

## Redline of Local Rule Amendments Effective January 1, 2013

### 3007-1 CLAIMS — OBJECTIONS

\* \* \*

(b) **Contents.** An objection shall state the claimant's name and address, the date the claim was filed, and any claim number assigned by the clerk. As to each claim, the objection shall further contain a concise statement of the grounds for the objection and a specific request for treatment of the claim. A notice of objection to claim shall be filed and served with the objection and shall ~~include the mandatory thirty (30) day notice set forth below~~ substantially comply with the sample thirty (30) day notice set forth below or with Official Form 20B.

#### Sample 30 Day Notice

#### NOTICE OF OBJECTION TO CLAIM

\* \* \*

### 3011-1 UNCLAIMED FUNDS

\* \* \*

(b) **General Requirements for Requesting Unclaimed Funds.** A request for unclaimed funds must be made by motion ~~complying with LBR 9013-1 and 9013-3. The motion must also be~~ and served on the debtor, debtor's attorney, the trustee, the United States trustee, and the United States aAttorney in accordance with 28 U.S.C. § 2042.

\* \* \*

### 3015-1 CHAPTER 13 – PLAN

#### (a) Mandatory Form Chapter 13 Plan.

(1) Mandatory Form Plan Available on Court's Website. Except as provided below, in all cases filed under chapter 13, the plan filed by the debtor shall conform to the mandatory chapter 13 plan ("Mandatory Form Plan") adopted in the locality in which the plan is to be filed. Each locality (Cincinnati, Columbus and Dayton) has adopted its own Mandatory Form Plan, which is available on the Court's website at

<http://www.ohsb.uscourts.gov>. The Mandatory Form Plan for each locality may be amended from time to time.

**(2) Variations from the Mandatory Form Plan.** Any debtor who wishes to use a plan that varies from the Mandatory Form Plan must file a motion requesting leave to do so. Absent exceptional circumstances related to the particular chapter 13 case, leave will not be granted.

**(3) Special Plan Provisions.** Special provisions, if any, may be added only in the area of the Mandatory Form Plan specifically designated for special provisions. Special provisions are restricted to those items applicable to the particular circumstances of the debtor. Special provisions shall not contain a restatement of provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules, or the Mandatory Form Plan. Noncompliance with LBR 3015-1(a) may result in the reduction or disallowance of attorney fees and/or the suspension of the provisions of LBR 2016-1(b)(2)(A) or other appropriate sanctions.

**(b) Service of Plan**

\* \* \*

[Remainder of LBR 3015-1 to remain the same except where renumbering is required].

**9013-1 MOTION PRACTICE**

**(a) Memorandum in Support, Certificate of Service and Notice.**

(1) A motion or application shall be accompanied by the following:

(A) a memorandum in support;

(B) ~~except for an ex parte motion or application, or a motion or application which will be noticed by the clerk, shall be accompanied by~~ a certificate of service in accordance with LBR 9013-3, except where the motion or application seeks *ex parte* relief or is to be noticed by the clerk; and

(C) a twenty-one (21) day notice, except where one of the following applies:

(i) Rule 2002 or other Federal Rule of Bankruptcy Procedure provides otherwise;

(ii) General Order #12 (available on the court's website), as amended from time to time, lists the particular motion or application as exempt from the twenty-one (21) day notice requirement; or

(iii) upon order of the court for cause shown.

(2) The twenty-one (21) day notice required by (a)(1)(C) above shall substantially comply with the sample notice set forth below or with Official Form 20A.

~~Any notice required for a motion or application shall comply with the sample notice set forth below and/or in Official Form 20A. Except as otherwise required by Rules 2002 and 9006(f), such notice shall include the mandatory twenty-one (21) day notice below. A general order of the court (available on the court's web site) contains a list of motions that need not be accompanied by the twenty one (21) day notice. The general order may be amended from time to time.~~

### **Sample 21 Day Notice**

#### **NOTICE OF MOTION/OBJECTION**

\* \* \*