

**United States Bankruptcy Court  
Eastern District of Michigan**

**In re Administrative Order  
Amending Local Bankruptcy Rule 4001-6 /**

**No. 05-8**

1. Local Bankruptcy Rule 4001-6, as adopted by Administrative Order No. 05-7, dated October 12, 2005, is hereby amended to state:

**RULE 4001-6 Additional Stay Procedures Under BAPCPA 2005**

**(a) Motion to Extend the Stay** The deadline to file and serve a motion to extend the stay under 11 U.S.C. § 362(c)(3)(B) is 7 days after the petition is filed. Immediately after filing the motion, the movant shall obtain a hearing date from the judge's courtroom deputy clerk, who will cause notice of the hearing to be served on all parties in interest. Any party in interest may be heard at the hearing. Written objections are permitted but not required.

**(b) Motion to Order the Stay to Take Effect** Immediately after filing a motion to order the stay to take effect, the movant shall obtain a hearing date from the judge's courtroom deputy clerk, who will cause notice of the hearing to be served on all parties in interest. Any party in interest may be heard at the hearing. Written objections are permitted but not required.

**(c) Objection Under 11 U.S.C. § 362(l)(3)(A)** Immediately after filing an objection under 11 U.S.C. § 362(l)(3)(A), the objecting party shall obtain a hearing date from the judge's courtroom deputy clerk, who will cause notice of the hearing to be served on all parties in interest. Otherwise, the requirement to hold a hearing within 10 days under 11 U.S.C. § 362(l)(3)(A) is waived.

**(d) Order Regarding the Existence of the Stay** Relief under either 11 U.S.C. §§ 362(c)(4)(ii), 362(j) or 521(a)(6) shall be upon motion filed under LBR 9014-1. The motion shall be titled, "Motion for an Order Confirming That No Stay Is in Effect," or "Motion for an Order Confirming That the Stay Has Been Terminated." The motion may be accompanied by an ex parte motion for an expedited hearing.

2. Notice is given that the "Interim Bankruptcy Rules" approved by the Advisory Committee on Bankruptcy Rules and adopted by the Court are now available at:

[http://www.uscourts.gov/rules/Merged\\_Final\\_Interim\\_Rules\\_CLEAN101305.pdf](http://www.uscourts.gov/rules/Merged_Final_Interim_Rules_CLEAN101305.pdf)

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Steven Rhodes  
Chief Bankruptcy Judge

October 17, 2005