

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE:

AMENDMENT TO LOCAL RULE 3015-  
1(B) CHAPTER 12 RESISTANCE TO  
PLAN AND APPENDIX “O” and “P”

GENERAL ORDER 20-03

This General Order, effective September 1, 2020, is made following a meeting of the Bankruptcy Practice Committee for the District of Nebraska and amends the Nebraska Rules of Bankruptcy Procedure adopted on December 17, 2018, as amendments to Neb. R. Bankr. P. 3015-1(B) and Appendix “O” and “P”. Local Rule 3015-1 will be formally updated during the next Local Rule revision process.

IT IS HEREBY ORDERED:

(1). Effective September 1, 2020, Neb. R. Bankr. P. 3015-1 is amended in part as follows to delete the existing language in part “B” and replace it with the following:

**B. Objection to Confirmation and Amended Plans.**

1. The debtor shall serve the plan on all interested parties and comply with Neb. R. Bankr. P. 9013-1.

2. If a timely objection to confirmation is filed, the debtor shall file with the Court a “Response” within 14 days after the objection to confirmation deadline (debtor’s response deadline). All responses shall set forth specific factual and legal details responding to the objection and conclude with a request for relief. Any response that fails to include specific factual and legal details will not be considered.

- a. If the debtor fails to file a timely response to the objection to confirmation or files a response that lacks specific factual and legal details, the Court will enter an order sustaining the objection and denying confirmation of the debtor’s plan, and the debtor will be ordered to file an amended plan within 21 days. Further, repeated failure by the debtor to file a proper response to plan objections may result in dismissal of the bankruptcy case for unreasonable delay that is prejudicial to creditors and/or for failure to confirm a plan.
- b. Upon timely filing a proper response, debtor’s attorney shall immediately contact the objecting party and attempt to resolve the objection. If the objection to confirmation is

settled, the parties must notify the Courtroom Department of the settlement or file a withdrawal of the objection or an amended plan prior to fourteen (14) days after debtor's response deadline.

- c. If the debtor's attorney and the objecting party are unable to resolve the objection despite all good faith efforts, any party may file a Certification and Request for Confirmation Trial in the form of Appendix "O". THE COURT WILL NOT SET A CONFIRMATION TRIAL UNTIL THE CERTIFICATION AND REQUEST IS FILED. If a proper certification and request is filed, the Court will set a confirmation trial date at which all parties and their attorneys and witnesses shall appear and live testimony shall be presented. Except as may be otherwise ordered by the Court, the only issues to be addressed at trial shall be those specifically set forth in the plan objection(s) and debtor's response.
- d. If a Certification and Request for Confirmation Trial is not filed by 21 days after the debtor's response deadline, confirmation will be denied and the Court may consider dismissing the case for failure to confirm a plan without further notice or hearing.

3. If a debtor files an amended or revised plan, the debtor should also file a notice of modified or amended plan and include a version of the modified or amended plan with all changes clearly and conspicuously indicated (such as "redline" or other similar method). The version showing the changes must only be filed with the court and served via the CM/ECF System and is not required to be served on any party by mail.

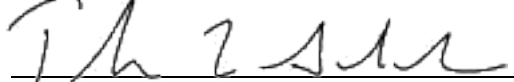
(2). Effective September 1, 2020, Nebraska Rules of Bankruptcy Procedure Appendix "O" shall be amended to reference "Chapter 12 or 13 plan" in paragraph "1".

(3). Effective September 1, 2020, Nebraska Rules of Bankruptcy Procedure Appendix "P" shall be amended to include in Part B an additional option of: "4. The Debtor(s) will pay in full all allowed claims."

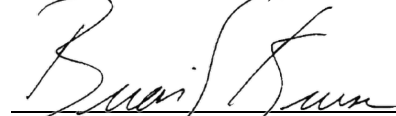
IT IS SO ORDERED:

DATED: August 11 2020.

BY THE COURT:



Thomas L. Saladino, Chief Bankruptcy Judge



Brian S. Kruse, Bankruptcy Judge