

## SELF-CALENDARING INSTRUCTIONS FOR JUDGE JULIA W. BRAND

The self-scheduling system is designed to allow both counsel and parties to schedule hearing dates for matters heard on regular notice, without having to contact the Courtroom Deputy to obtain a hearing date. Matters that do not require hearings may be filed in accordance with Local Bankruptcy Rule 9013-1(o)(1). **All hearings will be held in Courtroom 1375 on the 13th Floor of the Edward R. Roybal Federal Building and Courthouse at 255 E. Temple Street, Los Angeles, California.**

### I. Matters that May be Self-Calendaried.

The following matters may be self calendaried provided that the time required for hearing such matters is 15 minutes or less. Matters requiring more than 15 minutes **may not** be self calendaried. **The court reserves the right to reschedule any self-calendaried matter.** Parties may select their own hearing dates if the matter to be heard is 15 minutes or less and falls within the one of the following categories:

- A. Motions Regarding the Automatic Stay
- B. Motions to Convert or Dismiss under 11 U.S.C. § 1112
- C. Objections to Claims (20 or less)
- D. Fee Applications in Chapter 11 Cases
- E. Employment Applications
- F. Motions to Value and Avoid Junior Liens (“LAM Motions”)
- G. Any motion in a Chapter 11 or 13 case or an Adversary Proceeding not identified in section II below as being ineligible for self-scheduling.

### II. Matters that May Not be Self-Calendaried:

The following matters **may not** be self calendaried.<sup>1</sup>

- A. Applications for Orders Shortening Time\*
- B. Matters Heard on Shortened Notice or on an ex parte basis\*
- C. Emergency Motions (including motions arising under any general order that may be approved for application in chapter 11 cases)\*
- D. Disclosure Statements
- E. Initial Status Conferences in Adversary Proceedings
- F. Clusters of Related Matters that would ordinarily be set for different hearing times
- G. Mass Objections to Claims (more than 20 objections set for a single hearing)

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<sup>1</sup> For more information concerning procedures for obtaining hearings on matters on this list marked with an asterisk (\*), contact Judge Brand’s law clerk, Lily Tran, at (213) 894-6080. For more information concerning procedures for obtaining hearings on any matter on this list *not* marked with an asterisk, contact Judge Brand’s Courtroom Deputy, Sandra Bryant, at (213) 894-7341.

- H. Motions for Authority to Use/Restrict Use of Cash Collateral or for Post-Petition Financing
- I. Motions for Reconsideration
- J. Motions to Dismiss in Adversary Proceedings
- K. Motions for Summary Judgment
- L. Pre-trial Conferences
- M. Reaffirmation Agreements
- N. Lessor's Objection(s) under 11 U.S.C. § 362(l)(3) to any Certification Filed by the Debtor under 11 U.S.C. §§ 362(l)(1) and/or 362(l)(2)
- O. Debtor's Objection to Lessor's Certification under 11 U.S.C. § 362(m)(2)(B)
- P. **Matters that require more than 15 minutes for hearing.**

III. Matters Heard on Shortened Time that May be Self Calendared.

Although generally matters heard on shortened time may not be self calendared, (see section II.B. above), parties may self calendar the following motions to be heard on shortened time (minimum 14 days notice) without prior approval of the Court:

- A. Motions for Relief From Stay involving
  - a. Residential unlawful detainer actions.
  - b. At least two prior bankruptcy filings affecting the subject property within six months of the petition date.
  - c. Post-petition transfers of real property to the debtor
  - d. Pre-petition transfers to the debtor (1) within 90 days of the petition date or involving a fractionalized interest in real property.
- B. Motions to continue or impose the automatic stay under 11 U.S.C. § 362 (c) (3) or (4).

To self calendar any motion listed above on shortened time, the moving party must file and serve all moving papers on the debtor, the trustee, any creditor who may be affected by the relief requested and the creditor's attorney, if any, by overnight mail, facsimile or personal service at least 14 days before the date scheduled for the hearing. A declaration regarding service must be filed at least 7 days before the date scheduled for hearing. If the declaration regarding service is not timely filed, the motion may be continued or summarily denied. Any opposition must be filed at least 7 days before the hearing. If the court determines that a hearing is set using this procedure without meeting these requirements, the court may, among other relief, dismiss the motion with prejudice.

**For matters that may be self-calendared, follow the steps outlined below:**

STEP 1: Identify available dates and times for the type of matter that you want to calendar by referring to the monthly calendars posted in the Judge's courtroom or on the Court's website ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)).

! **PLEASE NOTE: Calendar dates are subject to periodic revision**, so please verify that you are referring to a *current version* of the Judge's monthly calendar.

STEP 2: Prepare a notice of hearing for the date and time that you have selected. If your motion is for relief from stay, you must provide notice in the same form as outlined by Local Bankruptcy Rule 4001-1(b).

! **PLEASE NOTE:** By choosing a date for a relief from stay hearing that is greater than 30 days from the date you file your motion, you are deemed to have waived the time limits of 11 U.S.C. § 362(e).

! **PLEASE NOTE:** By choosing a date for a hearing on a motion to dismiss or convert under 11 U.S.C. § 1112 that is greater than 30 days from the date you file your motion, you are deemed to have waived the time limits of 11 U.S.C. § 1112(b)(3).

STEP 3: Give sufficient notice of all matters to all parties entitled to receive such notice pursuant to applicable provisions of the Local Bankruptcy Rules and Federal Rules of Bankruptcy Procedure. Schedule hearing dates accordingly.

STEP 4: File and serve your moving papers in a timely manner! Refer to the Local Bankruptcy Rules and Federal Rules of Bankruptcy Procedure for applicable filing and service deadlines. If proof of service is insufficient, the moving party's motion may be continued or denied. Be sure to deliver a courtesy copy of all papers to the Judge's chambers with the time and date of the scheduled hearing placed underneath the title of the pleading. **All Judge's copies shall be served in accordance with Local Bankruptcy Rule 5005-2(d) and Section 3-F and Appendix F of the Court Manual.**

STEP 5: If the date you have selected is unavailable because you have given insufficient notice, the date and time are already fully booked or for any other reason, the Calendar Clerk will contact you to arrange an alternative date. **The court reserves the right to reschedule any hearing.** You will be notified promptly if your hearing has been re-set.

STEP 6: Counsel must follow Local Bankruptcy Rule 9021-1(b) (1) (B), which provides that "A proposed order must be served and lodged within 7 days of the granting thereof." The proposed order must be lodged electronically through the Lodged Order Upload (LOU) program in accordance with the LOU Procedures contained in Section 4 of the Court Manual posted on the Court's website. Except as provided by Local Bankruptcy Rule 9021-1(b) (1) (B), a proposed order must not be submitted or uploaded on LOU before the hearing.