

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA**

**ADOPTION OF REVISION TO LOCAL BANKRUPTCY RULES**

**PUBLIC NOTICE**

The following is a summary of the Court-approved revision to the Local Bankruptcy Rules (LBR) of the United States Bankruptcy Court for the Eastern District of Virginia, which, through the entry of Standing Order No. 10-6, takes effect July 1, 2010.

LBR 9013-1. MOTIONS PRACTICE - LBR 9013-1(M)(2) has been amended to clarify that the written response, as set forth in the Rule's Notice language, must be filed "at least 7 [or 3] days before the scheduled hearing."

William C. Redden  
Clerk of Court

Date: July 1, 2010

Attachment

**UNITED STATES BANKRUPTCY COURT  
for the  
EASTERN DISTRICT OF VIRGINIA**

**AMENDMENT TO  
LOCAL BANKRUPTCY RULE 9013-1(M)(2)**



**Effective July 1, 2010**  
(Version 05/26/10)

## **RULE 9013-1 MOTIONS PRACTICE**

### **(M) *Giving Notice of a Motion or Hearing***

(1) . . . .

(2) *When a hearing is required or requested:* . . . .

#### **NOTICE**

Under Local Bankruptcy Rule 9013-1, unless a written response to this motion and supporting memorandum are filed with the Clerk of Court and served on the moving party ~~within~~ at least 7 [or 3] days before the scheduled hearing date, the Court may deem any opposition waived, treat the motion [*or application or proposed action*] as conceded, and issue an order granting the requested relief without further notice or hearing.

#### **Comments**

9013-1(M)(2) The amendment to paragraph (M)(2) is intended to clarify that the written response, as set forth in the Rule's Notice language, must be filed "at least 7 [or 3] days before the scheduled hearing date."

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA**

In re:

Revision of Local Rules

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Standing Order No. 10-6

**ORDER ADOPTING REVISION OF LOCAL RULES**

After giving appropriate public notice and an opportunity for comment, pursuant to delegation of authority from the United States District Court, the accompanying revision of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia is hereby adopted, effective July 1, 2010.

Local Bankruptcy Rule 9013-1(M)(2) shall take effect on the 1<sup>st</sup> day of July 2010, and shall govern procedures in all cases pending on that date or filed thereafter.

Dated: July 1, 2010

/s/ Douglas O. Tice Jr.  
DOUGLAS O. TICE JR.  
Chief United States Bankruptcy Judge

/s/ Stephen S. Mitchell  
STEPHEN S. MITCHELL  
United States Bankruptcy Judge

/s/ Stephen C. St. John  
STEPHEN C. ST. JOHN  
United States Bankruptcy Judge

/s/ Robert G. Mayer  
ROBERT G. MAYER  
United States Bankruptcy Judge

/s/ Kevin R. Huennekens  
KEVIN R. HUENNEKENS  
United States Bankruptcy Judge

/s/ Frank J. Santoro  
FRANK J. SANTORO  
United States Bankruptcy Judge