

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

IN THE MATTER OF:)
)
LOCAL RULES OF PRACTICE)
)

ORDER AMENDING LOCAL BANKRUPTCY RULES

Notice of proposed amendments to the local rules of this court was given to the bar and the public on February 3, 2015. The last date for submitting comments concerning the proposed amendments was March 1, 2015, and the court has considered all comments received. Effective immediately, the local rules of the court are amended as follows.

1. A new paragraph (c) is added to Local Bankruptcy Rule B-7056-1 which reads:

(c) If a party is proceeding pro se and an opposing party files a motion for summary judgment, counsel for the moving party shall also simultaneously serve all unrepresented parties using Local Bankruptcy Form (LBF) B-7056-1. The failure to do so may result in denial of the motion for summary judgment, without prejudice to resubmission.

2. Local Bankruptcy Form B-7056-1 is adopted and reads as follows:

LBF B-7056-1 (06/15)

[INSERT APPROPRIATE CASE OR ADVERSARY PROCEEDING CAPTION]
NOTICE OF MOTION FOR SUMMARY JUDGMENT

A motion for summary judgment has been filed asking to have this matter decided against you, in whole or in part, without a trial. The motion claims there are no genuine issues of material fact and is based on the evidence presented in the affidavits and/or documents referenced in the motion or the argument that you are not able to offer admissible evidence in support of your position. The material facts set forth in the motion and accompanying affidavits/documents may be accepted as true unless you submit affidavits and/or other documentary evidence contradicting those assertions, along with a “statement of genuine issues” identifying the facts you dispute and any brief arguing your position.

Your response to the motion must be filed within thirty days from the date the motion was served¹ and comply with Rule 56 of the Federal Rules of Civil Procedure and local bankruptcy rule B-7056-1. Your response must include a “statement of genuine issues”

identifying the facts you dispute and be accompanied by affidavits or other admissible evidence supporting your factual assertions. If you do not respond within the time required the court may rule against you. If you need more time to respond, you must file a motion asking the court for an extension of the deadline before it expires. The court may – but is not required to – give you more time.

Copies of Rule 56 of the Federal Rules of Civil Procedure and local bankruptcy rule B-7056-1 (N.D. Ind. L.B.R. B-7056-1) accompany this notice.

Date: _____

Signed: _____

name:

address:

telephone:

¹ The date of service can be determined from the certificate of service accompanying the motion or by reviewing the docket at the clerk's office.

3. A new paragraph (b)(2) is added to Local Bankruptcy Rule B-9013-4 which reads:

(b)(2) Proof of service by email may be made by the person causing the paper to be transmitted. Such proof of service shall indicate the email address to which the paper was transmitted and the method of confirmation that the transmission was received.

4. The existing paragraph (b) of Local Bankruptcy Rule B-9013-4 is re-designated as paragraph (b)(1).

SO ORDERED.

Dated: July 7, 2015

/s/ Robert E. Grant

/s/ Harry C. Dees, Jr.

Robert E. Grant, Chief Judge
United States Bankruptcy Court

Harry C. Dees, Jr., Judge
United States Bankruptcy Court

/s/ J. Philip Klingeberger

/s/ Kent Lindquist

J. Philip Klingeberger, Judge
United States Bankruptcy Court

Kent Lindquist, Judge
United States Bankruptcy Court