

LOCAL RULE 4001-3
Service of a Motion Pursuant to
FED. R. BANK. P. 4001(d) for Approval of Agreed Relief

(a) *Pleadings Subject to this Rule* - A motion for approval of an agreement (1) to provide adequate protection, (2) for the modification or termination of the stay provided for in section 362 of the Code, (3) for the use of cash collateral, or (4) for approval of an agreement between the debtor and an entity that has a lien or interest in property of the estate pursuant to which the entity consents to the creation of a lien senior or equal to the entity's lien or interest in such property, shall be accompanied by a copy of the agreement. Such a motion and the agreement shall be served by the moving party upon the parties set forth below under the applicable chapter, and a proof of service to that effect must be filed with the Clerk with the motion in order to commence the objection period. The notice shall indicate that objections must be filed and served within 15 days of the mailing of the notice, unless the Court fixes a different date.

(b) *Chapter 7 Case* - Service shall be made upon the following:

- (1) The parties to the agreement;
- (2) The chapter 7 trustee; and
- (3) Any entity which claims an interest in the subject property.

(c) *Chapter 11 Case* - Service shall be made according to FED. R. BANKR. P. 4001(d)(1).

(d) *Chapter 12 Case* - Service shall be made upon the following:

- (1) The parties to the agreement;
- (2) The chapter 12 trustee;
- (3) The secured creditors listed on Schedule D; and
- (4) Any entity which claims an interest in the subject property.

(e) *Chapter 13 Case* - Service shall be made upon the following:

- (1) The parties to the agreement;
- (2) The chapter 13 trustee;
- (3) The secured creditors listed on Schedule D; and
- (4) Any entity which claims an interest in the subject property.