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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

**IN RE: COMPLEX CHAPTER 11 CASE)
DEFINITION AND PRE-FILING)
PROCEDURE)**

GENERAL ORDER 23-02

The Court has examined its procedures in an effort to most efficiently administer complex chapter 11 cases. Based on its review (which remains ongoing), and a majority vote of the Court’s sitting judges,

IT IS HEREBY ORDERED as follows:

Definition of a Complex Chapter 11 Case (a “Complex Case”). A Complex Case is a case or group of affiliated cases in which (i) the total liabilities of the debtor (a single debtor or a group of affiliated debtors whose cases are intended to be jointly administered) exceeds \$10 million; (ii) there are more than 50 parties in interest; or (iii) any claims against or interests in the debtors are publicly traded, all as reported on the debtor(s) bankruptcy petition(s).

Optional Designation Below \$20 Million; Mandatory Above. If the debtors have more than \$10 million but less than \$20 million in liabilities, the election as a Complex Case is optional. The Complex Case election must be made before the case is filed. For

1 cases where the debtors have \$20 million or more in liabilities, the Complex Case
2 designation is mandatory.

3 Pre-Filing Procedure. Because the provisions of Local Bankruptcy Rule (“LBR”)
4 9075-1 may be inadequate to ensure that a “first day” hearing in a Complex Case will be
5 scheduled when needed, before filing the petition, counsel for a Complex Case Debtor
6 must contact the court to advise the court of the planned filing and schedule a first day
7 hearing within 48 hours of the filing or, if that is a weekend or holiday, on the next
8 business day. The Chief Deputy of Operations or a designee (Chief Deputy) is the
9 initial contact for all pre-filing matters for anticipated Complex Cases. The Chief Deputy
10 can be reached at 213- 894-3901 or by email at complex_ch11@cacb.uscourts.gov.
11 The Chief Deputy will be accessible after business hours and on weekends (within
12 reason). Counsel for the Complex Case Debtor must inform the Chief Deputy of (a) the
13 approximate date and time when the case is expected to be filed, (b) the division in
14 which venue is proper, (c) the motions expected to be filed that will require a hearing
15 within 48 hours after the case is filed, and (d) the telephone number and email at which
16 such counsel can be reached. Counsel will not be required to reveal the name(s) of the
17 debtor(s).

18 The Chief Deputy will contact the judge randomly assigned to the case in the
19 applicable division for the case under LBR 1071-1(a) to ensure that the judge (1) is
20 willing and able to conduct a hearing on the specified motions within 48 hours, (2)
21 agrees to permit remote (video or telephone) access to all parties wishing to attend the
22 hearing, and (3) agrees to set at least one monthly “omnibus” hearing for matters in the
23 Complex Case, with remote (video or telephone) access for all parties wishing to attend
24 those omnibus hearings (the “Assignment Criteria”). All judges of the Court who believe
25 they may be willing and able to meet the Assignment Criteria for any Complex Case that
26 might be filed in future will provide standing instructions to the Clerk’s Office regarding
27 contact procedures.

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1 If the first judge contacted by the Chief Deputy is not willing and able to meet the
2 Assignment Criteria, the next judge randomly assigned in the applicable division for the
3 case under LBR 1071-1(a) will be contacted. If the Chief Deputy is unable to locate an
4 available judge in the applicable division, they will contact the Chief Bankruptcy Judge,
5 who will consider the circumstances and, if necessary, assign the case to a judge in the
6 closest division to the applicable division under LBR 1071-1(a).¹ The case will be
7 assigned to the first available judge who meets the Assignment Criteria.

8 As soon as a judge is assigned, the Chief Deputy will inform counsel for the Complex
9 Case Debtor that a judge meeting the Assignment Criteria is available, without revealing
10 the identity of that judge. The Chief Deputy will coordinate between counsel for the
11 Complex Case Debtor and the assigned judge (again, without revealing the identity of
12 the assigned judge) regarding the hearing date and time and any other pre-filing
13 procedures.

14 Filing Procedure. When the bankruptcy petition is ready to be filed, counsel for
15 the Complex Case Debtor must notify the Chief Deputy 15 minutes before the
16 requested time to file the petition. The Chief Deputy will coordinate with the filing
17 attorney regarding the precise time the petition will be filed, to ensure that the case is
18 assigned to the correct judge (the one selected pursuant to the above procedures).
19 Immediately after the petition is actually filed, counsel must telephone the Chief Deputy
20 to confirm that the petition was received and assigned, and the Chief Deputy will alert
21 the chambers of the assigned judge and notify counsel which judge has been assigned.
22 Chambers for the assigned judge will then contact counsel to establish any procedures
23 that have not already been established for the first day hearing, including any additional
24 details regarding video or telephone appearances, filing a written agenda for the first
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27 ¹ The circumstances to be considered by the Chief Bankruptcy Judge include when a judge in the applicable division
28 would become available, and the convenience to the Complex Case Debtor and parties in interest. Under this
procedure, a Complex Case may be assigned, in the Chief Bankruptcy Judge's discretion, to a judge outside of the
"applicable division" under LBR 1071-1.

1 day hearing, and procedures for providing chambers with copies of moving papers and
2 proposed orders.

3 **IT IS SO ORDERED.**

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6 Date: July __, 2023

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Theodor C. Albert
Chief Judge, United States Bankruptcy Court

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