

Rule 9076-1 STATUS CONFERENCES

(a) *In General.* Subject to the notice provisions of subdivision (c) of this rule, the Court, on its own motion or on request of a party in interest, may hold a conference, with or without a court reporter present, at any time during a case or proceeding, for any purpose consistent with the Bankruptcy Code, including:

(1) to address the posture and efficient administration of the case or proceeding; and

(2) to establish a case management or scheduling order.

(b) *Request for Conference.* A request for a conference may be made either in writing or orally at a hearing. Any request, whether written or oral, shall (i) specify the matters proposed to be addressed at the conference, (ii) identify the parties who have a direct interest in such matters, and (iii) include such further information as may assist the Court in evaluating whether a conference should be held and in conducting the conference. If a conference is requested for a date prior to the appointment of a creditors' committee and the retention of its counsel, the requesting party shall state why the conference should not be delayed until after the appointment and retention. If made in writing, the request shall be directed to the chambers of the Judge presiding over the case or proceeding and served, together with a copy of any papers submitted with the request, upon the following parties:

(1) in an adversary proceeding, to the parties to the adversary proceeding; or

(2) in a case or proceeding other than an adversary proceeding, to the debtor, the trustee, the United States Trustee, each official committee appointed to serve in the case (or, if no official committee has been appointed, the holders of the 10 largest unsecured claims), the holders of the five largest secured claims, and each unofficial committee which previously has requested the opportunity to participate in conferences.

(c) *Notice of Conference.* If all necessary parties are present before the Court, the Judge may direct that a conference be held immediately without further notice. In the event that a conference is called under any other circumstances, unless the Court orders otherwise, as soon as practicable, the requesting party (or, if the conference is to be held on the Court's own motion, the debtor, the trustee, or such other party as the Court may direct) shall provide notice of the time, date, place, and purpose of the conference, to the parties required to be served under subdivision (b) of this rule.

(d) *Submission of Proposed Case Management and Scheduling Orders.* If one of the purposes of the conference is to establish a case management or scheduling order, unless the Court orders otherwise, the party requesting the conference (or, if the conference is to be held on the Court's own motion, the debtor, the trustee, or such other party as the Court may direct) shall submit to the Court prior to the conference, on notice to all necessary parties (as identified in subdivision (b) of this rule), a proposed case management or scheduling order. The submitting party in good faith shall attempt to obtain the consent of all necessary parties (as identified in subdivision (b) of this rule) with respect to the form of the order and indicate to the Court whether such consent has been obtained.

Comment

This rule is an exercise of the Court's authority under § 105(d) of the Bankruptcy Code.