UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

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| In re:  [ ]  Debtor(s). | )  )  )  )  )  )  )  ) | Case No. \_\_-\_\_\_\_\_\_ (PB)  Chapter 11 |

**ORDER PURSUANT TO RULE 2004 OF THE FEDERAL RULES   
OF BANKRUPTCY PROCEDURE AUTHORIZING EXAMINATION OF \_\_\_\_\_\_\_\_\_\_\_\_\_ AND PRODUCTION OF DOCUMENTS**

Upon the application, dated \_\_\_\_\_\_\_\_\_\_\_ (the “Application”), of \_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Movant”) for an order pursuant to Fed. R. Bankr. P. 2004 directing the production of documents by and oral examination of \_\_\_\_\_\_\_\_\_\_\_\_\_ [,by \_\_\_\_\_\_\_\_\_\_\_\_\_ and/or any other employee of \_\_\_\_\_\_\_\_\_\_\_\_ most knowledgeable about \_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Rule 2004 Topics”)]; and, after due deliberation, the Court having concluded that the Movant has established sufficient cause for the relief granted herein; and no additional notice being required except as specified herein; now, therefore, it is hereby ORDERED that:

1. The Movant is authorized, pursuant to Fed. R. Bankr. P. 2004, to conduct an oral examination of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or such other employee of \_\_\_\_\_\_\_\_\_\_\_\_\_ who is most knowledgeable regarding the Rule 2004 Topics].
2. The Movant is authorized, pursuant to Fed. R. Bankr. P. 9016, to issue subpoenas for the production of documents relevant to the Rule 2004 Topics and attendance for the foregoing examination (each, a "Rule 2004 Subpoena").
3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall produce the documents (including electronically stored information) in its possession, custody or control referenced in the Rule 2004 Subpoena not later than 20 days after the service of such subpoena, the Application and a copy of this Order, to be delivered to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the Movant’s counsel).
4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_ or any other employee of \_\_\_\_\_\_\_\_\_\_\_\_ most knowledgeable about the Rule 2004 Topics,] shall appear for the foregoing examination not later than thirty (30) days after the date of service of the Rule 2004 Subpoena, the Application and a copy of this Order at the offices of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
5. The production and examination required hereby are subject to any applicable privilege; provided, that if production of a document required to be produced hereby is withheld on the basis of an asserted privilege, \_\_\_\_\_\_\_\_\_\_\_\_ shall provide a proper privilege log to the Movant’s counsel at the time of document production hereunder.
6. \_\_\_\_\_\_\_\_\_\_\_\_ shall, prior to conducting an electronic search utilizing search terms, meet and confer with the Movant’s counsel to attempt to agree on appropriate search terms.
7. All disputes concerning Rule 2004 Subpoenas, including objections thereto, that are not resolved by agreement of the parties may be raised only by letter brief to the Court not exceeding five pages, single spaced. The other party shall file a responsive letter brief within three business days, which shall not exceed five pages, single spaced. Copies of such letter briefs shall also be emailed to the Court’s chambers.
8. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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| **IT IS SO ORDERED.**  Dated: New York, New York  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_ |
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|  | **Honorable Philip Bentley**  **United States Bankruptcy Judge** |