

The Central Guide Supplement to LBR 3007-1

Filing Claims and Objections to Claims

This Page Intentionally Left Blank

1.1 Proof of Claim

Parties may file a ***Proof of Claim (Official Form 410)*** either online, in person, or by mail. There is no fee for filing a *Proof of Claim*.

- (a) Electronic Proof of Claim (ePOC). Creditors can use the court's Electronic Proof of Claim (ePOC) system to complete and file a Proof of Claim. Visit the court's website at www.cacb.uscourts.gov/epoc-electronic-proof-claim to access or learn more about ePOC.
- (b) CM/ECF. Attorneys registered to use CM/ECF may electronically file *Proofs of Claims* through CM/ECF.
- (c) Proof of Claim Delivered by Mail or in Person to Division Where Case Is Pending:
 - (1) Obtain a free *Proof of Claim* form (and *Instructions for Proof of Claim*) from either the court's website at www.cacb.uscourts.gov/forms/proof-claim or any bankruptcy court. You may mail your request for a blank printed *Proof of Claim* form to the division where the bankruptcy case is pending (see *Quick Guide to the Court*, section 1.1, or *Appendix A* for division addresses):
 - (2) File the completed *Proof of Claim* form by either mailing or delivering it to the division where the case is pending (see TCG section 1-02 for division addresses). To receive a "filed" stamped copy of a *Proof of Claim* that is delivered or mailed to the Court, provide a copy of the claim at the time of filing (along with a self-addressed, stamped envelope if the *Proof of Claim* is mailed to the Court).
- (d) Additional Forms that may be filed with a *Proof of Claim Form Involving Mortgage Payments*. Three forms related to proofs of claims involving a mortgage may be attached to the *Proof of Claim*. The forms and instructions for these forms are available on the court's website at proof-claim:
 - (1) *Mortgage Proof of Claim Attachment form (Official Form 410A)*. If you file a claim secured by a security interest in the debtor's principal residence, you **must** use this form as an attachment to your *Proof of Claim* form.
 - (2) *Notice of Mortgage Payment Change form (Official Form 410S-1)*. If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you **must** use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your *Proof of Claim* form **at least 21 days before** the new payment amount is due (see FRBP 3002.1).

- (3) Notice of Postpetition Mortgage Fees, Expenses, and Charges form (Official Form 410S-2). If you hold a claim secured by a security interest in the debtor's principal residence, you **must** use this form to give notice of any postpetition fees, expenses, and charges that you assert are recoverable against the debtor or against the debtor's principal residence. File this form as a supplement to your *Proof of Claim* form (see FRBP 3002.1).

1.2 Multiple Objections to Claims Calendar

(a) General Procedure for Filing More than 20 Objections to Claims.

- (1) Pursuant to LBR 3007-1(a)(5), if more than 20 objections to claims are noticed for hearing on a single calendar, the objector must submit a Multiple Objections to Claim Calendar.
- (2) A Portable Document Format (.pdf) version of the calendar listing (see Exhibit 1 for a list of the requirements) including a cover page (see Exhibit 2) must be electronically filed via the CM/ECF system. The calendar listing (see Exhibit 3) should be organized by type of objection and should specify the following information for each claim in order of claim number or alphabetical order:
 - (A) The claims docket number;
 - (B) The claimant's name;
 - (C) The amount of the claim;
 - (D) The basis for the objection; and
 - (E) The portion of the claim subject to the objection (*if different from the total amount of the claim*).

- (b) Exception to General Procedure. Many judges have their own procedure. Please consult the judge's section of the court's website at www.cacb.uscourts.gov -> *Judges* for specific requirements (if any) and/or call the courtroom deputy for the particular judge. Telephone contacts are located in *Appendix A* of this Court Manual.

EXHIBIT 1

Calendar Format

The calendar must be submitted in the following format:

1. Typed on a 8-1/2" x 11" page using uppercase and lowercase letter quality characters using Courier 10-point font.
2. The document must contain a header on the first page only as follows:

<u>Claim</u> <u>Number</u>	<u>Claimant Name</u>	<u>Claim Amount</u>	<u>Basis for</u> <u>Objection</u>	<i>(if applicable)</i> <u>Portion of Claim</u> <u>Subject to</u> <u>Objection*</u>
-------------------------------	----------------------	---------------------	--------------------------------------	---

3. The claimant information must be typed with no more than 10 claims blocks per page. In cases where the claimant name is longer than the allowed 20 characters, the name should be continued on the next line.
4. Each line of the text must contain no more than 75 characters maximum and should not extend within one-half inch of any edge of the page.
5. Each block must consist of no more than 4 lines with at least 1 blank line between each.
6. The document must contain the original amount of the claim and, if different from the total amount of the claim, the portion of the claim subject to the objection.
7. The document must have a cover page containing the Case Name, Case Number, Title of Document, Hearing Date, Hearing Time, and Judge. Please see examples in *Exhibits 2* and *3*.

*If different from the total amount of the claim.

EXHIBIT 2

Sample Cover Page for Multiple Objections to Claim

Advent Development Corp. 6:21-bk-00000-WJ
Hrg RE: Trustee's Motion to Disallow Claim of Andrews Adjustment
Service for Insufficient Documentation

Hearing Date: September 30, 2021
Hearing Time: 2:00 PM
Judge: Hon. Wayne Johnson

EXHIBIT 3

Sample Calendar Listing for Multiple Objections to Claims

Claim Number	Claimant Name	Claim Amount	Basis of Objection	<i>(If applicable)</i> Portion of Claim Subject to Objection
<u>PRIORITY</u>				
101	Dept. of Treasury- IRS	\$62,000.00	Duplicate Claim	
124	Jones & Smith, a Legal Corp.	\$45,987.00	Late Claim	
149	State of Calif.- Franchise Tax Board	\$3,200.00	Duplicate Claim	
<u>SECURED</u>				
102	Security Western National Bank, Inc.	\$8,885.00	Duplicate Claim	
129	Reliable Credit Services	\$6,895.00	Disputed Amt.	5,000.00
<u>UNSECURED</u>				
135	America Online	\$389.00	Late Claim	
170	Pacific Bell	\$1,034.00	Duplicate Claim	
178	Gordon Industries	\$5,900.00	Disputed Amt.	\$1,200.00
181	American Express Financial Serv.	\$14,000.00	Duplicate Claim	
202	Sears	\$6,123.00	Late Claim	
284	FMAC	\$548,000.00	Disputed Amt.	\$8,000.00