

## **Rule 7001-1 ADVERSARY PROCEEDINGS - GENERAL**

Notwithstanding [Fed. R. Bankr. P. 7001\(2\) and \(9\)](#), a debtor may request by a motion a determination that a judgment lien has not attached to debtor's homestead but only if the request is joined with a motion to avoid lien under [11 U.S.C. § 522\(f\)\(1\)\(A\)](#). See Local Rule [4003-1](#).

## **Rule 7003-1 ADVERSARY PROCEEDINGS COVER SHEET**

All adversary complaints shall include an Adversary Cover Sheet (Director's Form [1040](#)).

## **Rule 7005-2 FILING OF DISCOVERY MATERIALS**

Unless otherwise ordered or required pursuant to this rule, parties to an adversary proceeding shall not file notices of or requests for discovery or responses thereto.

## **Rule 7026-1 DISCOVERY - GENERAL**

[Rules 26\(a\)\(1\), 26\(a\)\(2\), 26\(a\)\(3\), and 26\(f\)](#) of the Federal Rules of Civil Procedure as incorporated by [Fed. R. Bankr. P. 7026](#) shall be applicable in adversary proceedings filed in this court. The timing of all disclosures under these Rules shall be determined by separate orders entered in each proceeding. Except as limited by [Fed. R. Civ. P. 30\(a\)](#), the parties may engage in discovery before the scheduling conference.

## **Rule 7033-1 DISCOVERY - INTERROGATORIES**

A party serving interrogatories shall, after each interrogatory, leave a reasonable amount of space for the response. The person preparing the answers to interrogatories shall use the space provided and any necessary attachment sheets.

## **Rule 7036-1 DISCOVERY - REQUESTS FOR ADMISSION**

A party serving requests for admission shall, after each request, leave a reasonable amount of space for the response. The person preparing the answers shall use the space provided and any necessary attachment sheets.

## **Rule 7037-1 DISCOVERY - DISPUTES**

(a)

### **Parties Must Confer -- Affidavit**

Except in circumstances where one party to a discovery dispute is appearing pro se, a motion relating to discovery will not be considered by the court unless counsel for the moving party has filed an affidavit stating that he or she has conferred personally in good faith with counsel for the opposing party in an effort to resolve the discovery dispute without court intervention and that

the parties have been unable to reach such an agreement. Alternatively, counsel must certify what efforts were made to confer with opposing counsel or why such conference was not held.

(b)

#### Discovery Disputes

(1)

A motion to compel discovery must have attached to it the relevant discovery requests and responses.

(2)

A motion seeking the imposition of sanctions under [Fed. R. Civ. P. 37\(b\), \(c\), or \(d\)](#) must have attached to it all documents considered by movant to be relevant to the motion.

#### **Rule 7054-1 COSTS - TAXATION/PAYMENT**

(a)

If the court allows costs to the prevailing party, in order to recover costs, the party must file a "Bill of Costs" (Official Bankruptcy Form [2630](#)) and serve it upon counsel for the adverse party within 21 days of the allowance. Failure to file within the required time shall constitute a waiver of the recovery of costs.

(b)

A party opposing the clerk's taxation of costs shall have 14 days from the service of the Bill of Costs to file a resistance to taxation. After that time, the clerk shall tax the costs in the amount determined by the clerk to be appropriate. On motion served within 7 days after the clerk's taxation of costs, a party may seek review of the clerk's taxation.

(c)

Unless otherwise ordered by the court, all costs taxed are payable directly to the party entitled thereto.

#### **Rule 7055-1 DEFAULT - INVOLUNTARY DISMISSAL OF SETTLED CASES**

Upon notice to the court that an adversary proceeding has been settled, the parties shall file within 30 days thereafter such papers as are required to dispose of the proceeding. Upon failure to file the papers, the court may order the dismissal of the action without further notice and without prejudice of the right of any party to seek relief from the order of dismissal. For voluntary dismissals of objections to discharge, see Local Rule [4004-2](#).

#### **Rule 7056-1 SUMMARY JUDGMENT**

(a)

A party who files a motion for summary judgment or a resistance to a motion for summary judgment must file for chamber's use an additional copy of the motion or resistance and a copy of all papers filed in support thereof.

(b)

A party desiring oral argument on a motion for summary judgment must make the request in the motion or the resistance; the request should be identified as part of the title of the pleading. Oral argument will be held at the discretion of the presiding judge.