

**NOTICING GUIDELINES FOR
THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

The following table has been prepared to assist members of the bankruptcy bar in determining the appropriate noticing requirements for motions, objections and other matters arising in bankruptcy cases. The table is intended to be only a guide and sets forth the minimum noticing requirements. These guidelines do not address noticing requirements for adversary proceedings.

**NOTICING GUIDELINES FOR UNITED STATES BANKRUPTCY COURT
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<u>Applicable Rule</u>	<u>Proposed Action</u>	<u>Notice Required</u>	<u>Objection Deadline</u>	<u>Hearing Date</u>	<u>Comments</u>
Rule 2002(a)(2) & Rule 6004(a) &(b)	Notice of proposed use, sale or lease of property. (Motion to Sell Free and Clear of Liens and Motions for Order Approving Sale are governed by Rule 6004(c) and L.R. 9006-1(b)(4))	21 days notice by mail.	14 days from mailing. (14 days + 3 by mail.)	6004(a) No hearing date unless objection filed.	Objection must be filed "not less than 7 days before date set for proposed action."
Rule 2002(a)(3)	Notice of hearing on approval of compromise or settlement.	21 days notice of hearing by mail.	17 days from mailing. (14 days + 3 by mail.)	Hearing will be set at least 21 days from mailing.	Order will not be entered prior to 21st day.
Rule 2002(a)(4)	Notice of hearing on motion to convert or dismiss chapter 7, 11, or 12.	21 days notice of hearing by mail.	17 days from mailing. (14 days + 3 by mail.)	Hearing will be set at least 21 days from mailing.	Order will not be entered prior to 21st day.
Rule 2002(a)(5) & Rule 3015(g) & Rule 3019(b)	Notice of time fixed to accept or reject proposed plan modification.	21 days notice by mail.	24 days from mailing. (21 days + 3 by mail.)	Hearing will be set at least 28 days from mailing.	
Rule 2002(a)(6)	Notice of hearing on request for compensation.	21 days notice of hearing by mail.	17 days from mailing. (14 days + 3 by mail.)	Hearing will be set at least 21 days from mailing.	Order will not be entered prior to 21st day.
Rule 2002(a)(7) & Rule 3003(c)	Notice of time fixed to file proof of claim in Chpt 9 & 11.	21 days notice by mail.	24 days from mailing. (21 days + 3 by mail.)	N/A	

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Rule 2002(b)(1) & Rule 3017(a).	Notice of time fixed for objecting to and notice of hearing on Chpt. 11 disclosure statement.	28 days notice by mail.	31 days from mailing. (28 days + 3 by mail.)	Hearing will be set at least 34 days from mailing.	L.R. 9006-1(b) requires hearing to be set at least 3 days after objections
Rule 2002(b)(2) & Rule 3020(b)	Notice of time fixed for objecting to and hearing on confirmation of Chpt. 9, 11, 13 plan.	28 days notice by mail.	31 days from mailing. (28 days + 3 by mail.) Dates are set by court in 341 notice.	Hearing will be set at least 34 days from mailing. Dates are set by court in 341 notice.	L.R. 9006-1(b) requires hearing to be set at least 3 days after objections
Local Rule 2082-1(b)	Objection to Chapter 12 trustee's notice of debtor's failure to file a plan	21 days from mailing.	21 days from mailing.	Hearing may be set anytime after objection is filed.	Local Rule to be modified to provide that objection must be filed "21 days from the date of mailing"
Local Rule 2083-1(d)	Objection to Chapter 13 trustee's notice of debtor's failure to make first payment or provide documents.	21 days from mailing.	21 days from mailing.	Hearing may be set anytime after objection is filed.	Local Rule to be modified to provide that objection must be filed "21 days from the date of mailing"
Rule 3007(a) L.R. 3007-1	Objection to claim and notice of hearing.	Notice of hearing mailed at least 30 days prior to hearing.	24 days from mailing. (21 days + 3 by mail.)	Hearing will be set at least 30 days from mailing date.	
Rule 4001(a) LR. 4001-1	Motion for relief from stay.	14 days notice.	17 days from mailing. (14 days + 3 by mail)	17 days from the date of mailing and no more than 30 days after motion is filed.	
Rule 4001(b)	Motion to approve use of cash collateral.	Final hearing my commence no earlier than 14 days after service of motion.	17 days from mailing. (14 days + 3 by mail.)	Final hearing will be set no earlier than 17 days after service of motion.	
Rule 4001(c)	Motion to obtain credit.	Final hearing my commence no earlier than 14 days after service of motion.	17 days from mailing (14 days + 3 by mail.)	Final hearing will be set no earlier than 17 days after service of motion.	

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Rule 4001(d)	Agreements re: Relief from stay, use of cash collateral, adequate protection.	15 days from mailing of notice.	15 days from mailing of notice.	If objection is filed or court determines a hearing is required, no less than 5 days notice to objector and movant.	
Local Rule 5005-1(b)(1)	Objection to dismissal after service of the Section 341 Meeting Report	21 days notice by mail.	24 days from mailing. (21 days + 3 by mail.)	Hearing may be set anytime after objection is filed.	Local Rule to be modified to provide that objection must be filed "21 days from the date of mailing"
Rule 6004(c) Local Rule 9006-1(b)(4)	Motion for authority to sell property free and clear of liens.	21 days notice of hearing by mail.	17 days from mailing. (14 days + 3 by mail.)	Hearing will be set at least 21 days from mailing.	6004(c) does not specify time periods for motions for sales free and clear of liens. L.R. 9006(b) applies.
Rule 6007	Notice of proposed abandonment.	14 days from mailing of notice.	14 days from mailing of notice.	No hearing unless objection is filed.	
-----	Part VII Rules Omitted	-----	-----	----- ---	-----
Rule 8003	Motion for leave to appeal.	14 days after service.	17 days from mailing. (14 days + 3 by mail.)	21 days from mailing. (17 day objection period + 4 days prior to hearing, L.R. 9006-1(b).)	Answer in Opposition may be filed. Rule is silent on hearing.
Rule 9013 & Rule 9014. Local Rule 9006-1(b)(4)	All other motions.	21 days notice of hearing by mail.	17 days from mailing. (14 days + 3 by mail.)	Hearing will be set at least 21 days from mailing.	