

Rule 3007-1. Objections to Claims.

(A) Service. A party filing an objection to claim shall serve a copy of the objection on (1) the claimant at the claimant's address of record or, if the claim has been transferred, at the transferee's address of record, and on (2) any attorney of record for the claim holder. If the claim holder is the United States, service shall also be made as prescribed by Bankruptcy Rule 7004(b)(4). In a chapter 13 case, the objection shall be served on the chapter 13 trustee.

[Comment: See Local Rule 3001-1(C) (transferred claim).]

(B) Deadline for Filing Objections.

(1) Chapter 11 Cases. In a chapter 11 case, objections to claims must be filed not later than the deadline set in the Local Form "Order (I) Approving Disclosure Statement; (II) Setting Hearing on Confirmation of Plan; (III) Setting Various Deadlines; and (IV) Describing Plan Proponent's Obligations" or in the "Order Conditionally Approving Disclosure Statement, etc." for service of a plan, disclosure statement and ballots, except as otherwise ordered by the court.

[Comment: Unless otherwise ordered, the deadline for filing objections to claims in chapter 11 cases will be set the same as the deadline for serving the plan, which is 40 days before the date set for the confirmation hearing.]

(2) Chapter 13 Cases - Preconfirmation Objections. Objections to claims in chapter 13 cases which are filed and served on the claimant, the debtor and the chapter 13 trustee at least 14 days prior to the confirmation hearing shall be designated as "timely pre-confirmation objections". "Timely pre-confirmation objections" shall be heard at the confirmation hearing and the provisions of subdivisions (C) and (D) of this rule, including the 30 day notice requirement, shall not apply. Objections filed pursuant to this rule must conform substantially to the Local Form "Objection to Claim and Notice of Hearing On Shortened Notice On Objection to Claim" and must identify the claim and state the basis for the objection and indicate the requested disposition. Objections to claims filed less than 14 days before the confirmation hearing or filed after a plan is confirmed shall require at least 30 days notice and be filed in accordance with the provisions of subdivisions (A), (C), (D) and (E) of this rule.

(C) Content of Objections. Objections to claims, other than those filed pursuant to subdivision (B)(2) of this rule, must conform substantially to the Local Form "Objection to Claims", and shall:

- (1)** describe the claim by claim number, name of record holder, and amount claimed;
- (2)** state with particularity the basis for the objection;

- (3) if the relief requested is other than the disallowance of the claim, state the amount, and priority if any, in which the claim should be allowed;
- (4) include above the preamble on the first page of the objection the following bulletin in print either highlighted or bold so as to make it more prominent than any other typed text:

**IMPORTANT NOTICE TO CREDITORS:
THIS IS AN OBJECTION TO YOUR CLAIM**

This objection seeks either to disallow or reduce the amount or change the priority status of the claim filed by you or on your behalf. Please read this objection carefully to identify which claim is objected to and what disposition of your claim is recommended.

If you disagree with the objection or the recommended treatment, you must file a written response WITHIN 30 DAYS from the date of service stated in this objection, explaining why your claim should be allowed as presently filed, and you must mail a copy to the undersigned [attorney][trustee], OR YOUR CLAIM MAY BE DISPOSED OF IN ACCORDANCE WITH THE RECOMMENDATION IN THIS OBJECTION.

If your entire claim is objected to and this is a chapter 11 case, you will not have the right to vote to accept or reject any proposed plan of reorganization until the objection is resolved, unless you request an order pursuant to Bankruptcy Rule 3018(a) temporarily allowing your claim for voting purposes.

Any written response must be filed with the Clerk of the United States Bankruptcy Court, [divisional address], and must contain the case name and case number.

and

- (5) incorporate a certificate of service.
- (D) Relief Without Hearing; Hearings.**
- (1) If no written response contesting the objection is filed within 30 days after the date of service, the failure to respond shall be deemed a consent by the affected claimant and the court may grant the relief requested by the objecting party without hearing.
 - (2) It shall be the responsibility of the objecting party, after the claimant's time to respond has expired, to submit, as appropriate, either or both:
 - (a) the Local Form "Certificate of Contested Matter" accompanied by the Local

Form “Notice of Hearing” pursuant to Local Rule 9073-1(A) regarding claimants who contested the objection;

- (b) the Local Form “Certificate of No Response or Settlement” and proposed order granting the requested relief regarding claimants who did not contest the objection or agreed to a settlement.

(E) Orders. Proposed orders on objections to claims shall recite in the body:

- (1) the claim holder’s name and claim number;
- (2) whether the objection to the claim is sustained or overruled;
- (3) whether the claim is allowed or disallowed; and
- (4) the allowed amount and priority, if any, of the allowed claim.

Orders sustaining objections to claims shall conform to the Local Form “Order Sustaining Objection to Claims”.