

**NOTICE TO
FILERS IN THE SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION,
REGARDING SERVICE OF ORDERS
March 4, 2010**

Reminder to Attorneys and Attorney Office Staff:

Local Bankruptcy Rule 9072-1(d) (“Rule”) was amended effective December 1, 2009. The amended Rule changed the manner in which service of an order is to be noted on the order. The intent of the amendment was to simplify service lists, as well as reduce errors in service. Please review and familiarize yourself with the Rule and with the analysis of the Rule set forth below. Orders containing service lists not in compliance with the Rule may be returned for correction.

Remember:

LBR 9072-1(d) applies only to service of orders. Service of motions, applications, notices, etc. is governed by LBR 9013-3.

(1) **“Default List” designation.** A designation at the end of a proposed order stating “Copies to: Default List” will result, if the order is entered, in the clerk sending a copy of the order to the Debtor, Debtor’s attorney, case trustee, U.S. Trustee, the movant’s attorney, or the movant if the movant is pro se. It is not necessary to list names and addresses of those parties included in the Default List when this designation is used. If service beyond the Default List is required, see below.

(2) **Default List plus additional parties designation.** If parties in addition to those on the default list are to be served, the order must include a designation stating “Copies to: Default List,” plus a specific listing of the additional parties. **Check to see if the additional party is on the Court’s Mailing Information List in the case.** The Mailing Information List is found in CM/ECF by clicking on “Reports,” then clicking on “Noticing Information.” Enter the case number and click “Submit.” The report generated will contain a list of parties who receive e-mail notice/service (the Electronic Mail Notice List), and a list of those who receive regular mail notice/service (Manual Notice List). If the additional party is listed under the Electronic Mail Notice List in the case, it is sufficient to list only the name of the party to whom the order is to be sent. Do *not* list the party’s e-mail address. The clerk will send the order to that party at the e-mail address of record with the Court. If the additional party is not on the Electronic Mail Notice List, then set forth the additional party’s name and mailing address on the service list.

(3) **“All Filing Parties” designation.** If service of the order is required on all parties who have filed a document in the case (other than a proof of claim), add a designation to the end of the order stating: “Copies to: All Filing Parties.” The clerk will send the order to all parties on the Default List, plus all parties on the Electronic Mail Notice List and the Manual Notice List. **Use this designation only when all filing parties are particularly affected by the order.**

(4) **“All Creditors and Parties in Interest” designation.** If an order is required to be served on all creditors and parties in interest, by Fed. R. Bankr. P. 2002 or by the Court, add the designation “Copies to: All Creditors and Parties in Interest” to the end of the order. The clerk will send a copy of the order to all parties on the Mailing Matrix of the case. (The Mailing Matrix may be found in CM/ECF by clicking on “Reports,” then clicking on “Noticing Information.” Enter the case number and click “Submit.” A link for the Mailing Matrix is at the end of the report.) **Do not use the “All Creditors and Parties in Interest” designation when more limited service will suffice. Unnecessary service of orders to all creditors and parties in interest is expensive and wasteful of Court (i.e, taxpayer) resources.**

(5) **Service in Chapter 11 cases with Master Service Lists.** In Chapter 11 cases in which the use of a master service list has been approved by the Court, it is sufficient to add a designation to the end of the order stating “Copies to: Master Service List No. __, filed __(date)__,” in lieu of a listing of names and addresses.

(6) **Adversary Proceedings.** Service lists on orders in adversary proceedings need only list the attorney for each party and each pro se party, except that if the Debtor is pro se in the adversary proceeding, the order must still be served on the attorney who represents the Debtor in the estate case. Unless the U.S. Trustee or the case trustee is a plaintiff or defendant in the adversary proceeding, it is not necessary to add either to the service list on orders in adversary proceedings.

Thank you for your cooperation
in using correct service list designations.

United States Bankruptcy Court
Southern District of Ohio
Eastern Division