

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK**

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**REVISED LOCAL PROCEDURES GOVERNING TIME COMPUTATION**

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Administrative Order No. 09-09

Whereas, on December 1, 2009, uniform amendments to the Federal Rules of Bankruptcy, Civil, Appellate and Criminal Procedure (Amendments) will go into effect that change time computation procedures, and

Whereas, the Amendments adopt a “days are days” approach to calculate deadlines and

Whereas, the Amendments adopt “multiples of seven days” as a numbering convention for deadlines less than 30 days, and

Whereas, the Local Bankruptcy Rules for the Northern District of New York, effective October 24, 2005, are undergoing substantial revisions (“Local Rules Revision Process”) and will conform to the Amendments’ “days are days” approach and “multiples of seven days” numbering convention, and

Whereas, the Amendments will take effect prior to the promulgation of amended local bankruptcy rules, leaving insufficient time to await the Local Rules Revisions Process, and

Whereas, to timely conform our local procedures to the revised federal procedures certain amendments have to be adopted on an interim basis,


**NOW, THEREFORE, IT IS ORDERED** that the following revised time periods are adopted by this court to be effective December 1, 2009:

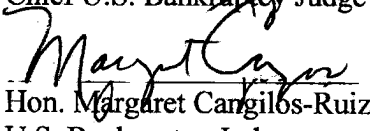
- The two-day period (whether “calendar” or “business” days) in Rules 2015-2(b)(3) and 6004-1(a) becomes seven days;


- The three-day period (whether “calendar” or “business” days) in Rules 2015-2(b)(7), 3018-1(b), 9013-1(f)(1), 9013-1(f)(2), 9013-1(j), 9013-4(a) and 9013-4(a)(3) becomes seven days;
- The five-day period (whether “calendar” or “business” days) in Rules 1015-1(c), 2002-1(c), 2015-6(c), 3015-1(c), 9013-4(a) and 9013-4(a)(3) becomes seven days;
- The seven-business day period in Rule 3020-1(c) becomes seven days;
- The ten-day period (whether “calendar” or “business” days) in Rules 1014-1, 1017-3(a), 3007-1(a), 3012-1(a), 3015-2(a)(2), 3015-2(a)(4), 3015-3, 9013-1(e) and 9027-1(b) becomes 14 days;
- The eleven-day period (whether “calendar” or “business” days) in Rule 5011-1(c) becomes 14 days;
- The fifteen-day period (whether “calendar” or “business” days) in Rules 9013-1(e), 9015-1 and 9021-1(c) becomes 21 days; and
- The twenty-day period (whether “calendar” or “business” days) in Rules 6005-1(e) and 6005-1(f) becomes 21 days.

A table summarizing the revisions is attached as Exhibit A.

**SO ORDERED** this 16<sup>th</sup> day of November, 2009.

  
 Hon. Robert E. Littlefield, Jr.  
 Chief U.S. Bankruptcy Judge

  
 Hon. Margaret Cangilbs-Ruiz  
 U.S. Bankruptcy Judge

  
 Hon. Diane Davis  
 U.S. Bankruptcy Judge

**Exhibit A:**

**Revised Local Procedures Governing Time Computation**

<b>Requirement Under the Local Bankruptcy Rules, Effective October 24, 2005</b>	<b>Current Time Period Under the Local Bankruptcy Rules, Effective October 24, 2005</b>	<b>Revised Time Period Under Administrative Order 09-09, Effective December 1, 2009</b>
<b>1014-1:</b> Interdistrict Transfer of Cases or Proceedings	10 days	14 days
<b>1015-1(c):</b> Joint Administration and Consolidation Matrix	5 days	7 days
<b>1017-3(a):</b> Dismissed Case—Motion to Vacate Order of Dismissal or to Reinstate	10 days	14 days
<b>2002-1(c):</b> Noticing to Creditors and Other Interested Parties—Certificate of Service	5 days	7 days
<b>2015-2(b)(3):</b> Debtor in Possession Duties—Reporting Requirements for Ch. 12 and 13 Debtors Engaged in Business	2 business days	7 days
<b>2015-2(b)(7):</b> Debtor in Possession Duties—Reporting Requirements for Ch. 12 and 13 Debtors Engaged in Business	3 days	7 days
<b>2015-6(c):</b> Debtor in Possession Duties—Ch. 11 Affidavit, Additional Information Required if Business Continues	5 days	7 days
<b>3007-1(a):</b> Claim Objections in Ch. 11 Cases	10 days	14 days
<b>3012-1(a):</b> Valuation of Collateral—Debtor's Duty to Make Property Available for Appraisal	10 days	14 days
<b>3015-1(c):</b> Ch. 12 and Ch. 13—Service of Plan Filed After Petition	5 days	7 days
<b>3015-2(a)(2):</b> Ch. 12 and Ch. 13—Amendments or Modifications to Plans	10 days	14 days

<b>Requirement Under the Local Bankruptcy Rules, Effective October 24, 2005</b>	<b>Current Time Period Under the Local Bankruptcy Rules, Effective October 24, 2005</b>	<b>Revised Time Period Under Administrative Order 09-09, Effective December 1, 2009</b>
<b>3015-2(a)(4):</b> Ch. 12 and Ch. 13—Amendments or Modifications to Plans	10 days	14 days
<b>3015-2(c):</b> Ch. 12 and Ch. 13—Amendments or Modifications to Plans	20 days	21 days
<b>3015-3:</b> Ch. 12 and Ch. 13—Confirmation	10 days	14 days
<b>3015-4(a):</b> Ch. 12 and Ch. 13—Objections to Confirmation, Service of Objection	5 business days	7 days
<b>3018-1(b):</b> Ballots—Voting on Plans, Certification	3 business days	7 days
<b>3020-1(a):</b> Ch. 11—Confirmation, Objection to Confirmation	5 business days	7 days
<b>3020-1(c):</b> Ch. 11—Confirmation, Motions to Confirm by “Cram-Down”	7 business days	7 days
<b>5011-1(c):</b> Withdrawal of Reference—Designation of Reference	11 days	14 days
<b>6004-1(a):</b> Sale of Estate Property—Appraisal Filed with the Court Prior to Sale	2 days	7 days
<b>6005-1(e):</b> Appraisers and Auctioneers—Proceeds of the Amount of Sale	20 days	21 days
<b>6005-1(f):</b> Appraisers and Auctioneers—Application for Commissions and Expenses	20 days	21 days
<b>9013-1(e):</b> Motion Practice—Timeliness of Service	15 days	21 days
<b>9013-1(e):</b> Motion Practice—Timeliness of Service	10 days	14 days
<b>9013-1(f)(1):</b> Motion Practice—Answering Papers	3 business days	7 days
<b>9013-1(f)(2):</b> Motion Practice—Answering Papers	3 business days	7 days
<b>9013-1(j):</b> Motion Practice—Adjournment	3 days	7 days

<b>Requirement Under the Local Bankruptcy Rules, Effective October 24, 2005</b>	<b>Current Time Period Under the Local Bankruptcy Rules, Effective October 24, 2005</b>	<b>Revised Time Period Under Administrative Order 09-09, Effective December 1, 2009</b>
<b>9013-4(a):</b> Default Motion Practice—Default Motions	3 business days	7 days
<b>9013-4(a)(3):</b> Default Motion Practice—Default Motions, Timely Opposition Filed	3 business days	7 days
<b>9015-1:</b> Jury Trial	15 days	21 days
<b>9021-1(c):</b> Judgments and Orders—Entry of Settlement of Judgment or Order, Service	15 days	21 days
<b>9027-1(b):</b> Removal and Remand—Procedure After Removal	10 days	14 days