

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

**CASES UNDER CHAPTER 13
OF THE BANKRUPTCY CODE**

**ORDER PENDING AMENDMENT OF *D.N.J. LBR 3015-6,*
*OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN***

A proposal for an Order of the Court resolving certain payment dispute issues commonly arising in cases under Chapter 13 of the Bankruptcy Code having been reviewed by the Court, and the Court having considered the benefit to the bench, bar, and parties in interest, and good cause having been shown;

IT IS ORDERED that:

1.a. A creditor's proof of claim in an amount different from that set forth in a Debtor's Chapter 13 Plan, shall constitute an Objection to Confirmation of the Plan. No further objection to confirmation of the Chapter 13 Plan need be filed. The proof of claim shall constitute an Objection to Confirmation of the Plan so long as the proof of claim is served upon the debtor, debtor's attorney, the chapter 13 trustee and any other party in interest at least seven days prior to the confirmation hearing date set in the Notice of Hearing on Confirmation or Notice of Modification of Chapter 13 Plan whichever occurs first.

b. Confirmation of the Chapter 13 Plan may occur using the amount listed in the creditor's proof of claim. The right of the Debtor to file an objection to the allowance of a claim pursuant to *D.N.J. LBR 3007-1, Claims - Objections*, for 60 days post confirmation is preserved.

c. This procedural transition contemplates a proposed amendment to *D.N.J. LBR 3015-6*, *Objections To Confirmation of Chapter 13 Plan* which is pending approval of Local Bankruptcy Rule Amendments by the United States District Court for the District of New Jersey pursuant to the Court's Annual Rule Making Cycle for the year 2005.

2. This General Order becomes effective January 17, 2005 upon which date, the above referenced procedural transitions are to be implemented.

3. Notice to the Bar of this Order shall be provided on the Court's website;

www.njb.uscourts.gov.

Dated: January 4th, 2005

/s/ Rosemary Gambardella
Hon. Rosemary Gambardella, Chief Judge
United States Bankruptcy Court
District of New Jersey