

## LOCAL BANKRUPTCY RULE 1015-2

### RELATED CASES

#### (a) DEFINITION OF RELATED CASES

Cases shall be deemed “related cases” for purposes of this Local Bankruptcy Rule if the earlier **bankruptcy** case was **filed or** pending at any time ~~within 6 years~~ before the filing of the new petition, and the debtors in such cases:

- (1) Are the same;
- (2) Are spouses or ex-spouses;
- (3) Are “affiliates,” as defined in 11 U.S.C. § 101(2), except that § 101(2)(B) shall not apply;
- (4) Are general partners in the same partnership;
- (5) Are a partnership and one or more of its general partners;
- (6) Are partnerships that share one or more common general partners; or
- (7) Have, or within 180 days of the commencement of either of the related cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).

#### (b) DISCLOSURE OF RELATED CASES

- (1) A petition commencing a case shall be accompanied by **Official Form F 1015-2.1, “Statement of Related Cases.”** ~~a Rule 1015-2 Statement in the form prescribed by the clerk.~~

- (2) **Official Form F 1015-2.1**~~The Rule 1015-2 Statement~~ shall be executed by the petitioner under penalty of perjury and shall disclose, to the petitioner's best knowledge, information and belief:
- (A) Whether any related case(s) **was filed** ~~is pending~~ or has been pending at any time.
  - (B) The name of the debtor in related case(s).
  - (C) The case number of related case(s).
  - (D) The district and division in which related case(s) is or was pending.
  - (E) The judge(s) to whom related case(s) was assigned.
  - (F) The current status of the related case(s).
  - (G) The manner in which the cases are related.
  - (H) Any real property included in "Schedule A - Real Property" that was filed with any prior proceeding.
- (3) The failure fully and truthfully to provide all information required by **Official Form F 1015-2.1** ~~the Rule 1015-2 Statement~~ may subject the petitioner and its attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.
- (4) Unless otherwise ordered by the court, any petition (including emergency) that is not accompanied by **Official Form F 1015-2.1** ~~a Rule 1015-2 Statement~~ shall be deemed deficient.

*See also Local Bankruptcy Rule 1073-1: REASSIGNMENT OF CASES.*

---

### Court's Comment

#### **2004 Revision**

Paragraph (a) was revised to delete the six-year time limitation from the Rule and to define a "related case" as a bankruptcy case filed or pending at any time before the filing of the new petition.

Paragraph (b)(2)(A) was revised to replace *is pending* with *was filed*.

Paragraph (b) was also revised to replace the term *Rule 1015-2 Statement* with *Official Form F 1015-2.1, "Statement of Related Cases,"* with the adoption of Official Form F 1015-2.1 as an official Local Bankruptcy Rule Form.

**1998 Revision**

Former Local Rule 104(4).

Paragraph (a)(3). Added *except that § 101(2)(B) shall not apply* pursuant to General Order 97-02.

Paragraph (b)(2)(h). Added to conform to Statement of Related Cases Form, revised 6/95.

Paragraph (b)(3). Changed the structure of the sentence to improve readability.

Paragraph (b)(4) (former (4)(b)(iv)). Amended to reflect current deficiency policy.

Cross-reference to Local Bankruptcy Rule 1073-1 added.