

SELF-CALENDARING INSTRUCTIONS FOR JUDGE MAUREEN A. TIGHE 2019

The self-calendar system is designed to allow both counsel and parties to schedule hearing dates for matters heard on regular notice, without having to contact the Calendar Clerk to obtain a hearing date. Matters that do not require hearings may be filed in accordance with Local Bankruptcy Rule 9013-1(o) and (p). Please refer to the appropriate Federal Rules of Bankruptcy Procedures and Local Bankruptcy Rules regarding the filing and service of motions.

I. The following matters **may not** be self-calendared:

- A. Applications for orders shortening time
- B. Matters heard on shortened notice or on an *ex parte* basis
- C. Mass objections to claims (more than 20 objections set for a single hearing)
- D. Motions for temporary restraining orders or preliminary injunctions
- E. Motions for reconsideration
- F. Status and pre-trial conferences - all chapters
- G. Trials in adversary proceedings
- H. Reaffirmation agreements

II. The following matters **may** be self-calendared at the following times:

A. Wednesdays at 10:00 a.m.:

- 1. Motion for relief from stay for all Chapters
- 2. All motions in chapter 11 cases (including adversaries)
- 3. Discovery motions in adversary proceedings
- 4. Motions for Default Judgment (default prove-up) in adversary proceedings
- 5. Other chapter 7 matters (except adversary motions)

Parties who estimate that oral argument will run longer than 15 minutes on a matter other than one under § 362, counsel must telephone chambers or the Courtroom Deputy to obtain approval to set the hearing for Wednesday at 1:00 p.m.

B. Wednesdays at 1:00 p.m.:

- 1. Motions to dismiss adversary complaints under Fed.R.Civ.P. 12(b)
- 2. Motions for Summary Judgment under Fed.R.Civ.P. 56
- 3. Motions for Judgment on the Pleadings under Fed.R.Civ.P. 12(c)

The court may reschedule Motions to Dismiss and Motions for Summary Judgment if too many are self-calendared on the same date

C. Tuesday at 11:00 a.m. on the monthly approved chapter 13 hearing date:

- 1. Motions to value liens in Chapter 13
- 2. Other chapter 13 matters (except confirmation hearings)

NOTE: Before self-calendar, refer to Judge Tighe's available calendar schedule on the "DATES" tab for a list of available dates.

III. Certain motions under § 362 may be heard on shortened time without court order

The following categories of Motions under § 362 **do not** require an application for an order shortening time:

- A. Motions for relief from stay related to residential unlawful detainer actions
- B. Motions for relief from stay related to *post*-petition transfers of real property to the debtor
- C. Motions for relief from stay related to *pre*-petition transfers to the debtor either within 30 days of the debtor's petition date, or involving a fractionalized interest in real property
- D. Motions to continue or impose the stay under §§ 362(c)(3) or (c)(4) only if 14 days' notice is given to all interested parties including the secured creditor
- E. If the movant wishes to have a motion heard on shortened time and it is not in one of the above categories, the movant must apply for an order shortening time or utilize emergency motion procedures under Local Bankruptcy Rule 9075-1.

NOTE: Except for Motions to impose/continue the stay under §§ 362(c)(3) or (c)(4), motions calendared on shortened time in accordance with this procedure must be filed with the Court and served on all parties entitled to receive notice of the motion so that the moving papers and notice of hearing are received not later than 5 court days prior to the date of the hearing, unless otherwise indicated. Telephonic notice of the date, time and place of the hearing on the motion must also give to all parties entitled to receive notice not later than 5 court days prior to the hearing.

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) or by calling the Court’s general information number (818-587-2900) and selecting the menu options necessary to direct you to calendaring information for Judge Tighe. Also refer to the dates listed below.
- 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.
- 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 Bankruptcy Code Section 362(e)(1).
- 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. Refer to Local Bankruptcy Rule 9013-1(a) (6) notice requirements and time limits for service and filing of motions and Local Bankruptcy Rule 9013-1(a)(13) regarding evidence supporting the motion. If proof of service is insufficient, the motion may be continued or denied.
- STEP 4:** File and serve your moving papers in a timely manner. Within 24 hours of filing your papers, deliver a courtesy copy of all papers to the Judge’s chambers (if required; see Tighe Judicial Variance Statement, sec.) with the time and date of the scheduled hearing placed underneath the title of the pleading.
- STEP 5:** Confirmation that your matter has been calendared should appear on the docket within several Court days of your filing. If the date you have selected is unavailable for any reason, the Calendar Clerk will contact you to arrange an alternate 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 via 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.