

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:¹
 - A. **Passive Motions.** A list of motions that shall be noticed passively² is attached as Exhibit A; and
 - B. **Non-Passive Motions.** A list of motions that shall be noticed for a definite hearing³ 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,⁴ 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.⁵ 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 notice⁶ 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.⁷

¹ 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 filed in the main bankruptcy case and listed in this rule may be noticed using the procedure in this rule. This rule does not apply to motions filed within an adversary proceeding.

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

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

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

⁵ The hearing notice should be signed by the movant's attorney or the movant, if moving *pro se*. In certain instances a different form is required as reflected on the exhibits to this rule.

⁶ Parties ~~entitled to receive notice~~affected by the relief requested may include the debtor, debtor's counsel, the United States Trustee, and the case trustee.

Notes:

(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. The following matters were added to the passive list: (1) Motions to Modify Confirmed Chapter 13 Plan, with objections due seven (7) days prior to the confirmation hearing date and (2) Motions to Declare Secured Claim Satisfied/Lien Avoided pursuant to Fed. R. Bankr. P. 5009(d), with a twenty-eight (28) day objection period. Motions/Applications Nunc Pro Tunc have been added to the non-passive list, with a fourteen (14) day objection period.

(2018) Exhibit A was amended to add motions pursuant to § 1307(c) and clarify that the Court will prepare the order for motions to convert or dismiss except under §§ 707(b), 1112, or 1307(c). A technical amendment was made to Exhibit A to add petitions to dismiss by a chapter 13 trustee pursuant to § 1307(c) to matters that may be self-scheduled.

(2019) Exhibit A was amended in light of new Local Rule 3015-8.

⁷ 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.

(2020) The exhibits to the rule were substantially revised. A list of parties to be served was added to the exhibit and various notice deadlines have changed. Some matters previously delegated under Local Rule 5075-1 were added to the exhibits, and some matters were removed. If a matter no longer appears on the exhibits it is no longer a self-scheduled matter.

(2021) The footnote to the rule was amended to clarify that the rule does not apply in adversary proceedings. Exhibit B was amended to clarify that motions to sell; obtain credit; or use cash collateral in a chapter 12 case are passively noticed. The instructions to the exhibits and the exhibits were revised to recognize that some parties may receive notice or service by NEF. The exhibits were also revised to reduce case-wide notice of certain delegated orders.

(2022) Removed footnote 4 indicating that Chambers Guidelines must be considered in connection with the Local Rules because judges may have differing procedures or requirements.

GENERAL PROVISIONS FOR EXHIBIT A & B TO SC LBR 9013-4

Exhibits A and B of SC LBR 9013-4 provide guidance to aid with service and notice, including service of any resulting order. A list of other notices and orders on which service has been delegated can be found at [SC LBR 5075-1](#). To determine the manner of notice or service required, consult Fed. R. Bankr. P. 9036 and SC LBR 5005-4 and 9013-3. In addition to notice and service of a paper by mail, Fed. R. Bankr. P. 9036 provides electronic notice and service of pleadings and orders via CM/ECF (a notice of electronic filing or “NEF”) on registered users is effective notice or service except in circumstances where heightened service under Fed. R. Bankr. P. 7004 is required. Parties that routinely receive NEFs include the Case Trustee, the United States Trustee, the Clerk of Court,¹ and any counsel who previously made an electronic appearance in the bankruptcy case by filing a document or notice of appearance. These parties are noted on the exhibits in red and only require service by mail when Fed. R. Bankr. P. 7004 so requires. In instances where an objecting party is represented by counsel, that party also receives an NEF of any resulting order. To assist parties with application of Fed. R. Bankr. P. 7004, the exhibits note when further examination into whether service under that rule may be required, but only denotes those matters that are expressly considered “Contested Matters” under Fed. R. Bankr. P. 9014 in the Code and Bankruptcy Rules.

The mailing matrix in CM/ECF is continuously updated during the case. Parties should use the most up-to-date mailing matrix when providing notice and service. Please note that the mailing matrix also includes parties who receive an NEF. Depending on the circumstances mentioned above, these parties may not require additional notice or service by mail. You may refer to the “Mailing Info for a Case” utility event in CM/ECF to determine which parties in a case will receive an NEF.

For purposes of this rule and exhibits, in voluntary chapter 7, 12, and 13 cases or an involuntary chapter 7 case, the term “mailing matrix” on the exhibit only applies to debtor’s counsel and those parties listed in Fed. R. Bankr. P. 2002(h)(1) or (2), as applicable, in those instances where notice is required by Fed. R. Bankr. P. 2002(a) following the time period set forth in that rule. Exhibits are provided as a convenience. Parties should consult all applicable authorities to ensure adequate notice and service.

~~** Note: For cases assigned to Judge Waites, exceptions to these procedures can be found in [Operating Order 21-04](#) and [Chambers Guidelines](#). Exceptions in those cases, where the form or the extent of notice may vary, are noted with a ↕ sign found in the service column of Exhibits A and B.~~

¹ The Clerk of Court does not require or otherwise wish to receive service of pleadings and orders that have been filed on the Court’s docket in CM/ECF.

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------------------|---|------------------------|---|--------------------------------|---|---|
| Any (as applicable) | Claim Objection (Fed. R. Bankr. P. 3007) | 30 | Debtor, Debtor's Counsel, Trustee, Claimant | Yes | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, Claimant, Objecting Party | See the local form for noticing an objection to claim. If the objection is to a claim of the United States, its officers, or agencies, or of an insured depository institution, service of the objection must be in the manner provided under Fed. R. Bankr. P. 7004. <i>See</i> Fed. R. Bankr. P. 3007(a)(2). |
| Any (as applicable) | Allowance of Administrative Claims or Interests (11 U.S.C. § 503) | 21 | Mailing Matrix \pm For Judge Waites see Operating Order 21-04 | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, United States Trustee ("UST") , Objecting Parties, Movant | A summary of the application identifying the applicant and the amount requested must be incorporated into the notice. The full application and proposed order are not required to be served on all creditors. See Chambers' Guidelines for individual judge scheduling requirements |
| Any (as applicable) | Approve Compensation or Expenses Over \$1,000 | 21 | Mailing Matrix | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, UST , Objecting Parties, Movant | The procedure in this rule does not apply to requests for fees under SC LBR 2016-1(b)(1) or (2) . |
| Any (as applicable) | Objection to Debtor's Claim of an Exemption (Fed. R. Bankr. P. 4003) | 21 | Debtor, Debtor's Counsel, Trustee, UST | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, UST , Objecting Party | This exhibit governs only the period of time to respond to an objection to a debtor's claim of an exemption. This exhibit does not alter or extend the time to file an objection to a debtor's claim of an exemption under Fed. R. Bankr. P. 4003. |

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------------------|--|------------------------|--|--------------------------------|---|--|
| Any (as applicable) | Approval of Settlement (Fed. R. Bankr. P. 9019) | 21 | Mailing Matrix \pm <i>For Judge Waites see Operating Order 21-04</i> | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, UST , Objecting Parties, Movant | See SC LBR 9019-1 . See SC LBR 3015-8 to determine if a motion is necessary in a chapter 13 case. |
| Any (as applicable) | Trustee or UST's Motion Convert or Dismiss | 21 | Mailing Matrix | Yes | Served by the Clerk of Court | Not applicable to 11 U.S.C. §§ 707(b), 1112, or 1307(c) motions. Court prepares order. See Fed. R. Bankr. P. 1017(f). |
| Any (as applicable) | Abandon Property (Fed. R. Bankr. P. 6007) | 14 | Mailing Matrix | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, UST , Objecting Parties, Movant | See SC LBR 6007-1 and applicable local form related to the required notice. |
| Any (as applicable) | Divide a Case or for Joint Administration (Fed. R. Bankr. P. 1015) | 14 | Mailing Matrix \pm <i>For Judge Waites see Operating Order 21-04</i> | | Served by the Clerk of Court | See SC LBR 1015-1 Court prepares order. |
| Any (as applicable) | Extend Time to Object to Discharge and Dischargeability of Debt (Fed. R. Bankr. P. 4004, 4007, and 9006) | 14 | Debtor, Debtor's Counsel, Trustee, UST | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, UST , Movant | |
| Any (as applicable) | Approve Agreement Relating to Relief from the Automatic Stay, Prohibiting or Conditioning the Use, Sale, or Lease of Property, Collateral, and/or Obtaining Credit (Fed. R. Bankr. P. 4001(d)) | 14 | <i>All cases:</i> Debtor, Debtor's Counsel, UST, Trustee , Affected Parties, <i>And</i> <i>Chapter 7:</i> Creditor's Committee <i>Chapter 11:</i> Creditors Committee, or if none, 20 Largest Unsecured | | Served by Prevailing Party on the Movant and the same parties served with the Motion | See SC LBR 4001-4 and applicable local form related to the required notice. See SC LBR 3015-8 to determine if a motion is necessary in a chapter 13 case. |

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------------------|--|------------------------|---|--------------------------------|--|---|
| Any (as applicable) | Stay Relief (11 U.S.C. § 362(d), Fed. R. Bankr. P. 4001(a)) | 14 | <i>All cases:</i> Debtor, Debtor's Counsel, UST, Trustee, Affected Parties, <i>And</i> <i>Chapter 7:</i> Creditors Committee <i>Chapter 11:</i> Creditors Committee, or if none, 20 Largest Unsecured | Yes | Served by Prevailing Party on the Movant and the same parties served with the Motion | See SC LBR 4001-1 and applicable local form related to the required notice. See Fed. R. Bankr. P. 4001(a). |
| 7 | Interim or Final Accounting | 21 | Mailing Matrix | | Served by the Clerk of Court | Notices by a trustee may conform with uniform notices approved by the Executive Office of the United State Trustee. |
| 7 | Trustee Retain Asset | 21 | Mailing Matrix | | Served by Prevailing Party on Trustee, Affected Parties, Debtor, Debtor's Counsel | |
| 7 | Redeem (11 U.S.C. § 722) | 21 | Affected Parties, Trustee | Yes | Served by Prevailing Party on Affected Parties, Trustee, Debtor, Debtor's Counsel | See Advisory Committee Note, Fed. R. Bankr. P. 6008. |
| 7 | Debtor's Motion to Convert 7 to 13 (No Previous Conversion) | 14 | Mailing Matrix | | Served by the Clerk of Court | |
| 7 | Extend Time to File a Motion Regarding Substantial Abuse (11 U.S.C. § 707(b)) | 14 | Debtor, Debtor's Counsel, Trustee, UST | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, UST, Movant | |
| 7, 11 | Debtor's Motion to Dismiss (No Previous Conversion) | 21 | Mailing Matrix | Yes | Served by the Clerk of Court | See Fed. R. Bankr. P. 1017(f). |

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------|---|------------------------|---|--------------------------------|---|--|
| 7, 11 | Assume or Reject Leases/Executory Contracts (11 U.S.C. § 365) | 21 | Debtor, Debtor's Counsel , the Other Party to the Contract or Lease or other Affected Party, Trustee, UST | Yes | Served by Prevailing Party on Debtor, Debtor's Counsel , the Other Party to the Contract or Lease, Trustee, UST | In chapter 12 and 13 cases, this motion is embedded in the form plan. <u>See</u> Fed. R. Bankr. P. 6006(a). |
| 7, 11 | Avoid Lien (11 U.S.C. § 522) | 21 | Affected Parties, Trustee | Yes | Served by Prevailing Party on Affected Parties, Trustee , Movant, Debtor, Debtor's Counsel | <u>See</u> SC LBR 4003-2 . In chapter 12 and 13 cases, this motion is embedded in the form plan. <u>See</u> Fed. R. Bankr. P. 4003(d). |
| 7, 11 | Establish Value (11 U.S.C. § 506) | 21 | Debtor's Counsel , Debtor, Holder of the Claim, Trustee, UST | Yes | Served by Prevailing Party on Debtor's Counsel , Debtor, Holder of the Claim, Trustee, UST , Movant | Do not use this procedure if the motion is incorporated in another motion, such as a motion to redeem in chapter 7. In chapter 13 cases, this motion is embedded in the form plan. |
| 11 | Final Decree (Fed. R. Bankr. P. 3022) | 30 | Mailing Matrix | | Served by the Clerk of Court | Court prepares order. |
| 11 | Discharge for Individual (11 U.S.C. § 1141) | 21 | Mailing Matrix | | Served by the Clerk of Court | <u>See</u> SC LBR 4004-1 (a) and (c) |
| 11 | Subchapter V Discharge (11 U.S.C. § 1192) | 21 | Mailing Matrix | | Served by the Clerk of Court | <u>See</u> SC LBR 4004-2 |
| 11 | Shorten the Mailing Matrix | 21 | Mailing Matrix | | Served by Prevailing Party on Mailing Matrix | <u>See</u> SC LBR 2081-2(d) |

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------|--|------------------------|---|--------------------------------|--|--|
| 11 | Debtor's Motion Convert to Chapter 12 or 13 (No Previous Conversion) | 14 | Mailing Matrix ± For Judge Waites see Operating Order 21-04 | Yes | Served by the Clerk of Court | See Fed. R. Bankr. P. 1017(f). |
| 11 | Extend Time to File Chapter 11 Plan or Disclosure Statement | 14 | Mailing Matrix | | Served by Prevailing Party on Mailing Matrix | See SC LBR 3016-1 |
| 12 | Final Report (Fed. R. Bankr. P. 5009(a)) | 30 | Mailing Matrix | | Served by the Clerk of Court | |
| 12, 13 | Modify Confirmed Plan (11 U.S.C. §§ 1229 or 1329; Fed. R. Bankr. P. 3015(h)) | 21 | Trustee, Parties affected by the Proposed Modification, UST | Yes | Served by the Clerk of Court | See SC LBR 3015-2(b) . Objections to a proposed modification are governed by Fed. R. Bankr. P. 9014. See Fed. R. Bankr. P. 3015(h). If the modified plan includes a new embedded motion, service under Fed. R. Bankr. P. 7004 is required on the parties affected by the embedded motion. |
| 12, 13 | Moratorium on Payments | 21 | Mailing Matrix | | Served by Movant on Debtor, Debtor's Counsel, Trustee, any Objecting Party | |
| 12, 13 | Co-Debtor Stay Relief (11 U.S.C. §§ 1201 or 1301) | 14 | Debtor, Debtor's Counsel, Co- Debtor, Trustee | Yes | Served by Prevailing Party on Debtor, Debtor's Counsel, Co-Debtor, Trustee, Movant | Court prepares order. See Fed. R. Bankr. P. 4001(a). |
| 12, 13 | Obtain Credit | 14 | Trustee, UST ± | | Served by Prevailing Party on Trustee, UST, Debtor, Debtor's Counsel, Movant | See SC LBR 3015-8 to determine if a motion is necessary in a chapter 13 case. |

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------|--|---|---|--------------------------------|--|---|
| 12, 13 | Request for Discharge (11 U.S.C. §§ 1228(a) or 1328(a)) | 14 | Mailing Matrix ± <i>For Judge Waites see <u>Operating Order 21-04</u></i> | | Served by the Clerk of Court | See SC LBR 3015-5 and SC LBR 2082-1 . |
| 12, 13 | Use of Cash Collateral; Prohibit or Condition the Use, Sale, or Lease of Property (Fed. R. Bankr. P. 4001) | 14 | <i>Use: Trustee, Affected Parties</i> <i>Prohibit: Debtor, Debtor's Counsel, Trustee ±</i> <i>For Judge Waites see <u>Operating Order 21-04</u></i> | Yes | Served by Prevailing Party on Movant and the same parties served as the Motion | See Fed. R. Bankr. P. 4001(a)(1) & (b)(1)(A). See SC LBR 3015-8 to determine if a motion is necessary in a chapter 13 case. |
| 13 | The Chapter 13 Plan and Embedded Motions | 21 or 28 days (Varies by Judge) | Mailing Matrix | Yes | Served by the Clerk of Court | <i>Responding parties must be given at least 28 days' notice of the confirmation hearing (Fed. R. Bankr. P. 2002(b)). However, pursuant to Fed. R. Bankr. P. 3015(f), the ultimate deadline for filing a response with the Court (both to the plan and embedded motions) is no later than seven days before the date set for the confirmation hearing.</i> <i>The objection period for motions embedded in a Chapter 13 plan, including valuation, assumption or rejection of executory contract and leases, and lien avoidance, varies by judge. Parties should refer to the local rules, Operating Orders, and Chambers Guidelines of the assigned Judge for guidance.</i> Certain embedded motions in a Chapter 13 plan must be served on the affected parties pursuant to Fed. R. Bankr. P. 7004. |

Exhibit A to SC LBR 9013-4
Motions/Applications approved for passive, self-scheduled hearings

| | | | | | | |
|----------------|--|-------------------------------|--|---------------------------------------|---|---|
| 13 | Substitute Collateral | 14 | Affected Parties, Trustee, UST | Yes | Served by Prevailing Party on Affected Parties, Trustee, UST , Movant | See Fed. R. Bankr. P. 4001(b)(1)(A). |
| 13 | Trustee Motion or Petition to Dismiss (11 U.S.C. § 1307(c)) | 21 | Debtor, Debtor's Counsel | Yes | Served by the Clerk of Court | Court prepares order. See Fed. R. Bankr. P. 1017(f). |
| Chapter | Pleading | # of days for Response | Parties to serve Pleading | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
| 7, 12, 13 | Use, Sale or Lease of Property (Excluding Cash Collateral); Sale Free and Clear (Fed. R. Bankr. P. 6004(a), (c)) | 21 | Mailing Matrix \neq <u>For Judge Waites see Operating Order 21-04</u> | Yes | Served by Prevailing Party on Debtor, Trustee, UST, Debtor's Counsel , any Objecting Party | See SC LBR 6004-1 and applicable local form related to the required notice for a sale. Motions to sell property free and clear of all liens must be served in a manner under Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 6004(c). Objections to a proposed use, sale or lease of property must be served in a manner under Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 6004(b) & (d). |

Exhibit B to SC LBR 9013-4
Motions/Applications approved for non-passive, self-scheduled hearings

| Chapter | Pleading | # of Days for Response | Parties to Serve | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------------------|--|------------------------|--|--------------------------------|--|---|
| Any (as applicable) | Value Tax Claim and Establish Priority (Fed. R. Bankr. P. 3012(c)) | 21 | Trustee, Debtor's Counsel, Debtor, Holder of the Claim | Yes | Served by Prevailing Party on Trustee, Debtor's Counsel, Debtor, Holder of the Claim, Movant | |
| Any (as applicable) | Convert or Dismiss by Creditor or Party in Interest | 21 | Mailing Matrix | Yes | Served by the Clerk of Court | See Fed. R. Bankr. P. 1017(f). |
| Any (as applicable) | Convert or Dismiss by Debtor (Previous Conversion) | 21 | Mailing Matrix, Trustee in Prior Case | Yes | Served by the Clerk of Court | See Fed. R. Bankr. P. 1017(f). |
| Any (as applicable) | Extend or Impose Stay (11 U.S.C. § 362(c)(3) or (4)) | 14 | Mailing Matrix | | Served by Movant on Debtor, Trustee, UST, Debtor's Counsel, any Objecting Party | See SC LBR 4001-1 and applicable local form related to the required notice. |
| Any (as applicable) | Reconsider Stay Relief | 14 | Affected Parties, Trustee | | Served by Prevailing Party on Affected Parties, Trustee, Debtor, Debtor's Counsel, Movant | |
| Any (as applicable) | Withdraw as Counsel Without Consent of Client | 14 | Client, Trustee, UST | | Served by Movant on Client, Trustee, UST | See SC LBR 2091-1 . |
| Any (as applicable) | Reconsider Dismissal | 14 | Mailing Matrix | | Served by the Clerk of Court | Court prepares order. |
| 7 | Dismiss by Trustee or UST for Abuse (11 U.S.C. § 707(b), Fed. R. Bankr. P. 1017) | 21 | Debtor, Debtor's Counsel, Trustee, UST | Yes | Served by the Clerk of Court | See Fed. R. Bankr. P. 1017(f). |

Exhibit B to SC LBR 9013-4
Motions/Applications approved for non-passive, self-scheduled hearings

| Chapter | Pleading | # of Days for Response | Parties to Serve | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|---------|--|------------------------|---|--------------------------------|---|---|
| 7 | Reaffirmation Agreement Approval with Presumption of Undue Hardship (11 U.S.C. § 524(m)) | 14 | Debtor, Debtor's Counsel, Trustee, Affected Party, UST | | Served by Prevailing Party on Debtor, Debtor's Counsel, Trustee, Affected Party, UST | |
| 11 | Appoint Trustee or Examiner (11 U.S.C. § 1104) | 21 | Mailing Matrix | Yes | Served by the Clerk of Court | See Fed. R. Bankr. P. 2007.1(a). |
| 11 | Use, Sale, or Lease Property; Sale Free and Clear (Fed. R. Bankr. P. 6004(a), (c)) | 21 | Mailing Matrix | Yes | Served by Prevailing Party on Debtor, Trustee, UST, Debtor's Counsel , any Objecting Party | See SC LBR 6004-1 and applicable local forms related to the required notice. The movant shall substitute the passive notice hearing language with the hearing language contained in local form for non-passive hearings. Motions to sell property free and clear of all liens must be served in a manner under Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 6004(c). Objections to a proposed use, sale or lease of property must be served in a manner under Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 6004(b) & (d). |
| 11 | Extend Exclusivity or Time to File a Plan or Disclosure Statement (11 U.S.C. §§ 1121(d), (e), 1189(b)) | 14 | Mailing Matrix | | Served by Prevailing Party on Debtor, Trustee, UST, Debtor's Counsel , any Objecting Party | See SC LBR 3016-1 |

Exhibit B to SC LBR 9013-4

Motions/Applications approved for non-passive, self-scheduled hearings

| Chapter | Pleading | # of Days for Response | Parties to Serve | Examine Fed. R. Bankr. P. 7004 | Party Delegated to Serve Resulting Order | Notes |
|-----------|--|-------------------------------|--|--------------------------------|---|---|
| 7, 11 | Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use Cash Collateral; Obtaining Credit (Fed. R. Bankr. P. 4001(a)(1), (b), (c)) | 14 | <i>All cases:</i> Debtor, Debtor's Counsel, UST, Trustee , Affected Parties, <i>and</i> <i>Chapter 7:</i> Creditor's Committee <i>Chapter 11:</i> Creditors Committee, or if none, 20 Largest Unsecured | Yes | Served by Prevailing Party on Movant and same parties served with the Motion | Excludes agreements under Fed. R. Bankr. P. 4001(d) and SC LBR 4001-4 . See Fed. R. Bankr. P. 4001(a)(1), (b)(1)(A), & (c)(1)(A). |
| 7, 11, 12 | Reopen (11 U.S.C. § 350) | 14 | Trustee, UST, Debtor, Debtor's Counsel | | Served by the Clerk of Court | Court prepares order. |
| 12 | Hardship Discharge (11 U.S.C. § 1228(b)) | 14 | Mailing Matrix | | Served by the Clerk of Court | |
| 13 | Determine Final Cure and Payment (Fed. R. Bankr. P. 3002.1(h)) | 14 | Trustee, Debtor, Debtor's Counsel , Affected Party | | Served by Prevailing Party on Debtor, Trustee, Debtor, Debtor's Counsel , Affected Party | |
| 13 | Determine Post-Petition Fees, Expenses, and Charges (Fed. R. Bankr. 3002.1(e)) | 14 | Trustee, Debtor, Debtor's Counsel , Affected Party | | Served by Prevailing Party on Trustee, Debtor, Debtor's Counsel , Affected Party | |
| 13 | Reopen (11 U.S.C. § 350) | Varies by Judge 14 | Varies by Judge For Judge Waites see Operating Order 21-04 Mailing Matrix | | Served by the Clerk of Court | See Chambers Guidelines of the assigned Judge to determine which parties to serve a Chapter 13 Motion to Reopen and the number of days to respond to the motion. |
| 13 | Hardship Discharge (11 U.S.C. § 1328(b)) | 14 | Mailing Matrix ± For Judge Waites see | | Served by the Clerk of Court | See SC LBR 3015-5 . |

Exhibit B to SC LBR 9013-4

Motions/Applications approved for non-passive, self-scheduled hearings

| | | | | | | |
|--|--|--|------------------------------|--|--|--|
| | | | <u>Operating Order 21-04</u> | | | |
|--|--|--|------------------------------|--|--|--|