

## LOCAL RULE 1001-1: SCOPE, CITATION, AND APPLICABILITY OF LOCAL RULES

- a. **Scope and Citation of Rules.** These local rules govern practice and procedure before the Court. The rules are to be cited as "District of South Carolina Local Bankruptcy Rules" and the individual rules may be cited as SC LBR \_\_\_\_ or "Bankr. D.S.C. R. \_\_\_\_\_."
- b. **Construction of Rules.**
  1. **Construction with Other Rules.** These rules do not create, modify or abrogate substantive rights. The rules are not to be construed in a manner inconsistent with the [Federal Rules of Bankruptcy Procedure](#) and the applicable Federal Rules of Civil Procedure.
  2. **Gender; Plural.** Whenever applicable, each gender includes the other gender and the singular includes the plural.
  3. **References to Rules and Statutes.** Any reference in the local rules to a statute or a rule shall include amendments or successors thereto.
  4. **References to Debtor and Creditor.** Reference to "debtor" or "creditor" in the local rules shall also include counsel for the party where appropriate.
- c. **Local Forms.** When a rule requires a party to use one of the Court's local forms, the filing party should ensure that the form filed is in substantial conformance with the required local form. For proposed orders, instructional footnotes and document identification information, such as form version numbers or coding that indicates a form is internal to a law firm, should be removed prior to submitting the order to the Court. For notices sent by the debtor, the debtor shall include the debtor's address and last four digits of the debtor's social security number or taxpayer identification number in the caption of the notice. This information may be excluded from notices sent by other parties.
- d. **Suspension or Modification of Local Rules.** A judge may, *sua sponte* or upon motion of a party in interest for good cause shown, suspend or modify the application of any local rule(s) to a particular case or proceeding.

### Notes:

(2008) Portions of former SC LBR 9001-1 were consolidated into paragraph (b) of this rule pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions. Former paragraphs (c) and (e) were deleted as unnecessary.

(2013) Paragraph (a) was amended to reflect the Blue Book citation. Paragraph (b)(4) and (c) were added.

(2017) Paragraph (c) was revised to reflect Official Form changes to the captions of notices required to be sent by debtors and to remove references to exhibits to the local rules.

## LOCAL RULE 2016-1: COMPENSATION OF PROFESSIONAL PERSONS

### (b) Chapter 13 Cases.

- (1) **Expedited Fee Approval Procedure.** An attorney representing a debtor in a chapter 13 case may obtain approval of attorney's fees without the filing of a formal fee application and a hearing when the attorney and the debtor agree in writing that the fee for representation will be equal to or less than the amount set forth in Chambers Guidelines at the time of the filing of the case (collectively, the "Expedited Fee Amount").<sup>1</sup> Unless the Court orders otherwise, the Expedited Fee Amount is deemed conditionally approved for disbursement upon confirmation of the plan as a result of the attorney's filing of the Attorney Fee Disclosure Statement ("Statement") pursuant to Fed. R. Bankr. P. 2016(b) and service thereof. The Statement shall clearly indicate the fee agreed upon, the fee paid to date, and the fee to be paid through the chapter 13 plan. The Statement shall also define any charges or potential charges for supplemental fees described in paragraph (b)(2).

[No changes to the remainder of SC LBR 2016-1]

### Notes:

(2008) Portions of former SC LBR 2081-1(c)(2) were incorporated into paragraph (a) pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions. Paragraph (b) is new.

(2013) A technical amendment was made to paragraph (a) to reference 11 U.S.C. § 328. Paragraph (b) was amended to incorporate the Operating Order Setting Procedures for Approval of Attorney's Fees in Chapter 13 Cases. Certain provisions of the former Operating Order were excluded as these provisions are addressed by other rules.

(2014) The objection deadline in paragraph (b)(2)(A)(ii) was amended from 20 to 21 days.

(2017) Paragraph (b)(1) was amended to remove the requirement that the amount of attorney's fees due be included in the chapter 13 plan.

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<sup>1</sup> This amount includes all typical costs and expenses other than filing fees and costs paid to non-attorney third parties for services necessary for the case, such as credit reports, credit counseling, and financial management course fees.

## LOCAL RULE 2082-1: CHAPTER 12- GENERAL

- a. **Filing of Plan.** The Court's [local form chapter 12 plan](#) may be filed in a chapter 12 case in this District. Plans must be filed within the time limits set forth in 11 U.S.C. § 1221. If the [local form plan](#) is not used, the plan filed must state, conspicuously and in its first sentence, that the plan proposed is not presented in the format of the form plan.
- b. **Liquidation Analysis.** The debtor must attach, as an exhibit, a liquidation analysis to the proposed plan.
- c. **Feasibility Analysis.** The debtor must attach, as an exhibit to the plan, a feasibility analysis setting forth the feasibility of the plan which shall include, at a minimum, the following:
  1. The projected income for the family farming or fishing operation during the year in which the debtor's first plan payment is due;
  2. An itemized list of the sources of such income including the amount of property to be sold and the anticipated price per unit;
  3. An itemized statement of the debtor's expenses of doing business and living costs;
  4. The amount available for payment to the trustee under the terms of the confirmed plan; and
  5. Any amount to be retained by the debtor for expenditure as operating capital in the ensuing year.
- d. **Pre-Confirmation Conference.** A conference between the debtor, the attorney for the debtor, creditors, the trustee, equity security holders, and parties in interest shall be held at least fourteen (14) days before the hearing on confirmation of the debtor's plan. The purpose of the conference is to attempt to resolve objections to the plan and to narrow the issues for the Court. The trustee shall preside at the conference. Any amended plan resulting from the conference must be filed with the Court and served on the trustee and all creditors and equity security holders at least seven (7) days before the hearing on confirmation of the debtor's plan, in order to be considered at the confirmation hearing.
- e. **Notice.** The Clerk's Office, or some other person as the Court may direct, shall provide to the debtor or attorney for the debtor a notice to be served on the trustee, all creditors and all equity security holders, setting forth the date and time fixed for the pre-confirmation conference, the deadline for filing objections to the plan, and the date and time of the hearing to consider confirmation of a plan. Unless the Court fixes a shorter period, the notice shall be served at least thirty (30) days before the confirmation hearing. A copy of the plan and all exhibits shall accompany the notice.
- f. **Objections.** Objections to confirmation of the plan must be filed with the Court and served on the debtor, attorney for the debtor, the trustee, and on any other entity designated by the Court, at or before the time fixed for the pre-confirmation conference. Objections to the amended plan, if any, must be filed and served on the debtor, attorney for the debtor, and the trustee prior to the confirmation hearing to be considered at the confirmation hearing. An objection to confirmation is governed by Fed. R. Bankr. P. 9014 and [SC LBR 9014-1](#). The Court may refuse to consider an objection that does not comply with these rules.
- g. **Summary of Operations.** At least seven (7) days before the pre-confirmation conference, the debtor shall serve on the trustee a completed summary of operations in a form to be provided by the trustee to the debtor after commencement of the case.

### Notes:

(2008) Paragraphs (d), (e), (f), and (g) were reordered and portions of this rule were restyled.

(2009) The periods in paragraphs (d) and (g) were amended to multiples of seven as part of time computation amendments.

(2012) The time periods in paragraph (d) were each reduced by seven days.

(2013) Exhibit A was revised to clarify that the automatic stay does not remain in effect if modified by 11 U.S.C. § 362.

(2017) Paragraph (c) was amended to reference family fishermen. The local form chapter 12 plan was substantially amended to recognize changes to the Federal Rules of Bankruptcy Procedure.

## **LOCAL RULE 2090-1: ATTORNEYS- ADMISSION TO PRACTICE AND DUTIES**

- a. An attorney who is admitted to practice in the United States District Court for the District of South Carolina is admitted to practice in this Court. The Rules of Disciplinary Enforcement (DRE) of the United States District Court for the District of South Carolina are applicable to attorneys who practice before this Court.<sup>1</sup>
- b. An attorney, not otherwise admitted to practice in this Court, may move for admission to practice in this Court *pro hac vice* as provided in the Local Rules of the United States District Court for the District of South Carolina. In addition to the application required by the United States District Court, attorneys seeking to be admitted *pro hac vice* shall file a supplemental application, in conformance with the Court's [local form](#), with the motion to be admitted *pro hac vice* setting forth the applicant's proficiency in bankruptcy law and procedure and agreement to abide by local rules and Chamber's Guidelines. Attorneys admitted *pro hac vice* and their local counsel are required to sign all pleadings and keep each other fully informed and engaged in all material aspects of the case. Failure to adhere to this requirement may result in the revocation of *pro hac vice* status, reduction in fees, or other sanctions. Local counsel should be prepared to actively participate in all hearings in the case.

### **Notes:**

(2008) Portions of former SC LBR 9010-1 were revised and incorporated into this rule pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions.

(2013) Paragraph (a) was amended to incorporate former SC LBR 2090-2. Paragraph (b) was amended to clarify the duties of local counsel.

(2017) Paragraph (b) was amended to add the requirement to file a copy of the local form with a motion for *pro hac vice* admission.

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<sup>1</sup> This local rule is promulgated in compliance with the United States District Court for the District of South Carolina's Local Rules regarding bankruptcy practice.

## **LOCAL RULE 3015-1: CHAPTER 13-FILING A PLAN**

The District of South Carolina local form plan, adopted pursuant to Fed. R. Bankr. P. 3015.1 and as amended from time to time, must be used as the plan and as any modified plan proposed in a chapter 13 case.

### **Notes:**

(2008) Former Sc LBR 3015-1 was revised and restyled. Portions of former SC LBR 3015-1 were incorporated into other local rules pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions.

(2009) The objection period in Exhibit A was amended to a multiple of seven as part of time computation amendments.

(2011) Section IV(A) in Exhibit A was amended to allow attorneys to receive up to \$1,000 from the initial disbursement. The certificate of service section in Exhibit A was amended to clarify that the specific list of the names and addresses of parties served with the plan should be attached to the plan filed with the Court. Sections II(A) and (B) were amended to clarify that a debtor does not have to claim an exemption to avoid a lien.

(2013) The rule was amended to require a statement where the debtor proposes changes that differ from Exhibit A. Section II(B) of Exhibit A was amended to conform with amendments made to the exhibits of SC LBR 4003-2. Section (I)(B) of Exhibit A was amended to clarify that the deadline to object runs from the date of the service of the plan.

(2017) The rule was amended to require use of the District's form plan and to remove reference to Fed. R. Bankr. P. 2002(b) regarding service of the plan.

## LOCAL RULE 3015-2: MODIFICATIONS TO CHAPTER 13 PLANS

- (a) **Before confirmation.** The debtor must complete, serve, and file with the Court the [local form plan](#) required by SC LBR 3015-1 with the boxes checked indicating a pre-confirmation modification.
- (b) **After confirmation.** The debtor must complete, serve, and file with the Court a motion in substantial conformance with the Court's [local form](#), along with the [local form plan](#) required by SC LBR 3015-1 with the boxes checked indicating a post-confirmation modification.
- (c) **Exception for certain plan payment increases.** Plan payments may be increased for the purpose of providing adequate funding of a proposed plan or a confirmed plan upon the filing of a stipulation of the debtor and trustee without otherwise modifying such proposed or confirmed plan. Plan payments may also be increased upon the Trustee's Notice of Plan Payment Change in a conduit mortgage payment plan. Such change in plan payment may decrease the dividend to general unsecured creditors unless the debtor is paying a specific dividend to general unsecured creditors under 11 U.S.C. § 1325(a) or (b), in which instance a modified plan must be proposed.

### Notes:

(2008) Portions of former SC LBR 3015-1 were incorporated into this rule pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions.

(2009) The objection period in Exhibit B was amended to a multiple of seven as part of time computation amendments.

(2013) Exhibit B was amended to clarify that the deadline to object runs from the date of service and to provide language consistent with Exhibit A to SC LBR 3015-1 regarding additions, modifications, and deletions to the form plan.

(2016) Paragraph (c) was amended to clarify which parties must be served when a proposed plan is filed after confirmation. The provision requiring a coversheet when substantial changes are proposed to Exhibit A to SC LBR 3015-1 was removed as unnecessary because SC LBR 3015-1 already requires a cover sheet.

(2017) Paragraph (a) was amended to remove reference to Fed. R. Bankr. P. 2002(a)(5) and 2002(b) regarding service. Paragraphs (b) and (d)(1), regarding base plan amendments, were removed. Paragraph (d)(2), regarding plan payment increases, was moved to Paragraph (c) and revised to add language allowing plan payment increases to be by stipulation. Paragraph (c) was moved to Paragraph (b) and revised to require a motion for post-confirmation modifications.

## **LOCAL RULE 3015-3 CHAPTER 13 CONFIRMATION HEARINGS-CONFIRMATION AND DENIAL OF CONFIRMATION**

The court, following commencement of a chapter 13 case, will schedule confirmation hearing(s) and provide notice to parties in interest of the time to object to plans. If no timely objections to a plan or pre-confirmation modified plan are filed or if all such objections are resolved, the Court, without conducting a hearing, may enter an order confirming the plan and granting the relief sought in any motions included therein.

If confirmation of the chapter 13 plan is denied, the Court may enter an order dismissing or converting the case without further notice or hearing.

### **Notes:**

(2008) Portions of former SC LBR 3015-1 were incorporated into this rule pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions.

(2011) Paragraph (b) was added to include cause for dismissal or conversion currently included in the Meeting of Creditors Notice.

(2013) A technical amendment was made to paragraph (a) to clarify that the domestic support obligation recipient should be served with a copy of Exhibit A.

(2015) Paragraph (a) was amended to require the debtor to serve Exhibit A on any public/governmental agency charged with collecting the domestic support obligation and Exhibit A was updated. The rule and the form now track the language of the statute and the scope is more narrow than the previous version of the rule and form.

(2017) The rule was amended to provide that the court will schedule confirmation hearings and provide notice of opportunities to object. Language regarding domestic support obligations was removed.



## LOCAL RULE 3015-6: PERIODIC INTEREST RATE IN CHAPTER 13 PLANS

[No change to (a) and (b)]

- (c) **Objection to Proposed Interest Rate.** A party in interest objecting to the interest rate proposed in a chapter 13 plan or modified plan must do so before expiration of the deadline for objecting to the plan or modified plan in which the interest rate is first proposed.
- (1) **File the Objection.** File with the Court an Objection and Certification of Interest Rate in substantial conformance with the Court's [local form](#), thereby indicating the objection and stating the interest rate to which the party in interest claims entitlement, and
- (2) **Serve the Objection.** Serve the Objection and Certification of Interest Rate on the debtor and the attorney for the debtor.
- (d) **Response to Objection to Proposed Interest Rate.** If the debtor opposes the interest rate claimed in the Objection and Certification of Interest Rate, the debtor must, within fourteen (14) days after service thereof on the debtor, file a response to the objection.

### Notes:

(2008) Portions of former SC LBR 3015-3 were incorporated into this rule.

(2009) The deadlines in paragraphs (c) and (d) and Exhibit A were amended to multiples of seven as part of time computation amendments.

(2013) Paragraph (c) was amended to clarify that the deadline to object runs from the date of service of the plan.

(2017) Paragraph (c) was amended to provide that an objection to the interest rate proposed in the plan must be filed before the expiration of the deadline for objecting to the plan in which that interest rate is first proposed. Paragraph (d) was amended to remove the language indicating that in the absence of a response by the debtor, the court may require the debtor to amend the plan to reflect the interest rate claimed by the objecting party.

## **LOCAL RULE 3015-7: DOMESTIC SUPPORT OBLIGATION REQUIREMENT IN CHAPTER 13 CASES**

As a condition of confirmation and at any time thereafter upon request of the trustee, a form in substantial conformance with the Court's [local form](#) shall be completed and submitted by the debtor to the chapter 13 trustee (but not filed with the court) and served upon the domestic support obligation recipient and any public/governmental agency which is charged with collecting the domestic support obligation, together with the certificate of service provided to the chapter 13 trustee.

### **Notes:**

(2017) This rule was formerly contained in SC LBR 3015-3.

## LOCAL RULE 4003-2: LIEN AVOIDANCE

- a. **Chapter 7 and 11 Cases.** In a chapter 7 or 11 case, a debtor seeking to avoid a lien pursuant to 11 U.S.C. § 522(f) shall use the passive notice procedure prescribed by [SC LBR 9013-4](#) and must file with the Court simultaneously:
  1. A hearing notice (See the Court's [local form notice](#));
  2. The lien avoidance motion (See the Court's [local form motions](#)); and
  3. A proposed order (See the Court's [local form orders](#)).
  
- b. **Filing of Motions Following Closure of Case.** Unless otherwise ordered, following discharge and the closure of a case, a lien may be avoided pursuant to 11 U.S.C. § 522(f) and amended schedules may be filed in relation thereto without reopening the case pursuant to 11 U.S.C. § 350.

### Notes:

(2008) Portions of former SC LBR 4003-1 were incorporated into this rule pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions. Former paragraphs (b)(3), (d), and (e) were deleted as unnecessary. Former paragraph (f) was deleted as unnecessary based upon the incorporation of the Interim Bankruptcy Rules into the Federal Rules of Bankruptcy Procedure.

(2011) Exhibits A, B, C, D, and E were amended to clarify that a debtor does not have to claim an exemption to avoid a lien.

(2012) A technical amendment was made to the exhibits to remove the judge's signature line, which is unnecessary for electronically signed orders.

(2013) Technical and clarifying amendments were made to Exhibits A, B, C, and D. Former paragraph (a) was deleted and new paragraph (b) was added. The hanging paragraph of (a)(2) was deleted and moved to 1001-1(c).

(2017) Former paragraph (b) and reference to chapter 12 in the Rule and the local forms were removed since motions seeking an order declaring that a lien has been satisfied in a chapter 12 or 13 case are governed by Fed. R. Bankr. P. 5009(d).

## **LOCAL RULE 5075-1: DELEGATION OF NOTICING AND SERVICE OF ORDERS**

In addition to notice delegated by [SC LBR 4001-1](#), [6004-1](#), and [9013-4](#) and pursuant to Fed. R. Bankr. P. 2002 and 3019, noticing and service of notices<sup>1</sup> and orders are delegated as follows:

### **a. Chapter 11.**

1. Order and notice setting disclosure statement hearing to the plan proponent;
2. Order approving disclosure statement and setting confirmation hearing to the plan proponent;
3. Ballots to the plan proponent;
4. Notices pursuant to [SC LBR 2081-2](#):
  - A. Notice of a hearing to designate a case as complex to the movant;
  - B. Notice of a hearing to shorten the mailing matrix to the movant; and
  - C. Notice of status conference, omnibus, and final hearings to the debtor-in-possession or trustee.
4. Notice of a hearing and order on motion pursuant to 11 U.S.C. § 363 to the movant;
5. Notice of time fixed for filing objections and, if an objection is filed, the hearing to consider a proposed modification to plan pursuant to 11 U.S.C. § 1127(e) to the plan proponent;
6. Order on motion to extend the time period to file a plan or disclosure statement pursuant to [SC LBR 3016-1](#) to the movant;
7. Order on motion to extend the exclusivity period to the movant;
8. Order on motion to appoint a chapter 11 trustee to the movant;
9. Order denying approval of disclosure statement or denying confirmation of a chapter 11 plan to the proponent; and
10. Order confirming the plan to the plan proponent.

### **b. Chapter 12.**

1. Service of any chapter 12 plan or amended or modified plan, any embedded motions, exhibits, and notice of time for filing objections, as further specified in [SC LBR 2082-1](#) to the debtor;
2. Notice of the pre-confirmation conference pursuant to [SC LBR 2082-1\(e\)](#) to the debtor;
3. Notice of confirmation hearing to the debtor;
4. Order confirming the plan to the debtor; and
5. Order declaring secured claim satisfied/lien avoided pursuant to Fed. R. Bankr. P. 5009(d) to the debtor.

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<sup>1</sup>Where a notice requires scheduling or a deadline, the noticing party shall contact a Courtroom Deputy for the applicable date if the matter is outside of the scope of [SC LBR 9013-4](#).

c. **Chapter 13.**

1. Service of any chapter 13 plan or amended or modified plan, any embedded motions, and notice of time for filing objections, as further specified in [SC LBR 3015-1](#) and [3015-2](#) to the debtor;
2. Order confirming plan and granting embedded motions on parties affected by the embedded motions to the debtor;<sup>2</sup>
3. Any order pursuant to Fed. R. Bankr. P. 3002.1 to the prevailing party;
4. Order on a consensual motion to modify a mortgage to the debtor;
5. Order on motion to modify the co-debtor stay to the movant;
6. Order on motion to sell to the movant;
7. Order on motion to incur credit is to the movant;
8. Order on motion to substitute collateral to the movant;
9. Order on motion for moratorium to the movant;
10. Notice of hearing on a Motion for Exemption from Conduit Mortgage Payment Requirement to the movant; and
11. Order declaring secured claim satisfied/lien avoided pursuant to Fed. R. Bankr. P. 5009(d) to the debtor.

d. **All Chapters.**

1. Order on motion to reconsider dismissal to the movant;
2. Order on application for professional fees to the applicant;
3. Order on a motion pursuant to 11 U.S.C. § 362(c) or (d) to the movant;
4. Order on motion confirming the termination of the automatic stay to the movant;
5. Notice of a hearing on a Motion to Pay Unclaimed Dividends, if an objection is filed pursuant to [SC LBR 3011-1\(f\)](#), to the movant;
6. Notice required pursuant to Fed. R. Bankr. P. 3004 to the party filing the proof of claim;
7. Notice of a hearing on a Request for Tax Information, if an objection is filed pursuant to [SC LBR 6070-1](#), to the applicant;
8. Order on motion or application to convert to the movant or applicant;
9. Order on motion to avoid or value a lien to the movant;
10. Notice of hearing and order on a motion for expedited, emergency, or temporary relief or to shorten the time period to object to the movant;

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<sup>2</sup>The Court will notice the debtor, the trustee, and objecting parties with the confirmation order.

11. Settlement order to the movant or applicant;
12. Order on motion to divide a case or for joint administration or consolidation to the movant;
13. Order on motion to waive or exempt credit counseling or financial management to the movant;
14. Order on application for employment to the applicant;
15. Order on motion to reconsider relief from the automatic stay to the movant;
16. Order on motion to continue administration of case after death and/or designate person to act for the debtor to the movant;
17. Order on motion or application of a party in interest, other than a trustee, to dismiss to the movant or applicant;
18. Order on motion to reopen to the movant;
19. Order on motion to redeem to the movant;
20. Order on motion to value tax claim and establish priority to the movant;
21. Order on objection to claim to the objecting party;
22. Order on motion or application for Fed. R. Bankr. P. 2004 examination to the movant or applicant; and
23. Any other order or notice the Court or the Clerk's Office specifically delegates.

**Notes:**

(2008) Portions of former SC LBR 2081-1 were revised and incorporated into this rule pursuant to Fed. R. Bankr. P. 9029(a) and the Judicial Conference's prescribed numbering conventions. Paragraphs (c), (d), and (f) are new.

(2013) The rule was substantially rewritten. Amendments were made to delegate noticing of certain matters without further order.

(2016) Paragraph (c)(10) is new.

(2017) Paragraphs (a)(3); (b)(3) and (5); and (c)(11) are new.

## LOCAL RULE 6004-1: SALE OF PROPERTY

The scheduling of motions regarding the sale of property are governed by [SC LBR 9013-4](#). In addition to the requirements of that rule and in lieu of the forms of that rule, the provisions and forms of this rule apply.

- a. **Notice Procedure.** Applications to sell property free and clear of liens pursuant to Fed. R. Bankr. P. 6004 and 11 U.S.C. § 363 must be made using the procedure prescribed by [SC LBR 9013-4](#). The application should be in substantial conformance with the Court's [local form](#) and shall be served by the movant on all parties in interest.<sup>1</sup>
- b. **Order Approving Sale.** A proposed order approving a sale, in substantial conformance with the Court's [local form](#) must specify the terms of the sale and not merely incorporate by reference the terms of the notice of sale. In order for a waiver of the stay of an order pursuant to Fed. R. Bankr. P. 6004 to be effective and included in any order approving sale, the sale application or notice must specifically request such a waiver or the parties must have agreed to the waiver in writing. The judge may require a hearing on waiver of the stay and may have [Chambers Guidelines](#), which contain additional requirements.
- c. **Report of Sale.** A report of sale, in substantial conformance with the Court's [local form](#), must be filed by the moving party within fourteen (14) days after the closing of any sale of estate property.

### Notes:

(2008) Portions of this rule were restyled. Former paragraphs (a) and (e) were deleted. Current paragraph (d) is new.

(2009) The period in paragraph (c) was amended to a multiple of seven as part of time computation amendments. Paragraph (b) and Exhibits A and B were restyled to refer to the applicable rule.

(2012) A technical amendment was made to the exhibits to remove the judge's signature line, which is unnecessary for electronically signed orders.

(2013) Paragraph (b) was amended to refer to the Chambers Guidelines and paragraph (d) was deleted as unnecessary. The rule was revised to incorporate the procedures of 9013-4.

(2014) Footnote 1 was added to reflect the self-scheduled procedure for motions to sell in chapter 11 cases.

(2017) Footnote 1 was amended. The Court's local form for applications to sell property free and clear of liens was amended to conform with Official Form B 416A.

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<sup>1</sup> When a motion to sell, use, or lease property is filed in a chapter 11 case, the filing party shall use the Court's non-passive [local form notice](#) to notice the motion.

## **LOCAL RULE 7030-1: DEPOSITIONS AND EXAMINATIONS**

- a. At the beginning of each deposition or Rule 2004 examination, deposing counsel shall instruct the witness to ask deposing counsel, rather than the witness's own counsel, for clarifications, definitions, or explanations of any words, questions, or documents presented during the course of the deposition. The witness shall abide by these instructions.
- b. All objections, except those which would be waived if not made at the deposition under Fed. R. Civ. P. 32(d)(3), and those necessary to assert a privilege, to enforce a limitation directed by the Court, or to present a motion pursuant to Fed. R. Civ. P. 30(d), shall be preserved.
- c. Counsel shall not direct or request that a witness not answer a question, unless that counsel has objected to the question on the ground that the answer is protected by a privilege or a limitation on evidence directed by the Court or unless that counsel intends to present a motion under Fed. R. Civ. P. 30(d)(3). In addition, counsel shall have an affirmative duty to inform their clients that unless such an objection is made, the question must be answered. Counsel directing that a witness not answer a question on those grounds or allowing their clients to refuse to answer a question on those grounds shall move the Court for a protective order under [SC LBR 7026-1](#) within five (5) business days of the suspension or termination of the deposition or examination. Failure to timely file such a motion will constitute waiver of the objection, and the deposition or examination may be reconvened.
- d. Counsel shall not make objections or statements which might suggest an answer to a witness. Counsel's objections shall be stated concisely and in a non-argumentative and non-suggestive manner, stating the basis of the objection and nothing more.
- e. Counsel and witnesses shall not engage in private, "off the record" conferences during depositions or during breaks or recesses regarding the substance of the testimony at the deposition or examination, except for the purpose of deciding whether to assert a privilege or to make an objection or to move for a protective order.
- f. Any conferences which occur pursuant to, or in violation of, paragraph (e) are proper subjects for inquiry by deposing counsel to ascertain whether there has been any witness coaching and, if so, to what extent and nature.
- g. Any conferences which occur pursuant to, or in violation of, paragraph (e) shall be noted on the record by the counsel who participated in the conference. The purpose and outcome of the conference shall be noted on the record.
- h. Deposing counsel shall provide to opposing counsel a copy of all documents to be shown to the witness during the deposition or examination, either before the deposition or examination begins or contemporaneously with the showing of each document to the witness. If the documents are provided (or otherwise identified) at least three (3) business days before the deposition, then the witness and the witness's counsel do not have the right to discuss the documents privately during the deposition or examination. If the documents have not been so provided or identified, then counsel and the witness may have a reasonable amount of time to discuss the documents before the witness answers questions concerning the document.
- i. If an objecting party or deponent demands, after good faith consultation, that the deposition be suspended pursuant to Fed. R. Civ. P. 30(d), the assigned judge's office shall be contacted to allow that judge to resolve the matter telephonically, if possible.
- j. Violation of this local rule may be deemed to be a violation of a Court order and shall subject the violator to sanctions under Fed. R. Civ. P. 37(b)(2).



**Notes:**

(2010) This rule is new and incorporates provisions found in the local rules of the District Court.

(2013) Provisions of paragraph (i) were deleted as unnecessary. A technical amendment was made to paragraph (j).

(2017) A citation correction was made to paragraph (c).

## LOCAL RULE 9013-4: SELF-SCHEDULED MOTIONS

### a. General Requirements.

1. Notice of the following motions shall be provided by the movant or applicant in accordance with this rule:<sup>1</sup>

- A. **Passive Motions.** A list of motions that shall be noticed passively<sup>2</sup> is attached as [Exhibit A](#); and
- B. **Non-Passive Motions.** A list of motions that shall be noticed for a definite hearing<sup>3</sup> is attached as [Exhibit B](#).

### b. Procedure. The movant shall:

1. **Select a Hearing Date.** Select a hearing date from the calendar posted on the [Court's website](#), which is:

- A. Not less than seven (7) days following the last day for objections;
- B. Not further than sixty (60) days from the service of the motion; and
- C. Scheduled in the same division as the venue of the case and before the judge assigned to the case, and in compliance with Chambers Guidelines,<sup>4</sup> unless otherwise ordered.

2. **Prepare the Hearing Notice.** Prepare a hearing notice that indicates the date, time of hearing, and hearing location (complete address) and sign the hearing notice.<sup>5</sup> The hearing notice shall be in substantial conformance with:

- A. The Court's [local passive notice form](#) for passive motions set forth in [Exhibit A](#); or
- B. The Court's [local non-passive notice form](#) for non-passive motions set forth in [Exhibit B](#).

3. **Serve the Motion and Notice.** The movant party shall serve the party entitled to notice<sup>6</sup> pursuant to the applicable rule or statute and simultaneously file with the Court:

- A. The motion;
- B. The notice of hearing of the motion; and
- C. A proposed order.<sup>7</sup>

### Notes:

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<sup>1</sup>The use of the word motion herein also includes applications, objections, and notices where applicable as set forth in Exhibits A and B attached hereto. Only motions and applications listed in this rule may be noticed using the procedure in this rule.

<sup>2</sup>Passive motions are those motions where relief will likely be granted without a hearing if no objection is filed.

<sup>3</sup>In the discretion of the Court, matters noticed for a hearing may be removed if no objection is filed.

<sup>4</sup>Chambers Guidelines must be considered in connection with the Local Rule because judges may have differing procedures or requirements related thereto.

<sup>5</sup>The hearing notice should be signed by the movant's attorney or the movant, if moving *pro se*.

<sup>6</sup>Parties entitled to receive notice may include the debtor, debtor's counsel, the United States Trustee, and the case trustee.

<sup>7</sup>In certain instances, the Court will prepare an order and no proposed order is necessary. Those instances are reflected in the exhibits to this rule.

(2008) Portions of former SC LBR 9014-2 were incorporated into this rule.

(2009) The periods in paragraphs (c)(1)(A) and (d) and Exhibit A were amended to multiples of seven as part of time computation amendments.

(2010) The objection period for agreements related to relief from the automatic stay in Exhibit A was amended to a multiple of seven as part of time computation amendments. Exhibit A was also amended to allow trustees to use uniform notices approved by the EOUST and to add a motion to retain an asset to the list of approved passive matters.

(2012) Exhibit A was amended to clarify that the passive notice procedure is available to the trustee and debtor in possession for abandonment of property.

(2013) The rule was renamed to accommodate self-scheduling of other types of motions. Former paragraph (a) was deleted. Former paragraphs (b)(2) and (3) and (d) were moved to 9013-1. Former paragraphs (c)(3) and (e) were deleted as unnecessary pursuant to SC LBR 9014-1. The remaining paragraphs were relettered. Paragraphs (a) and (b) were restyled to allow for self-scheduling of definite hearings. Exhibit A was amended to remove applications to employ and consensual motions to modify a mortgage. The following were added to Exhibit A: motions under SC LBR 4001-1, motions to convert by a trustee, requests for exemption or waiver of credit counseling or financial management, motions pursuant to SC LBR 1015-1, and motions to extend time to file a chapter 11 plan or disclosure statement. The deadline to object to a motion to modify the codebtor stay was changed from 21 to 14 days in Exhibit A. Exhibits C and D were added.

(2014) A technical amendment was made to Exhibit C to reflect that the notice period in a chapter 11 case to sell, use, or lease property is 21 days. Paragraph (b)(1)(C) was amended to cross-reference Chambers Guidelines. Clarifying amendments were made to Exhibits A and C to reflect that the United States trustee can use this rule for certain motions to dismiss or convert and that a debtor is not required to file a motion for a limited exemption from pre-petition credit counseling pursuant to 11 U.S.C. § 109(h)(3). A clarifying amendment was also made to footnote 12 to Exhibit A to reflect that the self-scheduling procedure does not apply to certain requests for fees in chapter 13 cases.

(2016) Exhibit C was amended to require 28 days notice for a motion for hardship discharge.

(2017) Exhibit A and the Court's local forms for passive and non-passive notices were updated to comply with Official Forms B 416A and B 420A. A footnote was added to Exhibit A to require a party objecting to a claim to use Official Form B 420B as the notice. Matters were added to the passive notice list.

## **LOCAL RULE 9018-1: DOCUMENTS SUBMITTED UNDER SEAL**

Requests to seal documents pursuant to 11 U.S.C. § 107 or Fed. R. Bankr. P. 9018 shall be made by motion. If the motion itself contains confidential information, the movant shall file and serve electronically a redacted version clearly marked as such and shall submit the unredacted version to chambers.<sup>1</sup>

The order authorizing the filing of such documents under seal shall be entered electronically unless otherwise directed by the Court. Following entry of the order, sealed documents shall be electronically filed using the appropriate CM/ECF event for sealed documents. Once the documents have been electronically filed, paper copies of sealed documents and electronic devices containing sealed documents may be retained by the Court for a period of two (2) years after the case or proceeding is closed, after which they will be destroyed.

### **Notes:**

(2013) This new rule incorporates provisions found in former Operating Order 08-07.

(2017). The rule was amended to add language that after documents are electronically filed, the Court may retain paper copies of the sealed documents for two (2) years and thereafter, the paper copies may be destroyed.

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<sup>1</sup> Contact the Court for the submission of in camera documents.

**FORMS**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:

CHAPTER 12

CASE NO:

NOTICE, CHAPTER 12 PLAN, MOTIONS TO VALUE SECURITY, AVOID JUDICIAL LIEN, AVOID A NONPURCHASE-MONEY, NONPOSSESSORY SECURITY INTEREST AND LIEN, AND/OR TO ASSUME OR REJECT AN EXECUTORY CONTRACT/UNEXPIRED LEASE

Debtor(s).

**I. NOTICE TO CREDITORS AND PARTIES IN INTEREST:** The debtor<sup>1</sup> has filed a chapter 12 bankruptcy case and listed you as a creditor or interested party. The debtor has filed the following chapter 12 plan and motions which may affect your rights. **Failure to object may constitute an implied acceptance of and consent to the relief requested in this document.**

**II. MOTIONS TO VALUE SECURITY, AVOID JUDICIAL LIEN, AVOID A NONPURCHASEMONEY, NONPOSSESSORY SECURITY INTEREST AND LIEN, AND/OR TO ASSUME OR REJECT AN EXECUTORY CONTRACT/UNEXPIRED LEASE.** The debtor requests that confirmation of this plan alter the rights of the following creditors named below.

**DEADLINE FOR FILING OBJECTIONS, NOTICE OF HEARING ON MOTIONS:** Objections to the motions and any provision of the plan must be made in accordance with SC LBR 9014-1, properly served, and filed with the United States Bankruptcy Court, 1100 Laurel Street, Columbia, SC 29201, within twenty-eight (28) days from the date this document is served. Timely objections will be heard at the confirmation hearing, notice of which is given separately.

**a) Lien avoidance.** The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U.S.C. § 522(b). Unless otherwise ordered by the court, a judicial lien or security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the order confirming the plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part III(b)(4) to the extent allowed. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan. See 11 U.S.C. § 522(f) and Bankruptcy Rule 4003(d). If more than one lien is to be avoided, provide the information separately for each lien.

1. Nonpossessory, Nonpurchase-Money Lien: The debtor moves, pursuant to 11 U.S.C. § 522(f), to avoid the following nonpossessory, nonpurchase-money security interest and lien in household goods:

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<sup>1</sup> When used herein, the term "debtor" shall apply as applicable either in the singular or in the plural, if there are joint debtors in the case.

Name of creditor and description of property securing lien	Value of debtor's interest in property	Total of all other liens	Exemption	Estimated security interest/debt	Security interest not avoided (see III(b)(2)(ii) below)	Security interest to be avoided (see III(4) below)
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

2. Judicial Lien: The debtor moves, pursuant to 11 U.S.C. § 522(f), to avoid the following judicial lien:

Name of the creditor and description of the property securing the lien	Estimated amount of lien	Total amount of all senior/unavoidable liens	Applicable Exemption and Code Section	Value of debtor's interest in property	Amount of lien not avoided	Amount of lien avoided
_____	\$ _____	\$ _____	_____	\$ _____	\$ _____	\$ _____

*Use this form for avoidance of liens on co-owned property only.*

Name of the creditor and description of the property securing the lien	Total equity (value of debtor's property less senior/unavoidable liens)	Debtor's equity (Total equity multiplied by debtor's proportional interest in property)	Applicable exemption and Code section	Non-exempt equity (debtor's equity less exemption)	Estimated judicial lien	Amount of lien not avoided	Amount of lien avoided
_____	\$ _____	\$ _____	_____	\$ _____	\$ _____	\$ _____	\$ _____

**b) Request for valuation of security, payment of fully secured claims, and modification of unsecured claims.** The debtor request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor state that the value of the secured claim should be as set out in the column headed Amount of secured claim. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below. The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 4 below. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 4 below.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien on the property interest of the debtor or the estate until the earlier of:

- (1) payment of the underlying debt determined under nonbankruptcy law, or
- (2) discharge of the underlying debt under 11 U.S.C. § 1228, at which time the lien will terminate and be released by the creditor.

Name of creditor and description of property securing lien	Value of debtor's interest in property	Holder and amount of superior liens	Estimate of creditor's claim	Amount of secured claim	Unsecured claim after valuation
_____	\$ _____	_____	\$ _____	\$ _____	\$ _____

c) **Assumption or Rejection of Executory Contract/Unexpired Lease:** The following leases or executory contracts will be treated as follows:

Name of Creditor	Description of leased property or executory contract	Treatment	Current Installment Payments	Amount of arrearage to be paid	Treatment of Arrearage (describe the method and time period of cure)	Estimated total payments by trustee
_____	_____	<input type="checkbox"/> Assume	\$ _____	\$ _____	_____	\$ _____
		<input type="checkbox"/> Reject				

### III. THE CHAPTER 12 PLAN

#### a) FUNDING OF PLAN (INSTRUCTION: INCLUDE THE APPLICABLE FUNDING LANGUAGE)

The debtor certifies that all fees, charges and amounts required to be paid before confirmation pursuant to chapter 123 of Title 28 of the United States Code have been paid.

Debtor hereby submits future income in the amount of \_\_\_\_\_ per month for a period of \_\_\_\_\_ beginning \_\_\_\_\_.

Debtor hereby submits future income in the amount of \_\_\_\_\_ per quarter for a period of \_\_\_\_\_ beginning \_\_\_\_\_.

Debtor hereby submits future income in the amount of \_\_\_\_\_ per year for a period of \_\_\_\_\_ years. Annual payments are to begin on \_\_\_\_\_ and on \_\_\_\_\_ each year for a period of \_\_\_\_\_ years.

#### b) PLAN DISBURSEMENTS (INSTRUCTION: INCLUDE THE APPLICABLE DISBURSEMENT LANGUAGE)

After deduction of ten percent (10%) from the above amount, to be applied towards administrative expenses, the trustee shall make disbursements as follows:

1. Treatment of Attorney's Fees: To the attorney's fees of the debtor in an amount not to exceed \_\_\_\_\_, after approval by the Court, at the rate of ten percent (10%) of the gross payment, until paid in full. This percentage may be reduced or increased by the trustee as necessary.

2. Treatment of Secured Claims: [INSTRUCTION: THE APPLICABLE LANGUAGE SET FORTH BELOW IS TO BE REPEATED FOR EACH SECURED CREDITOR AND FOR EACH CLASS OF COLLATERAL HELD BY A SECURED CREDITOR.]

If relief from the automatic stay is ordered as to any item of collateral listed in Part III(b)(2), then, unless otherwise ordered by the court, all payments as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan.

(i) Maintenance of payments and cure of default. The debtor will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be paid by the debtor. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated.

Name of Creditor: \_\_\_\_\_

Claim No: \_\_\_\_\_ Claim Amount: \_\_\_\_\_

Collateral: \_\_\_\_\_

Amount of Arrearage (if any): \_\_\_\_\_

Arrearage payments: This creditor is to be paid \$ \_\_\_\_\_ per \_\_\_\_\_ for a period of \_\_\_\_\_ which includes interest at \_\_\_\_\_% per annum..

(ii) Secured portion of claims altered by valuation and lien avoidance: (The remaining portion of the allowed claim will be treated as a general unsecured claim. )

Name of Creditor: \_\_\_\_\_

Claim No: \_\_\_\_\_ Claim Amount: \_\_\_\_\_

Collateral: \_\_\_\_\_

This creditor is wholly secured in the amount of \_\_\_\_\_ as of the effective date of confirmation.

The unsecured portion of this creditor's claim is \$ \_\_\_\_\_.

This creditor is to be paid \$ \_\_\_\_\_ per \_\_\_\_\_ for a period of \_\_\_\_\_ which includes interest at \_\_\_\_\_% per annum.

Other provisions for this creditor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(iii) Other secured debts (allowed claim to be paid in full without valuation or avoidance of lien):

Name of Creditor: \_\_\_\_\_

Claim No: \_\_\_\_\_ Claim Amount: \_\_\_\_\_

Collateral: \_\_\_\_\_

This creditor is wholly secured in the amount of \_\_\_\_\_ as of the effective date of confirmation.

This creditor is to be paid \$ \_\_\_\_\_ per \_\_\_\_\_ for a period of \_\_\_\_\_ which includes interest at \_\_\_\_\_% per annum.

Other provisions for this creditor: \_\_\_\_\_



\_\_\_\_\_  
\_\_\_\_\_

(iv) Surrender of collateral. The collateral held by each creditor listed below is hereby surrendered. No payment will be made to this creditor. The debtor requests that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and the stay under § 1201 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in section 4 below.

Name of Creditor	Collateral
_____	_____
_____	_____

3. Treatment of Priority Claims.

(i) Domestic Support Claims. 11 U.S.C. § 507(a)(1):

a. Pre-petition arrearages. The trustee shall pay the pre-petition domestic support obligation arrearage to \_\_\_\_\_ (name of DSO creditor), at the rate of \$ \_\_\_\_\_ or more per \_\_\_\_\_ until the balance, without interest, is paid in full.

b. The debtor shall pay all post-petition domestic support obligations as defined in 11 U.S.C. § 101(14A) on a timely basis directly to the creditor.

c. Any party entitled to collect child support or alimony under applicable non-bankruptcy law may collect those obligations coming due after this case was filed from the income or assets of the debtor-parent/spouse without further order or relief from the automatic stay. (Any claim for child support or alimony due before this case was filed must be collected in accordance with 11 U.S.C. § 507(a)(1) and 11 U.S.C. § 1222(a)(2).)

(ii) Other Priority debt.

Subsequent to the above, payments to priority creditors, including tax claims, will be paid on a *pro-rata* basis until paid in full. These are as follows: [INSTRUCTION: THE FOLLOWING SHOULD BE COMPLETED FOR EACH PRIORITY CREDITOR.]

Name of Creditor: \_\_\_\_\_

Claim No: \_\_\_\_\_ Claim Amount: \_\_\_\_\_

Payment Amount: \_\_\_\_\_ (monthly, quarterly, or annually)

This creditor shall be paid no interest on its claim.

or

This creditor shall be paid interest at \_\_\_\_ % *per annum* on its claim.

4. Treatment of Unsecured Claims.

Subsequent to the above, unsecured creditors will be paid on a *pro rata* basis. Unsecured creditors will be paid not less than \_\_\_\_% of the total allowed unsecured, non-priority claim.

**IV. ADDITIONAL PLAN PROVISIONS**

Upon confirmation of the plan, the debtor shall tender to the Chapter 12 Trustee, at the time the debtor's first payment under the Plan is due, \$200.00 to pay the bank fees associated with the bank account to be opened by the trustee for the debtor's plan payments. On the 12<sup>th</sup> month thereafter, the debtor shall pay to the trustee \$200.00 to pay the bank fees, or an amount agreed to by the debtor and the trustee. Should the bank fees exceed the annual \$200.00 payment, the trustee reserves the right to apply for reimbursement for the excess as an administrative expense. Upon completion of the Plan, or dismissal of the debtor's bankruptcy case, the trustee shall return to the debtor any funds not needed to pay the bank fees.

Upon confirmation of the plan, property of the estate will remain property of the estate, but title to the property shall revert in the debtor. Unless the plan otherwise provides, secured creditors shall retain their liens upon their collateral until the allowed amounts of their claims are paid in full.

Except as provided herein, the automatic stay provisions of 11 U.S.C. § 362(a) shall remain in effect until the case is closed, but may be modified pursuant 11 U.S.C. § 362(d) on motion of a party in interest.

The effective date of confirmation is the date upon which the order of confirmation becomes final.

\_\_\_\_\_  
Signature of Attorney/Pro Se Debtor

\_\_\_\_\_  
Typed Printed Name

\_\_\_\_\_  
Address/Telephone/Facsimile/E-mail

\_\_\_\_\_  
District Court I.D. Number

\_\_\_\_\_  
Date

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:

CASE NO:

CHAPTER:

Supplemental Application for  
*Pro Hac Vice* Admission

DEBTOR(S)

The undersigned has filed an Application for *Pro Hac Vice* Admission. The undersigned further certifies that:

1. (Name of applicant) has a proficient understanding of bankruptcy law and procedure to wit: (set forth a brief summary of the applicant's understanding of bankruptcy law and procedure)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. (Name of applicant) agrees to abide by the District of South Carolina Local Bankruptcy Rules and applicable chambers guidelines.

\_\_\_\_\_  
(Name of Applicant)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:

Debtor(s).

CASE NO:

CHAPTER:

MOTION TO MODIFY PLAN AFTER  
CONFIRMATION AND OPPORTUNITY FOR  
HEARING

The Court has confirmed a chapter 13 plan in this case. The debtor moves, pursuant to 11 U.S.C. § 1329(a), and Fed. R. Bankr. P. 3015(h), to modify the confirmed plan as follows:

**[Description of changes. Include paragraph number of the plan and language being modified].**

A copy of the plan with these modifications included is attached.

TAKE NOTICE that any response, return, and/or objection to this motion should be filed with the Court no later than twenty-one (21) days from service of this motion and a copy simultaneously served on the debtor, trustee, and any other affected party.

TAKE FURTHER NOTICE that no hearing will be held on this motion, except at the direction of the judge, unless a response, return, and/or objection is timely filed and served, in which case the Court will conduct a hearing on \_\_\_\_\_, \_\_\_\_ at \_\_\_\_\_ m., at \_\_\_\_\_, \_\_\_\_\_, South Carolina. No further notice of this hearing will be given.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney

\_\_\_\_\_  
Typed Printed Name

\_\_\_\_\_  
Address/Telephone/Facsimile/E-mail

\_\_\_\_\_  
District Court ID Number