Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number ☐ *Individual appearing without counsel* ☐ *Attorney for:*	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	
In re: Debtor(s).	CHAPTER: CASE NO.: DATE: TIME: CTRM: FLOOR:

RESPONSE TO MOTION FOR ORDER TO TERMINATE, ANNUL, MODIFY, OR CONDITION THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 AND DECLARATION(S) IN SUPPORT

(MOVANT: _____)

(RESPONDENT: ☐ Debtor ☐ Trustee ☐ Other: _____)

GENERAL NOTE: *A request for additional time is **not** usually an adequate response in opposition to the Motion. This Response and supporting declaration(s) and other admissible evidence must be filed with the Court and served pursuant to the Local Bankruptcy Rules.*

1. ☐ **NON-OPPOSITION:** Notice is hereby given that the Respondent does not oppose the granting of the Motion.

   NOTE: *If you do not oppose the Motion, there is no need to appear at the hearing scheduled in the Motion.*

2. ☐ **LIMITED OPPOSITION -- APPEARANCE REQUIRED:** Respondent opposes the Motion only to the extent that it seeks immediate relief from stay. Respondent requests that no lock out, foreclosure, or repossession shall take place before *(specify date)*:

   The reason for this request is *(specify):*

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3. ☐ **OPPOSITION -- APPEARANCE REQUIRED:** Notice is hereby given that the Respondent opposes the granting of the Motion for the reasons set forth below.

a. Respondent disputes the allegations/evidence contained in the Motion. As shown in the Declaration(s) filed with this Response:

☐ The value of the Property is $_____, based upon (*specify)*:

☐ Total amount of debt (loans) on the Property is $_____.

☐ More payments have been made to Movant than the Motion has accounted for. True and correct copies of canceled checks proving the payments that have been made are attached as Exhibit _____.

☐ The Property is necessary for an effective reorganization. Respondent has filed or intends to file a plan requiring the Property. A true and correct copy of the Plan is attached as Exhibit _____.

☐ The Property is insured. A true and correct copy of the policy currently in effect is attached as Exhibit _____.

☐ The Movant's description of the status of the unlawful detainer proceeding is not accurate. See attached Declaration for Respondent's evidence.

☐ Respondent denies that this bankruptcy was filed in bad faith or improperly. See attached Declaration containing Respondent's evidence.

☐ Debtor would be prejudiced if the lawsuit or administrative proceeding is allowed to continue outside the bankruptcy court. See attached Declaration regarding Respondent's contentions.

☐ Service of the Motion: ☐ Not all parties were served ☐ Insufficient notice of the hearing

☐ Incorrect address used for *(specify)* _____

☐ Other *(specify)*:

b. Respondent asserts:

☐ Case has been converted from Chapter _____ to Chapter _____.

☐ All postpetition arrears will be cured by the hearing date.

☐ The Debtor has equity in the Property in the amount of $_____.

☐ Movant has an equity cushion of $_____ which is sufficient to provide adequate protection.

☐ The Property is necessary for an effective reorganization because *(specify reasons why)*:

☐ The Motion should be denied because *(specify)*:

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In re (SHORT TITLE) Debtor(s).	CHAPTER: CASE NO.:

4. **EVIDENCE IN SUPPORT OF RESPONSE AND SUPPORTING PAPERS:**

NOTE RE SUPPORTING PAPERS: *Declarations in opposition to the Motion* ***MUST*** *be attached hereto. Any individual signing a declaration must have personal knowledge of the facts stated in it and should attach any supporting documents, if possible. You may attach a Memorandum of Points and Authorities if you desire, but it is not required.*

NOTE RE SERVICE OF RESPONSE AND SUPPORTING PAPERS: *Pursuant to the Local Bankruptcy Rules, you must file with the Bankruptcy Court Clerk this completed Response along with supporting declaration(s) signed under penalty of perjury, AND also serve a copy of the Response and declaration(s) on the Movant's attorney (or Movant, if no attorney), the Bankruptcy Trustee, the United States Trustee, and all other parties to the Motion.*

Pursuant to the Local Bankruptcy Rules, attached hereto are the following papers in support of this Response:

- ☐ Declaration by Debtor
- ☐ Declaration by Trustee
- ☐ Declaration by Appraiser
- ☐ Other *(specify)*:
- ☐ Declaration by Debtor's Attorney
- ☐ Declaration by Trustee's Attorney
- ☐ Memorandum of Points and Authorities *(optional)*

Dated:

Respectfully submitted,

_____
Respondent's Name

_____
Law Firm Name (if applicable)

By: _____
Signature

Name: _____
Attorney for Respondent or Pro Se Respondent

In re (SHORT TITLE) Debtor(s).	CHAPTER: CASE NO.:

PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF _____

1. I am over the age of 18 and not a party to the within action. My business address is as follows:

2. On _____, pursuant to Local Bankruptcy Rule 9013-1, I served the documents described as: RESPONSE TO MOTION FOR ORDER TO TERMINATE, ANNUL, MODIFY, OR CONDITION THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 and DECLARATION(S) IN SUPPORT on the interested parties at their last known address in this action by placing a true and correct copy thereof in a sealed envelope with postage thereon fully prepaid in the United States Mail at _____, California, addressed as set forth below.

3. Parties and addresses upon which service was made:

> ***NOTE:*** *The parties listed below* ***must*** *be served and identified as to their position in reference to the Motion: The United States Trustee, the Chapter 7, 11, or 13 Trustee, Movant, Movant's attorney (if any), the 20 largest unsecured creditors (where applicable), and any other interested parties.*

☐ UNITED STATES TRUSTEE:
(Name, address)

☐ CHAPTER 7, 11, OR 13 TRUSTEE:
(Name, address)

☐ MOVANT:
(Name, address)

☐ ATTORNEY FOR MOVANT (if any):
(Name, address)

☐ OTHER:
(Specify capacity in which service is made; e.g., Creditors Committee or 20 largest unsecured creditors, etc.)

☐ Addresses continued on attached page.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated:

_____ _____
Typed Name *Signature*