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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO 2011 SEP -6 PM 1:26
EASTERN DIVISION

CLERK U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

In re:) Amended Administrative Order No. 03-5
)
USE OF SEVEN DAY CLAUSES IN) Judge Pat E. Morgenstern-Clarren
NOTICING HEARINGS ON MOTIONS) Judge Arthur I. Harris
AND OBJECTIONS IN THE CLEVELAND)
COURT (JUDGES MORGENSTERN-)
CLARREN AND HARRIS, ONLY))

It has been a common practice in the Cleveland Court for counsel to file and serve written hearing notices stating that written responses must be filed and served no later than seven calendar days before the date scheduled for such hearing and that, absent such a response, the motion or objection to claim may be granted without a hearing. To provide a proper basis for using such "seven day" clauses and to assure that such notices are also consistent with Official Forms 20A and 20B, the undersigned judges issue this Administrative Order under 11 U.S.C. §§ 102(1) and 105; Federal Rules of Bankruptcy Procedure 1001, 9009, and 9029; and Local Bankruptcy Rule 9013-1.

1. Except when a statute or the Federal Rules of Bankruptcy Procedure provide for a different time period, counsel may include a "seven day" clause as part of their Notice of Motion or Objection (Official Form 20A) or Notice of Objection to Claim (Official Form 20B).

2. All adaptations of these forms should carry out the intent to give notice of applicable procedures in easily understood language. Counsel may wish to consult the Committee Note and instructions accompanying Official Forms 20A and 20B.

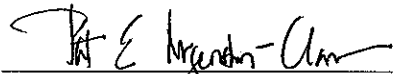
3. A list of available hearing dates is included on the Court's website www.ohnb.uscourts.gov in the judges' information section. Counsel are responsible for ensuring

that any hearing date included in a Notice of Motion or Objection or a Notice of Objection to Claim comports with any applicable provisions of the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure. For example, under Fed. R. Bankr. P. 3007, an objection to claim, including notice of the hearing, shall be mailed or otherwise delivered at least 30 days before the hearing.

4. Nothing in this Administrative Order limits a judge's ability to require counsel to appear for a hearing, notwithstanding counsel's use of a seven day clause. Nor does anything in this Administrative Order limit a judge's ability to deny the relief requested, notwithstanding counsel's use of a seven day clause and the absence of any timely response.

5. In lieu of using a seven day clause on motions, counsel may elect to give notice under Local Bankruptcy Rule 9013-1(a).

IT IS SO ORDERED.



Pat E. Morgenstern-Clarren
United States Bankruptcy Judge



Arthur I. Harris
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:) Case No. 03-12345
)
JOHN AND JANE DOE,) Chapter 7
)
Debtors.) Judge [insert name of judge]

NOTICE OF [insert language of accompanying motion or objection]

[insert name of movant or objector] has filed papers with the court to [insert relief sought in motion or objection].

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to [insert relief sought in motion or objection], or if you want the court to consider your views on the [motion; objection], then on or before [insert calendar date seven days before the hearing], you or your attorney must:

1. File with the court a written response, explaining your position, at

U.S. Bankruptcy Court
Howard M. Metzenbaum U.S. Courthouse
201 Superior Avenue
Cleveland, Ohio 44114-1235

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive it** on or before the date stated above.

2. Mail a copy to:

[insert movant's attorney's name and address]

[insert names and addresses of others to be served]

3. Attend the hearing scheduled to be held on [insert month, date, and

year], at [insert time], in Room [insert room number for judge's courtroom], on the [insert floor number] floor of the Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Cleveland, Ohio 44114-1235. The hearing may be adjourned by the court from time to time without further notice.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief without a hearing.

[signature of movant's attorney]
[name, bar #, address, phone, fax, e-mail]

CERTIFICATE OF SERVICE

I certify that on [insert date], copies of this Notice of [insert language of accompanying motion or objection] were served by ordinary U.S. mail to the persons listed below:

[signature of movant's attorney]
[name of movant's attorney]

Exhibit B to Amended Administrative Order 03-5

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:) Case No. 03-12345
)
JOHN AND JANE DOE,) Chapter 7
)
Debtors.) Judge [*insert name of judge*]

NOTICE OF OBJECTION TO CLAIM

[*insert name of objector*] has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before [*insert calendar date seven days before the hearing*], you or your attorney must:

1. File a written response to the objection, explaining your position, at

U.S. Bankruptcy Court
Howard M. Metzenbaum U.S. Courthouse
201 Superior Avenue
Cleveland, Ohio 44114-1235

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive it** on or before the date stated above.

2. Mail a copy to:

[*insert objector's attorney's name and address*]

[*insert names and addresses of others to be served*]

3. Attend the hearing on the objection scheduled to be held on *[insert month, date, and year]*, at *[insert time]*, in Room *[insert room number for judge's courtroom]*, on the *[insert floor number]* floor of the Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Cleveland, Ohio 44114-1235. The hearing may be adjourned by the court from time to time without further notice.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim and may enter an order eliminating or changing your claim without a hearing.

[signature of objector's attorney]
[name, bar #, address, phone, fax, e-mail]

CERTIFICATE OF SERVICE

I certify that on *[insert date]*, copies of this Notice of Objection to Claim were served by ordinary U.S. mail to the persons listed below:

[signature of objector's attorney]
[name of objector's attorney]