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U.S. BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

CASE ASSIGNMENT OF RELATED  
OR REFILED CHAPTER 11 CASES

**OPERATING ORDER 02-03**

In the event that counsel proposes to file one or more Chapter 11 cases that are related or that are related to cases previously pending in this District and proposes that the cases be assigned to the same judge for hearing, the following principles shall govern that case assignment:

- 1) Where the case being filed is a refiling of an entity that either presently has a pending case in this District or has previously filed a bankruptcy case in this District that has been dismissed, confirmed, or otherwise closed, the new case shall be assigned to the same judge presiding in the pending or previous case.
- 2) Where a case is filed for a subsidiary of a parent entity that has filed a separate bankruptcy case in this District, the subsidiary case shall be assigned to the judge assigned the parent case.
- 3) Where a case is filed that relates either to a pending case before a judge or a case that has been pending within one year prior to the new filing, the new filing should be assigned to the judge assigned to the pending or previously filed case.
- 4) Where none of the above stated conditions exists and one or more related cases are to be filed simultaneously, counsel for those debtors may state other grounds that would indicate a lead case. Once the lead case is randomly assigned, the related cases would then also be assigned to the judge who is assigned the lead case. Examples of grounds

indicating a lead case may include the following: the entity holds the primary assets or business operations and the entity will fund the reorganization of all cases, or the entity has the largest number of employees, creditors, or significant debt.

- 5) Where there is a conflict among these provisions, the assignment of a parent entity's case shall have precedence in determining the assignment of related cases.

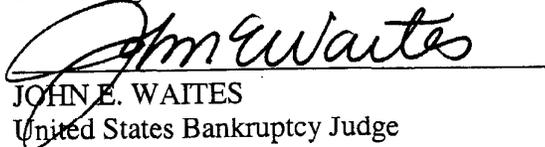
The common assignment of cases shall not constitute joint administration or consolidation pursuant to F.R.B.P. 1015. Such a determination shall be made only upon proper motion.

A request for the common assignment of related cases shall be submitted to the Clerk of Court in the form of a Certification by debtor's counsel according to the forms attached hereto and shall be submitted at or before the filing of the related cases. Simultaneously with the filing of the Certification, debtor's counsel shall provide a copy to each judge of this Court for consideration.

**AND IT IS SO ORDERED.**



WM. THURMOND BISHOP  
Chief Judge



JOHN E. WAITES  
United States Bankruptcy Judge

Columbia, South Carolina,  
*June 14*, 2002.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

CERTIFICATION PURSUANT  
TO OPERATING ORDER 02-03

**Certification Regarding  
Related Cases**

The undersigned counsel certifies the following pursuant to Operating Order 02-03 and subject to F.R.B.P. 9011.

1) As the attorney for the debtor(s) named below that is filing one or more Chapter 11 cases in the District of South Carolina, counsel asserts that there are grounds to consider those debtors related and that it is in the best interest of the debtors and their creditors and that it aids the administration of these bankruptcy cases for all of the related cases to be assigned to the same judge at the time of their filing.

2) The entities filing are: (Designate parent and subsidiary entity if applicable.)

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3) The entities filing are subsidiaries of the following parent entity that has filed or has pending a bankruptcy case in this District.

\_\_\_\_\_ (Designate case number)

4) The following bankruptcy case(s) relate to these entities filing, and the case(s) is (are) pending in this District or has (have) been pending within one year of the anticipated filing date: (Designate case numbers.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

5) While there is no previously filed case pending in this District nor a simultaneous filing of the parent entity, counsel asserts the following grounds to indicate a lead case to which all other cases should relate for purposes of case assignment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

6) Counsel recognizes that the common assignment of related cases shall not constitute joint administration or consolidation pursuant to F.R.B.P. 1015.

7) Counsel recognizes that sanctions may be imposed for an improper certification.

\_\_\_\_\_  
Attorney for Debtor(s)

\_\_\_\_\_  
Date

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

CERTIFICATION PURSUANT  
TO OPERATING ORDER 02-03

**Certification Regarding  
Refiled Cases**

The undersigned counsel certifies the following pursuant to Operating Order 02-03 and subject to F.R.B.P. 9011.

Counsel advises that the debtor has filed a previous bankruptcy case in this District that has been dismissed, confirmed or otherwise closed and that this filing constitutes a refile for that entity.

The entity filing is \_\_\_\_\_, and it had previously filed a bankruptcy case in this District as follows: \_\_\_\_\_

(Designate case name and number.)

Counsel recognizes that sanctions may be imposed for an improper certification.

\_\_\_\_\_  
Attorney for Debtor(s)

\_\_\_\_\_  
Date