

B-4004-1

Extensions of Time for Filing Discharge Objections and Dischargeability Complaints

(a) Motions for an extension of the time within which to file complaints objecting to a debtor's discharge, pursuant to 11 U.S.C. § 727, or to determine the dischargeability of debt, pursuant to 11 U.S.C. § 523, shall be combined with notice thereof, be filed prior to the expiration of the bar date to be extended and be served upon the United States trustee, any trustee, debtor and debtor's counsel, any committee and/or the entities included on any list required by Fed. R. Bankr. P. 1007(d).

(b) At a minimum, the motion shall state the cause for the requested extension, the date to which the time is to be extended, and contain a statement that any objections to the motion must be filed within fourteen (14) days of the date the motion was served.

(c) In the absence of an objection to the motion within fourteen (14) days after service the court may grant the motion without further notice or hearing.

Commentary (1994)

This rule is designed to expedite the process of ruling on motions for an extension of the §523 & §727 bar dates, by dispensing with the notice to creditors or the separate hearing. It also limits the number of entities who receive notice of the requested extension. This limitation should not seriously impact upon the rights of the parties, since it will almost always be the debtor who is most passionately interested in the expiration of these dates and, therefore, the party most likely to object.

HISTORICAL AND REGULATORY NOTES

Pursuant to Order Amending Local Bankruptcy Rules dated February 15, 2005, paragraph (d) of this rule was deleted.