

**FILED**  
U.S. BANKRUPTCY COURT

FEB 8 1990

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

WESTERN DISTRICT OF NC  
By WLT DEPUTY

In re: )  
          ) )  
Matters of Practice and )  
          ) )  
Procedure Before the Court )  
          ) )  
          ) )  
          ) )

ORDER

The Court having considered this matter and it appearing that the new Local Bankruptcy Rules of Practice and Procedure having been adopted and made effective as of October 2, 1989, and it further appearing that Local Bankruptcy Rule 100(b) did operate to rescind all standing and general orders of the Court existing prior to that date unless otherwise provided,

And the Court concluding that certain standing and general orders, copies of which are hereby attached and incorporated by reference as Exhibit "A", should not be rescinded and shall, therefore, remain in effect, the operation of Local Bankruptcy Rule 100(b) notwithstanding,

Based upon the foregoing, IT IS HEREBY ORDERED that those standing and general orders enacted prior to the October 2, 1989 effective date of the new Local Bankruptcy Rules of Practice and Procedure, and hereby incorporated by reference as Exhibit "A", shall remain in full force and effect, the application of Local Bankruptcy Rule 100(b) notwithstanding, nunc pro tunc October 2, 1989.

Dated this the 7<sup>th</sup> day of February, 1990.

  
Bankruptcy Judge

  
Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

APR - 3 1988

WESTERN DISTRICT OF NC  
BY Dub CLERK

IN RE: )

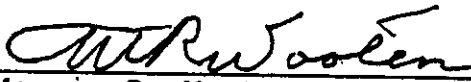
ORDER REGARDING ADMINISTRATION )  
OF THE BANKRUPTCY COURT. )  
\_\_\_\_\_ )

ORDER APPOINTING CLERK

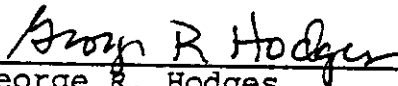
On behalf of the above captioned Court and pursuant to 28  
U.S.C. § 156(b),

It is hereby ORDERED that Warren L. Tadlock be and he hereby  
is appointed Clerk of the United States Bankruptcy Court for the  
Western District of North Carolina.

This the 4th day of April, 1988.



\_\_\_\_\_  
Marvin R. Wooten  
Chief United States Bankruptcy Judge



\_\_\_\_\_  
George R. Hodges  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

IN RE: )

PRACTICE AND PROCEDURE )  
IN THE BANKRUPTCY COURT )

ORDER APPOINTING STANDING )  
BAR ADVISORY COMMITTEE )

The Court having concluded that a standing committee representing the members of the bankruptcy bar of this District should be appointed for the purpose of meeting with and advising the Court as to any matters affecting the practice and procedure in the Court, and, therefore,

Based upon the foregoing, IT IS HEREBY ORDERED that the following individuals shall constitute the standing bar advisory committee for the Bankruptcy Court for the Western District of North Carolina,

J. Michael Booe  
Forrest D. Bridges  
Langdon M. Cooper  
Harry B. Crow, Jr.  
Sara H. Davis  
Barbara J. Dean  
Albert F. Durham  
Douglas G. Eisele  
O. Max Gardner  
David G. Gray  
W. B. Hawfield, Jr.

Marcus L. Johnson  
R. Keith Johnson  
Richard M. Mitchell  
Marc Rudow  
Wayne Sigmon  
Linda W. Simpson  
Albert L. Sneed  
Susan L. Sowell  
Steven G. Tate  
Judy D. Thompson  
David S. Walls

It is FURTHER ORDERED that the Clerk of Court shall be designated the Court's official liaison to said committee and shall advise its members from time to time concerning the scheduling of committee meetings and the nature of any business to be considered at such meetings.

Dated this the 7<sup>th</sup> day of April, 1988.


Certificate of Mailing

The undersigned, deputy clerk of the United States Bankruptcy Court for the Western District of North Carolina, hereby certifies that a copy of the document on which this stamp appears was mailed this date to all parties in interest herein/as required by the Bankruptcy Code and Rules of Bankruptcy Procedure.

  
MARVIN R. WOOTEN, JUDGE  
UNITED STATES BANKRUPTCY COURT

  
GEORGE R. HODGES, JUDGE  
UNITED STATES BANKRUPTCY COURT

Dated: 4-8-88

  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

IN RE:

LOCAL RULES OF PRACTICE AND PROCEDURE

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FILED

U. S. BANKRUPTCY COURT  
WESTERN DISTRICT OF NC

OCT 6 1989

WARREN L. TADLOCK, CLERK

*WLT*  
Deputy Clerk

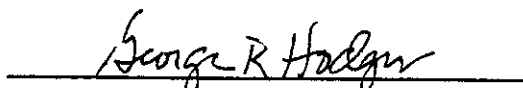
ORDER ENACTING NEW LOCAL RULES

Pursuant to the authority granted to this Court by order of the Honorable Robert D. Potter, Chief Judge, United States District Court, entered on January 27, 1988, **IT IS HEREBY ORDERED** that the proposed local rules for practice and procedure before this Court as submitted for appropriate public review and comment pursuant to 28 U.S.C. § 2071 and as amended thereafter are **ENACTED** as the local rules of practice and procedure for this Court effective October 2, 1989.

Dated this 5<sup>th</sup> day of October, 1989.



Marvin R. Wooten  
United States Bankruptcy Judge



George R. Hodges  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

FILED  
U.S. BANKRUPTCY COURT

MAR 11 1987

MARY CATHERINE HOLCOMB, CLK,  
WESTERN DISTRICT OF NC  
BY Cub DEPUTY

In Re:

ORDER ADOPTING THE 1986 REVISION OF THE  
MODEL EQUAL EMPLOYMENT OPPORTUNITY PLAN

It appearing to the Court that its objectives of equal opportunity for all are best met by the adoption of the Model Equal Employment Opportunity Plan; now, therefore, it is hereby

ORDERED that the Model Equal Employment Opportunity Plan is adopted by the Bankruptcy Court for the Western District of North Carolina.

Dated: 3-4-87

  
MARVIN R. WOOTEN  
UNITED STATES BANKRUPTCY JUDGE

U.S. BANKRUPTCY COURT

OCT 9 1987

MARY CATHERINE HOLCOMB, CLK.  
WESTERN DISTRICT OF NC  
PWS

UNITED STATES BANKRUPTCY COURT By  
WESTERN DISTRICT OF NORTH CAROLINA

IN RE: )  
 )  
ORDER IN AID OF ADMINISTRATION )  
OF CHAPTER 12 CASES )  
 )

It is hereby ordered that in all Chapter 12 cases filed in the Western District of North Carolina, the debtor shall, within three (3) business days, deposit the sum of \$500.00 with the Chapter 12 Trustee to be held in escrow and applied to the fees and expenses of the Trustee in the event the case is not confirmed. Should the escrow deposit not be timely made, the Trustee is authorized to not participate in any preconfirmation planning or meetings with the debtor or creditors. Upon the payment of the escrow funds, a statement is to be filed with the Clerk verifying that such payment has been made.

Dated this the 8<sup>th</sup> day of Oct., 1987.

Marvin R. Wooten  
Chief Judge Marvin R. Wooten

George R. Hodges  
Judge George R. Hodges

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

FILED

U.S. BANKRUPTCY COURT

In Re: )  
)  
)  
Responsibilities and Duties )  
of Chapter 7 Panel Trustees )  
)  
)

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MARY CATHERINE BROWN, CLERK  
STANDING ORDER OF THE COURT  
ESTABLISHING CASE REPORTING  
REQUIREMENTS CCC DEPUTY

It appearing to the Court that by its standing orders entered on March 23, 1987, March 27, 1987, and September 15, 1987 that a case reporting system was established for all Chapter 7 trustees to observe, and it further appearing that said orders did direct such trustees to file such reports of no distribution, quarterly case status reports and quarterly reports of funds on deposit as required.

And if further appearing that with the creation of the Office of the Bankruptcy Administrator by Section 302(d)(3)(I) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986, and pursuant to Interim Regulation 2.01(a)(4) of the Judicial Conference of the United States Governing the Establishment, Duties and Functions of Bankruptcy Administrators in Bankruptcy Administration that said reporting system shall be continued under the supervision of the Bankruptcy Administrator with such modifications as shall be prescribed by the Bank Administrator.

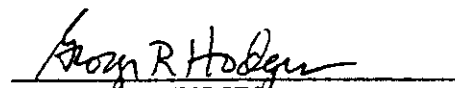
Based upon the foregoing, IT IS HEREBY ORDERED that effective January 1, 1988, the case reporting procedures as set forth by the Court in its standing orders of March 23, 1987, March 27, 1987 and September 15, 1987 by RESCINDED and of no further effect, and it is,

FURTHER ORDERED that all trustees serving on the panel of Chapter 7 trustees in the Western District of North Carolina and in cases under Chapter 7 in this District shall hereafter comply with all such interim and final case reporting requirements as the Bankruptcy Administrator shall prescribe, PROVIDED, however, that copies of all such reports not filed in cases shall be provided to the Clerk of Court.

Dated this the 18<sup>th</sup> day of February, 1988.



MARVIN R. WOTTEN  
UNITED STATES BANKRUPTCY JUDGE



GEORGE R. HODGES  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA

LOCAL RULE REFERENCING )  
ALL BANKRUPTCY MATTERS )  
TO THE BANKRUPTCY JUDGE AND )  
PROVIDING FOR BANKRUPTCY COURT )  
CLERK )

**FILED**  
CHARLOTTE, N. C.

JUL 30 1984

U. S. DISTRICT COURT  
W. DIST. OF N. C.

(a) Bankruptcy Resolution:

The purpose of this Rule is to convey to the bankruptcy judge of this district authority to act in bankruptcy matters and to provide for the bankruptcy court clerk under and in accord with the provisions of the "Bankruptcy Amendments and Federal Judgeship Act of 1984", and in the light and after consideration of Memoranda of the Administrative Office of the United States Courts dated June 28, 1984, July 20, 1984, and July 11, 1984.

The judges of the district court find and conclude that it is the clear intent of Congress to refer bankruptcy matters to bankruptcy judges, that the judge, clerk, and their staff have the specialized expertise necessary for the determination and handling of bankruptcy matters, all of which is in place for the continuation of the appropriate handling of the existing bankruptcy caseload, administratively and otherwise; and that the bankruptcy judge has this date certified to the Judicial Council of the Fourth Circuit and to the Director of the Administrative Office of the United States Court that the number of cases and proceedings pending within the jurisdiction under section 1334 of the "Bankruptcy Amendments and Federal Judgeship Act of 1984" within this judicial district warrants the appointment by the bankruptcy judge of an individual to serve as Clerk of such bankruptcy court.

Therefore, pursuant to the provisions of the "Bankruptcy Amendments and Federal Judgeship Act of 1984", the orderly conduct of the business of the court in the handling of bankruptcy matters requires this referral to the bankruptcy judge.

(b) Reference to the Bankruptcy Judge is hereby made of:

(1) All cases under Title 11 and all core proceedings arising under Title 11, or arising in a case under Title 11,



subject to the reference exception and powers of the Bankruptcy Judge as set out in the provisions of the "Bankruptcy Amendments and Judgeship Act of 1984".

(2) All proceedings that are not core proceedings but that are otherwise related to a case under Title 11, subject to the reference exception and powers of the Bankruptcy Judge as set out in the provisions of the "Bankruptcy Amendments and Judgeship Act of 1984".

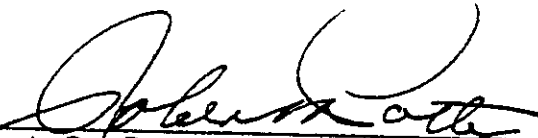
(c) Clerk of Court


(1) The bankruptcy judge having certified the need for a bankruptcy clerk as provided for in Section 156 of the Act, all functions of the "clerk" as provided by law are hereby referenced to the bankruptcy clerk appointed by the bankruptcy judge.

(d) Effective Date and Pending Cases.

The Rule shall become effective immediately, and shall apply to all cases governed by the Bankruptcy Act of 1898, and the Bankruptcy Code of 1978 as amended. Any bankruptcy pending before the bankruptcy judge on the effective date of this Rule shall be deemed referred to that judge. All bankruptcy matters filed on and after the effective date of this Rule shall be deemed automatically referred to that judge.

This the 30th day of July, 1984.

  
\_\_\_\_\_  
Robert D. Potter, Chief Judge

  
\_\_\_\_\_  
Woodrow W. Jones

  
\_\_\_\_\_  
James B. McMillan

UNITED STATES BANKRUPTCY COURT  
 WESTERN DISTRICT OF NORTH CAROLINA

FILED  
 BANKRUPTCY COURT

In Re: )  
 )  
 Implementation of Judicial )  
 Conference Regulations )  
 Establishing )  
 Responsibilities and Duties )  
 of Bankruptcy Administrator )

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MARY ANN ...  
 WESTANDING ORDER

BY CC DEPUTY

It appearing to the Court that the Interim Regulations of the Judicial Conference of the United States Governing the Establishment, Duties and Functions of Bankruptcy Administrators in Bankruptcy Administration do provide, with prior authorization of the Court, for certain administrative functions to be performed by the Bankruptcy Administrator, or its designee, in cases under Title 11 of the United States Code, and, therefore, based upon the foregoing, it is,

HEREBY ORDERED that the Bankruptcy Administrator or its designee be authorized to perform the following administrative functions in its supervision of the administration of bankruptcy estates:

- (1) convene and preside at creditors' committee meetings, and monitor the activity of creditors' committees;
- (2) convene and preside at meetings of creditors under section 341(1) of title 11, and convene a meeting of equity security holders;
- (3) administer the oath required under section 343 of title 11 and examine the debtor at the meeting of creditors under section 341(a) of title 11.


IT IS FURTHER ORDERED that the Bankruptcy Administrator or its designee be AUTHORIZED, and is HEREBY REQUESTED, to monitor and review the following documents and reports, insure that such reports are timely and accurately filed and where appropriate, report to the Court thereon:

- (1) periodic reports as to the financial condition of the estate and the progress of its administration;
- (2) statements of the deposit or investment of estate funds to determine compliance with section 345 of title 11;
- (3) interim and final reports of trustees; including compliance with orders of distribution;
- (4) applications for the employment of professionals filed under section 327 of title 11;

- (5) applications for compensation and reimbursement filed under section 330 of title 11;
- (6) statements of debtors' transactions with attorneys;
- (7) (A) disclosure statements and plans filed in cases under Chapter 11 of title 11, and filings with the court in connection with hearings under sections 1125 and 1128 of such title,  
  
(B) within plans filed under Chapter 11 of title 11, disclosure of compliance with section 1129(a)(7) of such title, and  
  
(C) verification of vote tallies on plans, filed under Chapter 11 of title 11;
- (8) plans filed under Chapters 12 and 13 of title 11, and filings with the court in connection with hearings under sections 1224, 1229, 1324 and 1329 of such title;
- (9) applications for final decrees in cases under Chapters 7, 11, 12 and 13 of title 11; and
- (10) any similar documents or reports relating to the administration of estates in cases.

Dated this the 18<sup>th</sup> day of February, 1988.

  
MARVIN R. WOOTEN  
UNITED STATES BANKRUPTCY JUDGE

  
GEORGE R. HODGES  
UNITED STATES BANKRUPTCY JUDGE

**FILED**  
CHARLOTTE, N. C.

JAN 27 1988

United States District Court  
Western District of North Carolina


U. S. DISTRICT COURT  
W. DIST. OF N. C.

IN RE: )  
 )  
LOCAL RULES OF THE UNITED )  
STATES BANKRUPTCY COURT )  
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ORDER AUTHORIZING THE  
BANKRUPTCY COURT TO  
ADOPT LOCAL RULES  
MISC #993-P

Pursuant to the authority of this Court under Bankruptcy Rule 9029, the bankruptcy judges for this District are authorized to adopt such local rules of practice and procedure in all referred cases and proceedings as they deem necessary to conduct the bankruptcy court in an orderly manner, not inconsistent with the Bankruptcy Rules of the Rules of this District.

Dated: January 26, 1988

  
ROBERT D. POTTER  
CHIEF U. S. DISTRICT COURT JUDGE

