

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

WESTERN DIVISION NEGATIVE NOTICE LIST¹
(Updated February 12, 2020; Effective February 13, 2020)²

In addition to the matters covered by the Western Division Negative Notice Forms (which are posted on the court's website), the Western Division permits the following Requests in cases to be filed and considered under the Negative Notice Procedure established by AO 20-01. The requisite negative notice legend shall provide for a **21-day** objection period unless a shorter or longer objection period is specified.

Chapter 7 Bankruptcy Cases

Interim and final applications to approve compensation/reimbursement of expenses pursuant to 11 U.S.C. §§ 330, 331
Motions for leave to withdraw as counsel
Motions for relief from the stay of 11 U.S.C. § 362(a) (<i>provided</i> the movant affirmatively <i>waives</i> any and all applicable 11 U.S.C. § 362(e) deadlines) ³
Motions to approve a compromise or settlement pursuant to Fed. R. Bankr. P. 9019
Motions to compel abandonment pursuant to 11 U.S.C. § 554(b)
Objections to claim based on expiration of an applicable statute of limitations (30-day objection period)
Trustee motions/notices to abandon property pursuant to 11 U.S.C. § 554(a) (14-day objection period, pursuant to Fed. R. Bankr. P. 6007(a))

Chapter 13 Bankruptcy Cases

11 U.S.C. § 362(c)(3) motions to extend the stay (<i>provided</i> the motion is supported by an <i>attached</i> affidavit or declaration and <i>filed on the petition date</i>) (14-day objection period, pursuant to Local Rule 4001-1)
11 U.S.C. § 362(c)(4) motions for the stay to take effect (<i>provided</i> the motion is supported by an <i>attached</i> affidavit or declaration and <i>filed within 30 days after the petition date</i>) (14-day objection period, pursuant to Local Rule 4001-1)
Motions for leave to withdraw as counsel
Motions for relief from the co-debtor stay of 11 U.S.C. § 1301
Motions for the refund/disbursement of monies held by the chapter 13 trustee
Motions/objections pursuant to 11 U.S.C. § 1329(a)(3) (and/or 11 U.S.C. § 502(j)) to alter the amount of the distribution to a creditor whose claim is provided for by the plan (and/or to reconsider the creditor's claim) based on payment/satisfaction of the claim other than under the plan (30-day objection period)
Motions/objections to determine the amount of a secured claim pursuant to 11 U.S.C. § 506(a) (30-day objection period)
Motions to authorize/approve trial and/or permanent mortgage modification agreements ⁴
Motions to extend the term of the debtor(s)' chapter 13 plan
Motions to suspend the debtor(s)' chapter 13 plan payments
Objections to claim based on expiration of an applicable statute of limitations (30-day objection period)

¹ "Negative notice" refers to the process by which interested parties are given notice of a filing and of the opportunity to object and request a hearing (in the absence of which the relief requested may be granted without a hearing). Capitalized terms used herein and not otherwise defined have the meanings ascribed to them in Western Division Administrative Order No. 20-01 ("AO 20-01").

² This update adds to the list of Requests that may be filed and considered under the Negative Notice Procedure. This update also enlarges the objection period for motions for the refund/disbursement of monies held by the chapter 13 trustee (to 21 days). This enlargement applies only to motions for the refund/disbursement of monies held by the chapter 13 trustee filed on or after February 13, 2020.

³ Inclusion of the following statement **prominently displayed on the first page of the motion** is sufficient for purposes of this requirement: "The movant hereby waives any and all applicable 11 U.S.C. § 362(e) deadlines and agrees that the automatic stay shall continue in effect pending the conclusion of any hearing on, and final determination of, this motion."

⁴ The filer of a motion to authorize/approve a trial and/or permanent mortgage modification agreement must serve the motion on the debtor, the trustee, and all creditors for the court to consider the motion under the Negative Notice Procedure.