

NOTICE TO THE BAR RE: POND MOTIONS
June 14, 2010

A new code event has been created in CM/ECF to assist you in entering **motions to strip the second mortgage lien** (also known as Pond motions) as permitted by the *Pond* decision (*In re Pond*, 252 F.3d 122 (2nd Cir. 2001)).

The correct code for these “*Pond*” motions can be found via *Bankruptcy > Motions Applications > Strip unsecured Lien on Principal Residence*. (see example below)

The screenshot displays a web-based interface for selecting court events. It is divided into two main sections: "Available Events (click to select events)" on the left and "Selected Events (click to remove events)" on the right. The "Available Events" list includes various legal actions such as "Set Last Day to File Proofs of Claim", "Settle/Compromise", "Sever Chapter 11 Case", "Sever Chapter 12 Case", "Sever Chapter 13 Case", "Sever Chapter 7 Case", "Shorten Time", "Stay Pending Appeal", "Stay/Enforce Stay", "Strip Unsecured Lien on Principal Residence" (which is highlighted in blue), "Substitute Attorney", "Termination or Absence of Stay", "Transfer Case (Intra-District)", "Transfer Inter-district/Change Venue - Bankruptcy", and "Turnover". Below this list are two buttons: "Next" and "Clear". The "Selected Events" section on the right contains a single entry: "Strip Unsecured Lien on Principal Residence".

Pond motions must be placed on the regular court calendar and cannot be done on default. Proper service and evidence of value should be submitted.