

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

ORDER VACATING DISMISSAL
ORDER AND REINSTATING CHAPTER 13 CASE

This case came before the Court [without a hearing] [on the chapter 13 consent calendar on ____] [for hearing on ____] on the debtor's motion¹ under Fed. R. Bankr. P. 9024 and Fed. R. Civ. P. 60(b) seeking relief from the Court's [date] order dismissing this case.² Upon consideration of the motion[, the arguments at the hearing,] and the record in this case, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This Court's [date] order dismissing³ this case is **VACATED**.

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

3. This case is **REINSTATED** effective upon entry of this order.
4. Under 11 U.S.C. § 362(c)(2)(B), the automatic stay under 11 U.S.C. § 362(a) terminated when this case was dismissed and was not in effect from that moment until entry of this order. Immediately upon entry of this order, the automatic stay under 11 U.S.C. § 362(a) is once again in effect.
5. If not already filed, the debtor must file all documents required by Fed. R. Bankr. P. 1007(b)(1) and (b)(6) within 14 days of entry of this order. Failure to comply with this requirement may result in dismissal of this case without further notice or hearing.
6. § 341 meeting of creditors (check one):
 - _____ a. This case was dismissed before the conclusion of the § 341 meeting of creditors. The Clerk of Court will therefore reschedule – and issue a new notice of the date of – the § 341 meeting of creditors.
 - _____ b. This case was dismissed after the conclusion of the § 341 meeting of creditors. No new § 341 meeting of creditors will be scheduled.
7. Deadline to file proof of claim (check one):
 - _____ a. This case was dismissed before the time to file a proof of claim expired. Under Local Rule 3002-1(b)(2), the new deadline to file a proof of claim is **70 days after entry of this order**.
 - _____ b. This case was dismissed after the deadline to file a proof of claim expired. No new deadline to file a proof of claim will be set.
8. Confirmation hearing (check one):
 - _____ a. This case was dismissed before the conclusion of the § 341 meeting of creditors. The Clerk of Court will therefore reschedule – and issue a new notice of the date of – the confirmation hearing.
 - _____ b. This case was dismissed after the conclusion of the § 341 meeting of creditors, but before or at the confirmation hearing. The confirmation hearing is rescheduled for [date and time] at [location].
 - _____ c. This case was dismissed after confirmation of a chapter 13 plan. No new confirmation hearing will be scheduled.

9. Deadline to object to discharge under 11 U.S.C. § 1328(f) (check one):

- _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 4004-1(a)(1), the new deadline to object to discharge is **60 days after the date of the rescheduled § 341 meeting of creditors.**
- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to object to discharge. Under Local Rule 4004-1(a)(2), the new deadline to object to discharge is **60 days after entry of this order.**
- _____ c. This case was dismissed after expiration of the deadline to object to discharge. No new deadline to object to discharge will be set.

10. Deadline to file a complaint to determine whether a debt is dischargeable under 11 U.S.C. § 523(a)(2) or (4) (check one):

- _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 4007-1(a)(1), the new deadline to file a complaint to determine whether a debt is dischargeable is **60 days after the date of the rescheduled § 341 meeting of creditors.**
- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to file a complaint to determine whether a debt is dischargeable. Under Local Rule 4007-1(a)(2), the new deadline to file a complaint to determine whether a debt is dischargeable is **60 days after entry of this order.**
- _____ c. This case was dismissed after expiration of the deadline to file a complaint to determine whether a debt is dischargeable. No new deadline to file a complaint to determine whether a debt is dischargeable will be set.

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Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

[Submitting attorney] must serve a copy of this order on all creditors, all indenture trustees, and the United States trustee, and file a certificate of service as required by Local Rule 9036-2.