UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

IN RE:	)
	)
LOCAL RULES OF PRACTICE	)
	)

ORDER AMENDING LOCAL BANKRUPTCY RULES

The Court finds that notice of proposed amendments to the local rules of this court was given to the bar and public on October 22, 2004. This notice set November 22, 2004, as the last date for comments concerning the proposed amendments to be submitted to the court. The court did not receive any comments concerning the proposed amendments.

It is ORDERED that, effective immediately the local rules of this court are amended as follows:

1. N.D. Ind. L.B.R. B-2002-2(a) is amended by the addition of a new paragraph (23), which reads as follows:

> *(23) Trustees' Applications to Employ Professionals After Notice to Creditors filed pursuant to N.D. Ind. L.B.R. B-2014-2(b).*

2. A new rule, N.D. Ind. L.B.R. B-2014-2, is adopted which reads as follows:

B-2014-2
Employment of Professionals by Trustees

(a) Except as otherwise requested, the court will consider and rule upon a bankruptcy trustee's application to employ a professional without notice or hearing.

> *(b)(1) If the trustee would like the court to defer ruling on an application to employ a professional until creditors have been given the opportunity to object to the application, the trustee shall file an "Application to Employ (Identify type of professional – attorney, accountant, etc.) After Notice to Creditors." In addition to the other disclosures and affidavits required by the Bankruptcy Code and the applicable Rules of Bankruptcy Procedure, the verified statement of the proposed professional shall also set forth the connections with any affiliates and/or insiders of the debtor and shall specifically state:*

(A)(i) whether the professional or a member of the professional's firm or business represented or was employed by any affiliate or insider of the debtor during the twelve months prior to the petition, and (ii) any position the professional or a member of the professional's firm or business holds or held in any affiliate or insider of the debtor during the two years prior to the petition;

(B) if the professional or a member of the professional's firm or business has represented or been employed by any affiliate or insider of the debtor during the twelve months prior to the petition, the circumstances of such representation or employment, all payments received on account of such representation or employment, and any amount owed on account of such representation or employment on the date of the petition;

(C) whether or not the professional or a member of the professional's firm or business represented or was employed by the debtor during the twelve months prior to the petition and, if so, the circumstances of such representation or employment, all payments received on account of such representation or employment, and any amount owed on account of such representation or employment on the date of the petition;

(D) any position the professional or a member of the professional's firm or business holds or held in the debtor during the two years prior to the petition;

(E) whether or not the professional or a member of the professional's firm or business represented or was employed by an officer, director, shareholder, partner or limited partner of the debtor, or any entity that has guaranteed an obligation of the debtor or is liable on any obligation of the debtor or pledged property to secure an obligation of the debtor and, if so, the circumstances of such representation or employment; and

(F) whether or not the professional or a member of the professional's firm or business has represented any scheduled creditor within the year prior to the date of the petition and, if so, the circumstances of such representation or employment.

(2) The application, together with the accompanying affidavits and disclosures, shall be served upon the United States Trustee and all creditors and parties in interest, along with a notice of the application and the opportunity to object thereto prepared in accordance with local bankruptcy rule B-2002-2(c). Unless objections to the application are filed within twenty (20) days following service of the application and the notice of the opportunity to object thereto, the court may grant the application and approve the employment without further notice or hearing. Unless the court orders otherwise for good cause shown, the failure of any party served with notice of the opportunity to object to the application to file an objection within the time required will be deemed a waiver of any objection to the professional's employment by the trustee and to the allowance or payment of fees on account

of such employment based upon the disclosures made in the application and the accompanying affidavits.

(c) Unless otherwise requested following notice to all creditors, the approval of a professional's employment will relate back to the date the application was filed.

3. Paragraph (d) of N.D. Ind. L.B.R. B-4004-1 is deleted.

4. N.D. Ind. L.B.R. B-9019-1 is amended to read as follows:

B-9019-1
Stipulations and Settlements

When a case, adversary proceeding, contested matter, dispute, claim or controversy is settled, the parties shall promptly notify the court of the settlement or stipulation and, within the time required by the court, file an agreed judgment or order and, where appropriate, a motion to compromise which will be considered following notice to creditors in accordance with N.D. Ind. L.B.R. B-2002-2. The court may extend this time upon a showing of good cause. Failure to file the required judgment or stipulation may result in the dismissal of the pleading, motion, objection, or application upon which the matter was at issue.

Dated: February 15, 2005

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

Robert E. Grant, Judge
United States Bankruptcy Court

J. Philip Klingeberger, Judge
United States Bankruptcy Court

Kent Lindquist, Judge
United States Bankruptcy Court