

Proposed Bankruptcy Local Rule 9013-1(c)

~~(c) **Response and Reply for Motions.** Unless otherwise ordered by the court, the party responding to a motion shall have 14 days after filing within which to serve and file a responsive memorandum, and the moving party shall have seven (7) days after filing of the responsive memorandum to serve and file a reply. Unless otherwise permitted by the court, oppositions and replies to motions shall not exceed 15 pages and 10 pages, respectively, exclusive of attachments.~~

(c) **Motions that Must Be Set for Hearing.**

(1) Unless the court directs otherwise by way of a local rule, order, or court-issued form, a party filing a motion must obtain a hearing date from the courtroom deputy and give notice to all parties entitled to notice not later than 28 days before the hearing. The notice must substantially conform to the local form (**Notice of Hearing**).

(2) All responses to the motion must be filed and served on the moving party not less than 14 days before the hearing date. The moving party is not required to file a reply but may do so not less than 7 days before the hearing date. Unless otherwise permitted by the court, oppositions and replies to motions shall not exceed 15 pages and 10 pages, respectively, exclusive of attachments. No surreply or further briefing is permitted without leave of court. The court may disregard any untimely or impermissible memorandum or impose other appropriate sanctions.

(3) If no one files a timely response to the motion, the moving party may file a declaration substantially conforming to the local form (**Declaration and Request for Entry of Order**) and submit a proposed order granting the motion. The court may either cancel the hearing and enter the order or direct that the hearing be held. The moving party may request that a matter remain on calendar even if no objection is filed by filing such a request not later than the deadline for filing a response to the motion.

(4) The court generally will not cancel the hearing on:

(A) dispositive motions in adversary proceedings;

(B) motions governed by Bankruptcy Rule 4001(b) or (c);

(C) motions to convert or dismiss, except for motions by a debtor and motions by the Office of the United States Trustee under § 1112(e); and

(D) motions in chapter 11 cases, including motions to appoint a trustee or examiner, approval of disclosure statements, and confirmation of plans, but not including motions seeking purely procedural relief or approval of stipulations.



District Court of Guam
 520 W Soledad Ave FL 4
 Hagåtña, Guam 96910

FILER'S NAME, ADDRESS, PHONE, FAX, EMAIL:		
Debtor:	Case No.:	
Joint Debtor: (if any)	Chapter: Click here to choose a chapter	
[If Adversary Proceeding, complete information below. Use "et al" if multiple parties.] Plaintiff(s): vs. Defendant(s):	Adversary Proceeding No. (if applicable):	
NOTICE OF HEARING 4 th Floor Courtroom, 520 West Soledad Avenue Hagatna, Guam 96910		Hearing Date: 35T Time: 35T
		Objections Due: 35T
Matter Being Heard:		Related Dkt No.:
Moving Party:		
<p>NOTICE IS HEREBY GIVEN that this matter is set for hearing at the date and time above. The relief being requested consists of the following. [<i>Briefly describe the relief sought, including pertinent details.</i>]</p>		

Your rights may be affected. You should read the motion or application and the accompanying papers carefully and discuss them with your attorney if you have one in this bankruptcy case or proceeding. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in this motion, or if you want the court to consider your views on the motion, then you or your attorney must file a statement explaining your position not later than the date below

35T

Statements must be filed with the court at:

District Court of Guam
Bankruptcy Division
4th Floor, US Courthouse
520 West Soledad Avenue
Hagatna, GU 96910

If you mail your response to the court, you must mail it early enough so the court will **receive** it on or before the deadline stated above. The court may disregard any response filed untimely.

You must also mail or transmit a copy to the moving party at:

Responses to be sent to:

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 or application and may enter an order granting that relief.

If no objection to the relief being sought is filed by the deadline stated above, the court may grant the requested relief AND cancel the hearing (although certain types of motions will remain on the court's calendar).

Dated: _____ /s/ _____
for Movant (Print name also if original signature)

Filer's Name, Address, Phone, Fax, Email:



DISTRICT COURT OF GUAM
520 W Soledad Ave FL 4
Hagatna, Guam 96910

gub_9021-1 (10/23)

Debtor:

Case No.:

Joint Debtor:
(if any)

Chapter:

DECLARATION AND REQUEST FOR ENTRY OF ORDER

Moving Party:

Title of
Motion:

Related Dkt No.:

Scheduled
Hearing Date:

Objection
Deadline:

The undersigned declares under penalty of perjury that the statements below are true and correct, and requests that the court enter an order granting the relief sought in the motion identified above.

1. I am or represent the moving party and have personal knowledge of the facts stated here.
2. The motion or application and any supporting documents in this matter were filed and served on parties in accordance with all applicable statutes and rules, as shown in a duly filed certificate of service. If the debtor is a respondent and represented by an attorney, service was made on both the debtor and the debtor's attorney.
3. The notice of hearing substantially conformed to local form hib_9073-1, was served on all parties entitled to receive notice under applicable statutes and rules, and gave clear notice that failure to file a response to the motion or application by the deadline noted above would result in relief being granted by default.
4. The record in this case indicates that no timely response has been filed (or that any response filed was subsequently withdrawn).
5. Based on the facts known to me, the Servicemembers Civil Relief Act of 2003 does not prohibit the entry of an order by default in this matter.

Dated: _____ /s/ _____
for Movant (Print name also if original signature)