

TIPS FOR E-FILING DOCUMENTS RELATED TO THE NEW CHAPTER 11 INITIATIVE

General Instructions

The four General Orders and related *Chapter 11 Guidelines* implemented by the Bankruptcy Court for the District of New Jersey are as follows:

- (1) *General Order Governing Procedures for Complex Chapter 11 Cases* (incorporating Exhibits A through F and Schedules 1 and 2);
- (2) *General Order Adopting Guidelines Governing First Day Matters* (incorporating Exhibit A and Schedules 1 and 2);
- (3) *General Order Adopting Guidelines For Financing Requests* (incorporating Exhibit A);
- (4) *General Order Adopting Guidelines Governing Procedures for Payment of Interim Compensation and Reimbursement of Expenses to Professionals* (incorporating Exhibit A).

The pivotal piece of the Chapter 11 Initiative is the *General Order Governing Procedures for Complex Chapter 11 Cases*. By definition, this General Order applies *exclusively* to a Chapter 11 once designated by the Court as “complex.” The other General Orders and related Chapter 11 Guidelines may apply to *any* Chapter 11 case filed in the District.

The General Order Governing Procedures for Complex Chapter 11 Cases functions *independently* of the other three General Orders. That is, should the Court issue an order denying an Application for Designation as a Complex Case, debtor’s counsel retains the option of making application to the Court under the Chapter 11 Procedures outlined in the *General Order Adopting Guidelines Governing First Day Matters; General Order Adopting Guidelines For Financing Requests; and General Order Adopting Guidelines Governing Procedures for Payment of Interim Compensation and Reimbursement of Expenses to Professionals*.

In drafting these General Orders, every effort has been made to provide clear direction to attorneys with respect to both the Court’s procedural as well as substantive requirements for requested forms of relief.

- ◆ Applications seeking the employment of professionals, must be filed pursuant to D.N.J. LBR 2014-1 in the normal course, and are *not* to be considered as “first day matters” with respect to which expedited consideration may be sought.
- ◆ Motions for administrative orders for payment of interim compensation to professionals must also be filed in accordance with the directives provided by the proposed General Order regarding same, and are *not* to be considered as “first day matters” with respect to which expedited consideration may be sought.

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- ◆ With respect to expedited hearings, noticing procedures, and orders shortening time, please note that with regard to cases designated as Complex Chapter 11 Cases, the Guidelines set forth at Exhibit F, subsection B of the **General Order Governing Procedures for Complex Chapter 11 Cases**, provide for the maintenance of the current practice concerning orders shortening time under the Court's Local Rules. That is, with the exception of the Request For Expedited Consideration of First Day Matters and related Order regarding same (which supplants the OST practice for First Day Matters), the procedure for bringing emergent matters before the Court on less than 20 days notice as required by D.N.J. LBR 9013-1(c) is maintained.

E-FILING TIPS

Application for Expedited Consideration:

- ◆ File the motions/applications you wish heard on an expedited basis first, then file the Application For Expedited Consideration of First Days Matters. Link the application to each motion you would like heard on an expedited basis.
- ◆ DO NOT set a hearing within the motion event if you would like that matter heard on an expedited basis - the Court will schedule the hearing when the Order is entered.
- ◆ When submitting a Application for Expedited Consideration of First Day Matters, and proposed form of Order Regarding Application for Expedited Consideration of First Day Matters, check and include a reference to only those motions which apply. That is, eliminate reference to those items contained in the checklist which do not pertain to the particular motions being filed with the court.

Master and Core Service Lists:

- ◆ Please note: The Master Service List and Core Service List are for informational purposes only and are not a mechanism for adding creditors to a case. To add creditors you must file an Amendment to Schedules D, E or F and pay a \$20.00 filing fee. If you do not file an Amendment and pay the appropriate fee, the creditor(s) will not receive court notices.
- ◆ *Orders Establishing Case Management and Administrative Procedures for Complex Chapter 11 Cases* shall be e-mailed to the appropriate judge's email box for consideration.

Please use the event indicated below when filing the following motions:

TYPE OF MOTION	CATEGORY	EVENT
Motion Seeking Joint Administration of Multiple Debtor Bankruptcy Cases	Motion	Joint Administration
Motion for An Order Authorizing the Debtor an Extension of Time Within Which to File Statements and Schedules	Motion	Extend Time to File Schedules
Motion for an Order Authorizing the Emergent or Interim Use of Cash Collateral or Debtor-In-Possession Financing Pending the Noticing and Scheduling of an Interim or Final Hearing for Financing Pursuant to Bankruptcy Code Section 363 and 364 and Fed.R.Bankr.P. 4001	Motion	Use Cash Collateral
Motion for an Order Authorizing the Debtor to Maintain Existing Bank Accounts and Business Forms and Cash Management Procedures Providing the United States Trustee Office With a 60 Day Period to Object to Said Order Before it Becomes a Final Order	Motion	Motion(Generic)
Motion for an Order Authorizing a Debtor to Modify the Investment Guidelines Set Forth in the Bankruptcy Code Section 345 on an Interim Basis, Providing the United States Trustee's Office and Any Other Parties-in-Interest a 60 Day Period to Object to Said Order Before it becomes a Final Order	Motion	Motion(Generic)
Motion for an Order Authorizing the Debtor to Pay Pre-Petition Wages, Salaries, Compensation, Employee Benefits and Reimbursable Business Expenses Up To the Limits Set Forth in Bankruptcy Code Section 507(a)	Motion	Motion(Generic)

TYPE OF MOTION	CATEGORY	EVENT
Motion for an Order Authorizing the Debtor to Pay Pre-Petition Sales, Use, Payroll and Other Taxes That Are Otherwise Priority Claims Under Bankruptcy Code Section 507	Motion	Motion(Generic)
Motion for an Order Authorizing the Debtor to Continue Credit Card Facilities	Motion	Continue Credit Card Facilities
Motion for an Order Authorizing the Debtor to Honor Certain Pre-Petition Customer Obligations, Deposits, Rebates, Etc.	Motion	Motion(Generic)
Motion for an Order Authorizing the Debtor to Continue With and Pay Pre-Petition Customer Obligations, Deposits, Rebates, Etc.	Motion	Motion(Generic)
Motion for an Order Authorizing the Debtor to Continue With and Pay Pre-Petition Outstanding Amounts Due on Various Insurance Policies	Motion	Motion(Generic)
Motion for an Order Authorizing Payment of Outstanding and Unpaid Pre-Petition Debt to Certain Vendors Who Provide Critical and Necessary Services and/or Products to the Debtor	Motion	Motion(Generic)
Motion for an Order Pursuant to Bankruptcy Code Section 366 Regarding Adequate Assurance for the Future Performance for Utilities and Establishing Procedures for Determining Requests for Additional Adequate Assurance	Motion	Motion(Generic)
Motion for an Order Authorizing the Debtor to Retain a Claims and Noticing Agent	Motion	Retain Claims Agent
Motion for an Order Establishing Noticing Procedures	Motion	Noticing Procedure
Other	Motion	Motion(Generic)

The following chart contains a list of additional documents relative to the court's Chapter 11 Initiative and the corresponding CM/ECF category and event:

TYPE OF MOTION	CATEGORY	EVENT
Certification of No Objection	Misc. Events	Certification of No Objection
Notice of Agenda	Misc. Events	Notice of Agenda
Monthly Fee Statement	Misc. Events	Monthly Fee Statement
Master Service List	Misc. Events	Master Service List
Core Service List	Misc. Events	Core Service List