

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

GENERAL ORDER PENDING ADOPTION OF
D.N.J. LBR 9024-1. REINSTATEMENT

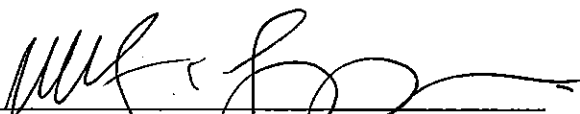
The Court having determined the need for a *General Order Pending Adoption of D.N.J. LBR 9024-1. Reinstatement* to codify the procedure for seeking reinstatement of a dismissed case, and the debtor's responsibilities if reinstatement is granted, it is hereby

ORDERED that pending adoption of *D.N.J. LBR 9024-1. Reinstatement* under the Court's 2018 Annual Rule Making Cycle, parties seeking to reinstate a previously dismissed case must file a Motion to Reinstate Case and include Local Form *Order Reinstating Case* as a proposed order, and it is further

ORDERED that if reinstatement of the case is granted, the debtor must serve the order granting reinstatement on all creditors and parties in interest, and must subsequently file Local Form *Certification of Service* evidencing compliance with the Local Rule. If the Meeting of Creditors under § 341 of the Bankruptcy Code was not concluded prior to dismissal of the case, the debtor must contact the case trustee to reschedule the meeting and provide notice of the new date to all creditors and parties in interest, and it is further

ORDERED that the provisions of this General Order are effective January 15, 2018.

DATE: 1-8-18


KATHRYN C. FERGUSON, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

D.N.J. LBR 9024-1. Reinstatement

(a) Motion. A debtor seeking to reinstate a previously dismissed case must file a Motion to Reinstate Case, and include Local Form *Order Reinstating Case* as a proposed order.

(b) Service of Order. When a Motion to Reinstate Case is granted, the debtor must serve a copy of the order granting the motion on all creditors and parties in interest, and must subsequently file Local Form *Certification of Service* evidencing compliance with this Rule.

(c) Meeting of Creditors. If a Meeting of Creditors under § 341(a) of the Code was not concluded prior to dismissal of the debtor's case, the debtor must, upon reinstatement, contact the case trustee to reschedule the meeting. The debtor must also provide notice of the new date to all creditors and parties in interest.

2018 Comment

This Rule is new. It codifies the procedure for reinstatement of a dismissed case, and sets forth the debtor's responsibilities if reinstatement is granted.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

Case No.: _____

Chapter: _____

Judge: _____

ORDER REINSTATING CASE

The relief set forth on the following page is hereby **ORDERED**.

This matter having come before the Court by the debtor's Motion to Reinstate Case; the Court having considered any objections filed; and for good cause shown; it is

ORDERED that the case is reinstated effective as of the date of this order. The order dismissing this case dated _____, remains in effect through the date of entry of this Order and its service as provided herein. No actions taken by third parties during the period this case was dismissed are or were subject to the automatic stay or other provisions of the Bankruptcy Code.

IT IS FURTHER ORDERED that any deadline unexpired at the time of dismissal is nullified and reset as follows. Creditors and/or parties in interest have:

1. until the original deadline fixed by the Court to file a complaint to object to the debtor's discharge or dischargeability of certain debts, or sixty (60) days from the date of this Order, whichever is later;
2. until the original deadline fixed by the Court to file a proof of claim or required supplement, or sixty (60) days from the date of this Order, whichever is later; and
3. until the original deadline fixed by the Court to object to exemptions, or thirty (30) days from the date of this Order, whichever is later.

IT IS FURTHER ORDERED that if the Meeting of Creditors has not been concluded, the debtor must contact the case trustee to schedule a new date.

IT IS FURTHER ORDERED that if this is a Chapter 13 case, and the debtor's Plan has not been confirmed, the confirmation hearing is rescheduled to _____ at _____.

IT IS FURTHER ORDERED that the debtor must, within three (3) days of the date of this Order, serve ALL creditors and other parties in interest with a copy of this Order and immediately thereafter, file Local Form *Certification of Service*. This Order will be effective as to such parties only upon service in accordance with this Order.