

United States Bankruptcy Court  
Central District of California

**Redline of LBR 9021-1(b) with February 28, 2013 Technical Revisions**

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**LBR 9021-1. ORDERS AND JUDGMENTS**

- (a) **General.** A proposed order or judgment (collectively, order) must be lodged either in paper form or electronically via LOU in accordance with the LOU Procedures contained in the Court Manual and these rules. Unless required as a court-mandated form order pursuant to LBR 9009-1 or otherwise ordered by the court, an order must not contain any attached agreement or other exhibit. If an order approves a motion that is based in whole or part upon an agreement or other exhibit, the order must refer to the docket number and/or title of the document in which the agreement or exhibit is found. Nothing in this rule prevents a prevailing party from serving a copy of an entered order along with a copy of an agreement or other exhibit referred to in the order.

(b) **Preparation, Lodging, and Signing of Orders.**

- (1) **Form of Proposed Order.** A proposed order must be set forth in a separately captioned document complying with LBRs 9004-1 and 9009-1, and must include the Notice of Entered Order and Service List prepared in accordance with subsection (b)(1)(E) of this rule. ~~Except for an order submitted at the hearing, a proposed order must be accompanied by a proof of service reflecting service of the proposed order on the parties required by subsection (b)(1)(E) of this rule and as the court directs.~~

- (A) **Who Must Prepare.** Unless the court otherwise directs, a proposed order must be prepared by the attorney for the prevailing party.
- (B) **When Due if a Hearing was Scheduled.** If not presented at the hearing, a proposed order must be served and lodged with the clerk within 7 days of the granting thereof. Except as provided in LBR 7056-1(b)(2) and LBR 7016-1(b)(1) or if the presiding judge has posted a tentative ruling authorizing the submission of a proposed order, a proposed order must not be lodged prior to the hearing or trial of the underlying matter.
- (C) **Failure to Lodge Timely Order.** If the prevailing party fails to serve and lodge a proposed order within the allotted time, then any other party present at the hearing may lodge and serve a proposed order. All other parties shall have 7 days within which to file and serve an objection in compliance with subsection (b)(3) of this rule. If no party submits a proposed order, the court may prepare and enter such order as it deems appropriate, including an order to

appear and file written explanation as to why the motion or proceeding should not be dismissed without prejudice for failure to prosecute, and to appear at the hearing.

(D) Copies and Envelopes. Copies of the proposed order and mailing envelopes must not be provided to the court unless required in the Court Manual.

(E) Notice of Entered Order and Service List.

(i) ~~Entered Order Served by the Court~~Mandatory LBR Form. ~~If an entered order is to be served by the court,~~The proposed order must be accompanied by court-mandated form [F 9021-1.1.NOTICE.ENTERED.ORDER](#), Notice of Entered Order and Service List, regardless of whether the proposed order is lodged non-electronically or electronically pursuant to the LOU Procedures.

(ii) Entered Order Served Other than by the Court. If an entered order is to be served other than by the court, the party responsible for lodging the proposed order must promptly serve a copy of the entered order and file a proof of service of the entered order in the form and manner required by LBR 9013-3.