

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**IN RE:**

**PROCEDURES FOR  
CHAPTER 11 CASES**

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**GENERAL ORDER GOVERNING PROCEDURES  
FOR COMPLEX CHAPTER 11 CASES**

**UPON CONSIDERATION** of the recommendations of the Chapter 11 Subcommittee of the Lawyers' Advisory Committee to the United States Bankruptcy Court for the District of New Jersey, the Court finds a need to implement policies and procedures to better serve the bench, bar and public in complex Chapter 11 cases, as hereinafter defined. Accordingly, by resolution of the Board of Judges of the United States Bankruptcy Court for the District of New Jersey

**IT IS ORDERED** that the following procedures shall be implemented in Complex Chapter 11 cases.

1. A "Complex Chapter 11 Case" is defined as a case pending in the District of New Jersey under Chapter 11 of the Bankruptcy Code that requires special scheduling and other procedures because of the existence of one or more of the following factors:
  - a. The size of the case in terms of assets, liabilities or number of creditors and/or parties in interest;
  - b. The fact that claims against the debtor and/or equity interests in the debtor are publicly traded; or
  - c. The case, for reasons satisfactory to the Court, would be more efficiently administered as a Complex Chapter 11 Case.
2. If a party filing a Chapter 11 bankruptcy petition believes that the case should be classified as a Complex Chapter 11 Case, the party shall file with the Chapter 11 petition, an Application For Designation As Complex Chapter 11 Case in the standard form attached hereto as Exhibit A.

3. If a party submitting an Application For Designation As Complex Chapter 11 Case has matters requiring expedited consideration by the Court, it should simultaneously submit an Application For Expedited Consideration Of First Day Matters in the standard form attached hereto as Exhibit B in accordance with the General Order Adopting Guidelines Governing First Day Matters.
4. The Court shall proceed as follows:
  - a. If the Court determines that the case does not qualify as a Complex Chapter 11 Case, issue an Order Denying Complex Chapter 11 Case Treatment in the standard order form attached hereto as Exhibit C; or
  - b. If the Court determines that the case appears to be a Complex Chapter 11 Case, issue an Order Granting Complex Chapter 11 Case Treatment in the standard order form attached hereto as Exhibit D; and
  - c. Issue an Order Regarding Application For Expedited Consideration Of The First Day Matters in the standard order form attached hereto as Exhibit E; and
  - d. Immediately notify and serve counsel for the Debtor with the Order entered by the Court relating to the complex case treatment; and
  - e. Immediately notify and serve counsel for the Debtor with the Order Regarding Application For Expedited Consideration Of First Day Matters.
5. Counsel for the debtor, upon receipt of the above-referenced orders, shall serve by telecopy, electronic transmission, hand delivery or overnight mail a copy of the Order Granting or Denying Complex Chapter 11 Case Treatment and/or Order Regarding Application For Expedited Consideration Of First Day Matters on all affected parties and the United States Trustee within one (1) business day.
6. In a Complex Chapter 11 Case, counsel for the debtor, at the hearing on First Day Matters, shall:

- a. Discuss with the Court, provisions regarding the entry of a proposed case management order in accordance with the instructions set forth in the Guidelines Establishing Case Management and Administrative Procedures For Cases Designated As Complex Chapter 11 Cases, a copy of which is attached hereto as Exhibit F;
  - b. Submit within the time prescribed by the Court, a proposed case management order in accordance with said Guidelines; and
  - c. Show cause, if necessary, as set forth in the Guidelines as to why all motions, pleadings, memoranda of law or other documents to be filed with the Court in a Complex Chapter 11 Case, should not be filed electronically on the Courts' Case Management/Electronic Filing System ("CM/ECF").
7. The Court reserves the right to modify the provisions of this General Order to accommodate the needs of the Complex Chapter 11 Case before it.
  8. The above referenced Exhibits/Standard Forms and Orders, may be revised by the Court at any time on an individual basis, without the need to further amend this General Order.
  9. To the extent that the complex Chapter 11 procedures referenced herein conflict with the Court's Local Rules, these Procedures shall control for purposes of Complex Chapter 11 Cases.

**IT IS FURTHER ORDERED** that the procedures set forth herein for Complex Chapter 11 Cases shall apply to cases pending on the date of this Order.

**Dated:** \_\_\_\_\_

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**Hon. Rosemary Gambardella, Chief Judge**  
**United States Bankruptcy Court**  
**District of New Jersey**