

Requests for Expedited Relief or to Shorten Notice before Honorable Guy R. Humphrey

The court reminds counsel that all requests for an expedited hearing or to shorten the notice time (“motion for expedited relief”) must comply with Local Bankruptcy Rule 9073-1. The court will review the motion for expedited relief and only grant such request in the event the court concludes that such relief is warranted. Absent extraordinary circumstances, the court will not grant an expedited hearing or shorten the notice period to less than seven (7) days.

Hearing Request. In the event an expedited hearing is required, counsel must contact the judge’s Courtroom Deputy or Chambers Administration Specialist to obtain a date and time for the expedited hearing. Failure to promptly contact the court to request an expedited hearing when necessary may constitute a basis to deny such a request.

Noticing of Merit Motion and Motion for Expedited Relief. Motions for expedited relief should **not** include a notice, including the 21 day notice provided for by Local Bankruptcy Rule 9013-1. Also, do not include any notice in the motion or application seeking the underlying relief (the “merit motion”).

Order on Motion for Expedited Relief. The proposed order granting the motion for expedited relief must be uploaded concurrently with the motion for expedited relief and, if granted, served in the same manner. Failure to submit a proposed order concerning a motion for expedited relief with the motion seeking expedited relief may constitute a basis to deny such a request.

Service and Certificate of Service. In addition to service by United States first class mail, all motions for expedited relief must be promptly served with the merit motion or application upon all parties directly affected by the merit motion by email, facsimile, or overnight delivery service unless the movant is unable to locate an email or physical address or facsimile number for the affected party after reasonable diligence is exercised. If counsel for a directly affected party has filed a notice of appearance, that counsel may be served instead of the party, except in the case of a debtor who also must be served. Counsel for the movant shall promptly file a certificate of service evidencing such service. In the event a request for expedited relief is denied, counsel shall separately file and serve upon affected parties a 21 day notice, as provided in Local Bankruptcy Rules 9013-1 and 9013-3.

Procedure. It is recommended that counsel follow the following procedure in pursuing a motion for expedited relief: 1) file the merit motion and motion seeking expedited relief and concurrently upload the proposed order granting expedited relief; 2) promptly call the Courtroom Deputy or Chambers Administration Specialist; 3) await receipt of the entered order granting (or denying) the expedited relief or shortened notice; 4) promptly upon receiving the entered order, serve the merit motion with the order granting (or denying) the expedited relief and shortening the notice period (or with a 21 day notice if the motion for expedited relief is denied); 5) file the certificate of service evidencing service of the merit motion with the order granting expedited relief or shortened notice (or with the 21 day notice if the motion for expedited relief is denied).