

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT MICHIGAN
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ADMINISTRATIVE ORDER RE:
BANKRUPTCY APPELLATE PANEL
FOR THE SIXTH CIRCUIT COURT
OF APPEALS.

No. 05-098

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At a Judges' meeting held on August 26, 2005, a majority of the active District Judges approved this Court's participation in the Bankruptcy Appellate Panel of the Sixth Circuit ("BAP") for a two-year trial period. Accordingly:

IT IS ORDERED that in accordance with 28 U.S.C. § 158(b)(6), the Bankruptcy Appellate Panel of the Sixth Circuit Court of Appeals is authorized to hear and determine appeals from the United States Bankruptcy Court for the Western District of Michigan ("Bankruptcy Court"). Effective October 1, 2005, and until December 31, 2007, or such other time as may be determined by the District Court, all appeals from the Bankruptcy Court will be heard and determined by the BAP unless a party to the appeal files a timely election to "opt out" and have the appeal heard by the District Court, with any such election made in accordance with the applicable procedural rules of the BAP.

IT IS FURTHER ORDERED that appeals from decisions of the Bankruptcy Court to the District Court filed prior to October 1, 2005, which are now pending, may be transferred by the District Court to the BAP if the District Court determines to do so within its sole discretion. After any order which transfers an appeal from the District Court to the BAP, a party to the appeal

may timely elect to “opt out” and have the appeal heard by the District Court, in accordance with the applicable procedural rules of the BAP.

Dated: September 8, 2005

FOR THE COURT:


Robert Holmes Bell
Chief Judge