case

Search for a party

SSN **Tax Id**

Last/Business name

- Refer to **STEP 5** through **STEP 13** to add remaining parties.
- When all parties have been added, select **End Party Selection**.

NOTE: *In order to complete the Adversary Case Opening, at least one of the parties added must be designated with a party role of defendant. If not, the following error message appears, and you will not be allowed to continue.*

Open a New Adversary Case

Error - Cannot docket Complaint unless one party is entered as a defendant.
do_type = cmp
do_sub_type = cmpfee

STEP 15 The Adversary Statistical Information screen appears.

Open a New Adversary Case

Party code U.S. not a Party in the case ▾

Nature of suit 424 (Objection/Revocation of Discharge 727) ▾

Origin original proceeding ▾

Transfer date

Rule 23 (class action) n ▾

Jury demand None ▾

Demand (\$000)

Party Code: select whether the United States is a plaintiff, a defendant or is not a party in the adversary proceeding.

- **Nature of Suit:** select the relief sought. Note: if there are multiple counts to the complaint and one is a 727 Objection to Discharge, it is important to enter 424 (objection/Revocation Discharge 727) as the Nature of Suit.
- **Origin:** select the origin of this complaint. This will usually be ‘original proceeding.’
- **Transfer date:** leave this field blank.
- **Rule 23 (class action):** select yes or no.
- **Jury demand:** select yes or no. Note: if selecting ‘yes,’ a motion requesting a jury trial must be filed.
- **Demand (\$000):** if this adversary complaint seeks monetary relief, enter the amount in thousands of dollars. For example, if the Dollar Demand is \$5,550 or \$6,000 enter 6 and for \$10,000 enter 10.
- Select **Next**.

STEP 16 The **Select PDF Document** screen appears.

 No Yes', and 'Next' and 'Clear' buttons at the bottom."/>

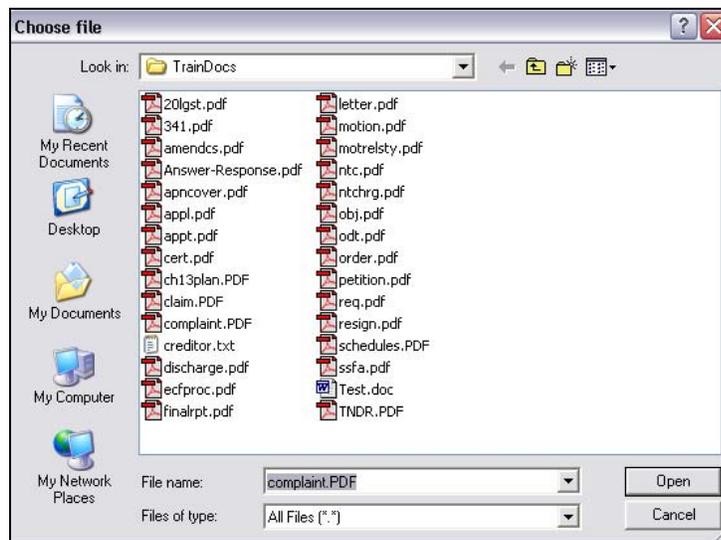
Open a New Adversary Case

Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

Attachments to Document: No Yes

- Key the complete pathname in the filename box or click the **Browse** button to select the file.
- In the **File Upload** (or **Choose File**, if using Netscape) box (which appears):



- Change **Files of type** to: Acrobat [**.pdf*] or All Files, *if appropriate*
- Change **Look in:** to appropriate drive where document is located.
- Click on filename to be associated with the entry.
- Click **Open** to include the file in the **Filename** box (or you may double click on the filename and it will include the file in the **Filename** box). (Clicking **Clear** would remove the file from the **Filename** box.)

- The **Select the pdf document** screen re-appears with the pathname included.

- If including the Adversary Proceeding Cover Sheet (and/or other possible exhibits) in a separate file, as ‘**Attachments to Document:**’ change radio button to ‘yes’
- The **Select one or more attachments** screen appears.

- Follow same instructions as that for complaint:
 - Using the **Browse** button and following the previous instructions in this step, select the directory and file of the attachment.
 - **Type:** select appropriate description from drop-down list. If you do not see an appropriate description in this list, you may type in your own description in the **Description** box. A combination of both may also be used, ie: Exhibit may be selected from Type and your description may be added in the description field.
 - Select **Add to List**. You will see the pdf file name move from the upper **Filename** box to the lower box. Note: this may take a moment with large or scanned documents.

- Repeat this process for each attachment. When you have uploaded all attachments, click **Next**.

STEP 17 The **Open a New Adversary Case** screen is displayed:

The screenshot shows a yellow rectangular box with a black border. At the top, the text "Open a New Adversary Case" is written in blue. Below this text, there are two buttons: "Next" and "Clear", both with a light blue background and a thin border.

- Click **Next** to continue or **Clear** to start over.

STEP 18 The **Docket Text: Modify as Appropriate** screen appears, allowing for addition of prefix and/or additional text.

The screenshot shows a yellow rectangular box with a black border. At the top, the text "Open a New Adversary Case" is written in blue. Below this, there is a section titled "Docket Text: Modify as Appropriate." in blue. This section contains a dropdown menu with a downward arrow, followed by the text "Complaint against Sea Salt" and a text box. To the right of the text box is the text "filed by Evalyn Flowers of Flowers and Flowers, Debra H. Lowe of Dewey, Cheetham & Howe on behalf of Heavy Bank .". Below this is the text "(Attachments: # (1) Adversary Proceeding Cover Sheet) Nature of Suit: 424 (Objection/Revocation of Discharge 727), Associated Bankruptcy Case Number: 03-10150 (Lowe, Debra)". At the bottom of the section are two buttons: "Next" and "Clear".

- To add a prefix to the docket text of the **Complaint:**
 - Click on the arrow to the right of the first (prefix) box.
 - Select the correct modifier.
- To add additional text:
 - Click in the second (text) box.
 - Type in any additional information you wish to include to describe the **Complaint**.
 - After verifying the information is correct, click **Next** to proceed (Clicking **Clear** will remove any text selected or keyed).

STEP 19 The **Docket Text: Final Text** screen appears.

Open a New Adversary Case

Docket Text: Final Text
Complaint against Sea Salt filed by Evelyn Flowers of Flowers and Flowers, Debra H. Lowe of Dewey, Cheetham & Howe on behalf of Heavy Bank. (Attachments: # (1) Adversary Proceeding Cover Sheet)
Nature of Suit: 424 (Objection/Revocation of Discharge 727), Associated Bankruptcy Case Number: 03-10150 (Lowe, Debra)

WARNING!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

- Verify the text docket text. This is what will be displayed on the docket and is your final chance to correct any errors. Any text you added in the previous step will appear in italics.

NOTE: A programming glitch in ECF may cause the text of the complaint entry to read incorrectly. The text may indicate additional incorrect parties are filing the complaint. We are working to correct this problem.

- Click **Next** to submit filing.

Receipt of Filing

Once final docket text is submitted, the **Notice of Electronic Filing** screen is, giving confirmation of ECF receiving the entry and the Adversary Proceeding number assigned. All subsequent pleadings in this complaint must be filed using this number. It is now an official court document. Scroll to view the entire receipt.

<p>Open a New Adversary Case</p> <p style="text-align: center;">U.S. Bankruptcy Court TRAIN Eastern District of Virginia - TRAIN</p> <p>Notice of Electronic Filing</p> <p>The following transaction was received from Lowe, Debra entered on 8/5/2003 at 5:37 PM EDT and filed on 8/5/2003</p> <p>Case Name: Heavy Bank v. Salt Case Number: 03-01127-55M Document Number: 1</p> <p>Docket Text: Complaint against Sea Salt filed by Evelyn Flowers of Flowers and Flowers, Debra H. Lowe of Dewey, Cheetham & Howe on behalf of Heavy Bank. (Attachments: # (1) Adversary Proceeding Cover Sheet) Nature of Suit: 424 (Objection/Revocation of Discharge 727), Associated Bankruptcy Case Number: 03-10150 (Lowe, Debra)</p> <p>The following document(s) are associated with this transaction:</p> <p>Document description: Main Document Original filename: N:\ecf\TrainDocs\complaint.PDF Electronic document Stamp:</p>

Each notice will include the following:

- Who filed the document
- Date and Time
- Case Name
- Case Number
- Document Number
- Original filename (pdf)
- Electronic document stamp

To print receipt:

- Click on **File** at top of Netscape screen and select **Print**, *or*
- Click on the Printer icon at the top of the page.

[Note: It is strongly recommended that a copy of the receipt be maintained for your records.]

If you attempt to access the docket or the document through the links provided on the Notice of Electronic Filing, the following screen will appear, requiring you to log in using your PACER login and password.

PACER Login

Notice
This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

Instructions
Enter your ECF login and password for electronic filing capabilities. If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may register online at <http://pacer.psc.uscourts.gov> or call the PACER Service Center at (800) 676-6866 or (210) 301-6440.

An access fee of \$.07 per page, as approved by the Judicial Conference of the United States at its September 1998 session, will be assessed for access to this service. All inquiries will be charged to your PACER login that is kept on file. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.

Authentication

Login:

Password:

Client code:

Make this my default PACER login