

B-9023-1
Post Judgment Motions

(a) Any motion filed after the entry of a final judgment or order, whether filed pursuant to Fed. R. Bankr. P. 9023 or Fed. R. Bankr. P. 9024, shall be accompanied by a separate supporting brief and any appropriate affidavits or other materials in support thereof. The failure to submit a supporting brief will be deemed a waiver of the opportunity to do so.

(b) Unless otherwise ordered by the court, no response to the motion is required.

(c) The provisions of N.D. Ind. L.B.R. B-7007-2 (oral argument on motions) apply to post judgment motions.

Commentary (1994)

This rule will allow the court to tailor its response, and the need for an opposing party to respond, to post judgment motions based on the apparent significance of the motion itself. Motions which are clearly unwarranted, such as a 9023 motion which merely seeks to reargue a legal issue the court has already confronted and disposed of, can be dispensed without the need for a response or a hearing. If, however, the motion appears to have a degree of significance, the court will have the ability to require a response and, if appropriate, schedule a hearing.