

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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: GENERAL ORDER
In re: :
: M-310
: LOCAL BANKRUPTCY RULES AND GUIDELINES :
: THAT ARE INCONSISTENT WITH THE :
: BANKRUPTCY ABUSE PREVENTION AND :
: CONSUMER PROTECTION ACT OF 2005 :
: :
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WHEREAS, on April 20, 2005 the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (the “Act”) was enacted into law, and became fully effective on October 17, 2005; and

WHEREAS, several of the Local Bankruptcy Rules and Guidelines of this Court are inconsistent with the Act, and the Bankruptcy Judges of this District have determined that the following Local Bankruptcy Rules and Guidelines should be treated as if they had been repealed or amended as set forth herein; it is hereby

ORDERED, that for all bankruptcy cases commenced on or after October 17, 2005, the following Local Bankruptcy Rules and Guidelines, or subdivisions thereof, shall be treated as if they had been repealed or amended as follows:

1. Local Bankruptcy Rule 1020-1 shall be treated as if it had been repealed.
2. Local Bankruptcy Rule 3015-1(a) shall be treated as if it had been repealed.
3. Local Bankruptcy Rule 3017-1 shall be treated as if the word “is” replaces the words “has elected to be considered” wherever these words appear.
4. Local Bankruptcy Rule 6006-1(c) shall be treated as if (i) the number “120” had replaced the number “60” wherever the latter number appears, and (ii) in the second sentence, the

words “, except that the time for the debtor, debtor in possession, or trustee to assume or reject such unexpired lease shall not be extended beyond the date that is 210 days after the entry of the order for relief without the prior written consent of the landlord” had been inserted immediately after the words “until the entry of the order resolving the motion”.

5. Section III.A.(i) of the Procedural Guidelines for Prepackaged Chapter 11 Cases of this Court (the “Prepack Guidelines”) shall be treated as if the words “or in accordance with §1125(g)” had been inserted immediately after the words “was completed prior to commencement of the Debtor's Chapter 11 case.”

6. Section VIII.A. of the Prepack Guidelines shall be treated as if the words “Unless the Court finds that a meeting of creditors need not be convened pursuant to §341(e), after” replaces the word “After” in the first sentence of that provision.

Dated: New York, New York
October 14, 2005

/s/ *Stuart M. Bernstein*
STUART M. BERNSTEIN
Chief United States Bankruptcy Judge

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