**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF SOUTH CAROLINA**

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| IN RE:\*, Debtor(s). | C/A No.\*-ddChapter  |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\*, Plaintiff(s),v.\*, Defendant(s). | ADV. PRO. \*-ddChapter \* |

**ADVERSARY PROCEEDING REPORT**

As part of complying with the Order to which this Adversary Proceeding Report (“Report”) is attached, the parties are directed to complete and sign this Report and file it electronically under the event **“Adversary Proceeding Report.”** Only the Report should be filed, not the Order to which it is attached.

1. How much time are the parties requesting for discovery? Please check one of the responses below. If choosing the third option, please indicate the number of days requested and the reason(s) a longer discovery period is needed.

\_\_\_\_ Discovery Period of 30 days with an opportunity for motions and a pretrial within approximately 60 days.

\_\_\_\_ Discovery Period of 60 days with an opportunity for motions and a pretrial within approximately 90 days.

\_\_\_\_ Longer Discovery Period - Parties request \_\_\_\_\_ days for discovery, with pretrial approximately 30 days later. Reason(s) for longer discovery period are:

\_\_\_\_ No discovery is needed. The Court may set the matter for trial. Estimate on time needed for trial is hours, days (circle one). A separate letter with available trial dates is attached.

\_\_\_\_ A more immediate settlement or pretrial conference with the Court would be beneficial, either in person or by telephone. Plaintiff(s) counsel will coordinate the scheduling of such a conference.

1. Does a party assert this adversary proceeding contains non-core causes of action?

\_\_\_\_ Yes \_\_\_\_ No

Please list below the causes of action that a party asserts are non-core and the party or parties making the assertion (*i.e.* Negligence – John Doe and Jane Doe). If all parties agree a particular cause of action is non-core, please indicate all parties (*i.e.* Battery – All Parties).

1. Does a party assert this adversary proceeding contains core causes of action that this Court does not have constitutional authority to finally adjudicate?

 \_\_\_\_ Yes \_\_\_\_ No

Please list below the causes of action that a party asserts are core causes of action that this Court does not have constitutional authority to finally adjudicate and the party or parties making the assertion (*i.e.* Negligence – John Doe and Jane Doe). If all parties agree a particular cause of action falls within this category, please indicate all parties (*i.e.* Battery – All Parties).

1. If a party or parties assert this adversary proceeding contains non-core causes of action or core causes of action that this Court does not have constitutional authority to finally adjudicate, do all parties consent to this Court finally adjudicating this adversary proceeding?[[1]](#footnote-1) If all parties agree that all of the causes of action in this adversary proceeding are core proceedings that this Court has constitutional authority to finally adjudicate, please check “Not applicable.”

 \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ Not applicable

1. If a jury trial has been requested for some or all of the causes of action in this adversary proceeding, do all parties consent to this Court conducting a jury trial?[[2]](#footnote-2) If no jury trial has been requested, please check “Not applicable.”

 \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ Not applicable

**ALL PARTIES OR THEIR COUNSEL MUST SIGN BELOW. BY SIGNING BELOW, YOU ARE REPRESENTING TO THE COURT AND AGREEING THAT THE REPRESENTATIONS CONTAINED IN THIS REPORT ARE ACCURATE AND BINDING ON YOUR CLIENT.[[3]](#footnote-3) IF YOU ARE A PARTY TO THIS ADVERSARY PROCEEDING, YOU ARE REPRESENTING TO THE COURT AND AGREEING THAT THE REPRESENTATIONS CONTAINED IN THIS REPORT ARE ACCURATE AND BINDING ON YOU.**

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Signature

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

Print Name

Contact Information: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ATTACH ADDITIONAL SIGNATURE PAGES AS NEEDED**

1. In the absence of the parties answering “Yes” to question 5, this Court will not consider a “Yes” answer to question 4 to constitute consent to a jury trial conducted by this Court. [↑](#footnote-ref-1)
2. This Court will not consider a “Yes” answer to question 5 to be a concession that there is a right to a jury trial on any particular cause of action. If a party wants a determination as to whether a jury trial has been properly requested with respect to a particular cause of action, an appropriate motion must be filed. [↑](#footnote-ref-2)
3. If the attorneys representing parties in this adversary proceeding prefer to sign this Report electronically, they may attach pages containing their electronic signatures. [↑](#footnote-ref-3)