

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

**IMPORTANT NOTICE TO THE BAR AND PUBLIC  
CONCERNING GENERAL ORDER GOVERNING PROTOCOL FOR  
THE RETENTION OF CLAIMS AND NOTICING AGENTS UNDER  
28 U.S.C. § 156(c) PENDING ADOPTION OF LOCAL RULE**

Please be advised that the provisions of the attached *General Order Governing Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(c) Pending Adoption of Local Rule* are effective December 2, 2025.

The General Order is available on the court's website, [www.njb.uscourts.gov](http://www.njb.uscourts.gov) .

Date: December 2, 2025

Jeanne A. Naughton, Clerk

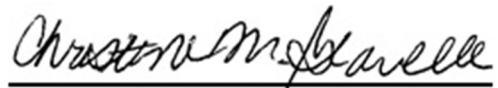
**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**GENERAL ORDER GOVERNING  
PROTOCOL FOR THE RETENTION OF CLAIMS AND NOTICING AGENTS UNDER  
28 U.S.C. § 156(c) PENDING ADOPTION OF LOCAL RULE**

**UPON CONSIDERATION OF THE** Board of Judges of the United States Bankruptcy Court for the District of New Jersey, the court finds a need to adopt protocol for the retention of claims and noticing agents under 28 U.S.C. Section 156(c) in cases under Chapters 7, 11, and 15 of the United States Bankruptcy Code with respect to cases in which the retention of a claims and noticing agent may be sought and to be implemented in all cases in which designation of a Chapter 11 Case as a Complex Case is sought under the *General Order Governing Chapter 11 Complex Case Procedures*, Section VII. (as amended December 2, 2025). Accordingly, by resolution of the Board of Judges of the United States Bankruptcy Court for the District of New Jersey,

**IT IS ORDERED** that the *Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(c)*, annexed hereto, is to govern the retention, procedures, and incorporation of the required *Claims Agent Service Level Agreement* in the United States Bankruptcy Court for the District of New Jersey.

Dated: December 2, 2025

A handwritten signature in black ink, appearing to read "Christine M. Gravelle", is written over a horizontal line.

Christine M. Gravelle, Chief Judge  
U.S. Bankruptcy Court  
District of New Jersey

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

**PROTOCOL FOR THE RETENTION OF CLAIMS AND NOTICING AGENTS  
UNDER 28 U.S.C. § 156(c)**

An application seeking to retain a claims and noticing agent under 28 U.S.C. § 156(c) [“Section 156(c) Application”] should be limited in scope to those duties that would be performed by a clerk of court with respect to providing notice and processing claims (such as maintaining a claims register).<sup>1</sup> The Section 156(c) Application should exclude those duties that would *not* be performed by a clerk of court, for example, duties involving the preparation of schedules, acting as balloting and tabulation agent, or distributing assets pursuant to a confirmed plan of reorganization; such services should be the subject of a *separate* application to and order of the court.

To ensure the use of a competitive process in the selection of claims and noticing agents in instances where the court has authorized such use under 28 U.S.C. § 156(c), the following protocol has been established for this court:

1. A debtor or trustee seeking to retain a claims and noticing agent must file Local Form *Application for an Order Authorizing Retention of [name of claims and noticing agent] as Claims and Noticing Agent for the Debtors under 28 U.S.C. § 156(c), 11 U.S.C. § 105(a), and General Order Governing Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(C) Pending Adoption of Local Rule* and *Order Authorizing Retention of [name of claims and noticing agent] as Claims and Noticing Agent under 28 U.S.C. § 156(C), 11 U.S.C. § 105(A) and General Order Governing Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156 (C) Pending Adoption of Local Rule*.
2. A debtor or trustee seeking to retain a claims and noticing agent under Chapter 7, 11, or 15 shall obtain and review engagement proposals from at least three claims and noticing agents.
3. An application for retention of a claims and noticing agent shall contain an affirmative statement – under penalty of perjury and Fed. R. Bankr. P. 9011 – that the applicant chose the claims and noticing agent after the review and competitive comparison of at least three proposals.

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<sup>1</sup> The duties that would be performed by a claims and noticing agent are listed in paragraph 9 of the attached Section 156(c) Application.

4. As a condition of retention, the claims and noticing agent has a duty to comply with all relevant statutory provisions and rules of procedure, including local rules of procedure, general orders and applicable guidelines.

5. As a condition of retention, the claims and noticing agent shall agree to maintain records of all services which, at a minimum, will show dates, categories of services, fees charged, and expenses incurred.

6. As a condition of retention, the claims and noticing agent shall agree to and sign the *Claims Agent Service Level Agreement*. Please contact [claimsagent@njb.uscourts.gov](mailto:claimsagent@njb.uscourts.gov) to obtain the agreement.

7. The fee structure shall be included in the Engagement Agreement. The Engagement Agreement shall be annexed to the application for retention.

8. The claims and noticing agent shall file and serve monthly invoices on the debtor, U.S. Trustee, the Committee, if any, monitoring the expenses of the debtor, and any party-in-interest who requests, in writing directed to the Claims Agent, service of the monthly invoices.

9. If requested by the claims and noticing agent, the debtor or trustee may pay an agreed sum as a retainer to cover fees and expenses such as postage, printing, publication, etc.

10. If any dispute arises relating to an engagement agreement or monthly invoices, the parties shall meet and confer in an attempt to resolve the dispute. If resolution is not achieved, the parties may seek resolution of the matter from the court.

11. Debtor's counsel shall notify both the clerk's office and the claims and noticing agent within seven (7) days of an order of dismissal or conversion of the case.

12. At the end of a case or upon termination of the claims and noticing agent's services, the debtor or the trustee must obtain a termination order to terminate the services of the claims and noticing agent. The claims and noticing agent is responsible for archiving the claims with the National Archives and Records Administration, if applicable.

Claims and noticing agents should be a disinterested person as that term is defined in section 101(14) of the Bankruptcy Code with respect to the matter upon which it is to be engaged. Other than the specific obligations of the applicant, debtor or the trustee set forth above in paragraphs 1, 2, 9 and 10, the failure to comply with the duties set out in this Protocol, as applicable, and with the provisions set out in a Section 156(c) Application and order may lead to the denial of the claims and noticing agent's retention in future cases

before the court and other immediate measures the court may deem necessary in the current case.

Dated: December 2, 2025

Jeanne A. Naughton  
Clerk of Court

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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

In Re:

Case No.: \_\_\_\_\_

Chapter: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Judge: \_\_\_\_\_

**APPLICATION FOR AN ORDER AUTHORIZING RETENTION OF  
CLAIMS AND NOTICING AGENT FOR THE DEBTORS  
UNDER 28 U.S.C. § 156(c), 11 U.S.C. § 105(a)  
AND GENERAL ORDER GOVERNING PROTOCOL  
FOR THE RETENTION OF CLAIMS AND NOTICING AGENTS  
UNDER 28 U.S.C. § 156(c) PENDING ADOPTION OF LOCAL RULE**

The debtors and debtors in possession in the above-captioned cases (collectively, the “Debtors”) hereby move for entry of an order, substantially in the form of Exhibit C hereto (the “Retention Order”) pursuant to Section 156(c) of title 28 of the United States Code and Section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”), appointing \_\_\_\_\_ as claims and noticing agent (“Claims and Noticing Agent”) in the debtors’ cases (the “Section 156(c) Application”). In support of the Section 156(c) Application, the debtors respectfully represent as follows:

**JURISDICTION AND VENUE**

1. The court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper in this district under 28 U.S.C. §§ 1408 and 1409.

## BACKGROUND

2. On \_\_\_\_\_, 20\_\_ (the “Petition Date”), the debtors filed separate voluntary petitions under Chapter 11 of the Bankruptcy Code. The debtors continue to operate their businesses and manage their properties as debtors in possession, pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code.

3. Pursuant to a separate application filed on the Petition Date, the debtors requested joint administration of the debtors’ estates, as provided for in Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

4. The debtors are engaged in \_\_\_\_\_ [type of business] and currently employ \_\_\_\_\_ people at all of their locations. [*Insert other pertinent information about the Debtors business here.*]

## RELIEF REQUESTED

5. This Section 156(c) Application is made pursuant to 28 U.S.C. § 156(c), Section 105(a) of the Bankruptcy Code and *General Order Governing Protocol for the Retention of Claims and Noticing Agents Under 28 U.S.C. Section 156(c) Pending Adoption of Local Rule* for an order appointing Claims and Noticing Agent to act as the claims and noticing agent in order to assume full responsibility for the distribution of notices and the maintenance, processing, and docketing of proofs of claim filed in the debtors’ cases. The debtors’ selection of Claims and Noticing Agent to act as the claims and noticing agent has satisfied the court’s ***Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(c)***, in that the debtors have obtained and reviewed engagement proposals from at least two (2) other court-approved claims and noticing agents to ensure selection through a competitive process. Moreover, the debtors submit, based on all engagement proposals obtained and reviewed, that Claims and Noticing Agent’s rates are competitive and reasonable given Claims and Noticing Agent’s quality of services and expertise. The terms of retention are set forth in the Engagement Agreement annexed hereto as Exhibit A (the “Engagement Agreement”); provided, however, that Claims and Noticing Agent is seeking approval solely of the terms and provisions as set forth in this Application and the proposed order attached hereto.

6. Although the debtors have not yet filed their schedules of assets and liabilities, they anticipate that there will be in excess of \_\_\_\_\_ entities to be noticed. In view of the number of anticipated claimants and the complexity of the debtors' businesses, the debtors submit that the appointment of a claims and noticing agent is both necessary and in the best interests of both the debtors' estates and their creditors.

7. Claims and Noticing Agent has acted as the claims and noticing agent in numerous cases of comparable size, including several cases currently pending in the United States Bankruptcy Court for this District. [LIST REPRESENTATIVE CASE CITATIONS] <sup>1</sup>

8. By appointing Claims and Noticing Agent as the claims and noticing agent in these cases, the distribution of notices and the processing of claims will be expedited, and the clerk's office will be relieved of the administrative burden of processing what may be an overwhelming number of claims. In support of this Section 156(c) Application, the debtors submit the Claims and Noticing Agent's affidavit attached hereto as Exhibit B (the "Claims and Noticing Agent Affidavit").

9. This Section 156(c) Application pertains only to the work to be performed by Claims and Noticing Agent under the clerk's delegation of duties permitted by 28 U.S.C. § 156(c) and *General Order Governing Protocol for the Retention of Claims and Noticing Agents Under 28 U.S.C. Section 156(c) Pending Adoption of Local Rule*, and any work to be performed by Claims and Noticing Agent outside of this scope is not covered by this Section 156(c) Application or by any Order granting approval hereof. Specifically, Claims and Noticing Agent will perform the following tasks in its role as claims and noticing agent (the "Claims and Noticing Services"), as well as all quality control relating thereto:

- (a) Prepare and serve required notices and documents in the cases in accordance with the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") in the form and manner directed by the debtors and/or the court, including (i) notice of the commencement of the cases and the initial meeting of creditors under Bankruptcy Code § 341(a), (ii) notice of any claims bar date, (iii) notices of transfers of claims, (iv) notices of objections to claims and objections to transfers of claims, (v) notices of any hearings on a disclosure statement and confirmation of the debtors' plan or plans of reorganization, including under Bankruptcy Rule 3017(d), (vi) notice

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<sup>1</sup> Because of the voluminous nature of the orders cited herein, they are not attached to the Section 156(c) Application. Copies of these orders, however, are available on request of the debtors' proposed counsel.



of the effective date of any plan and (vii) all other notices, orders, pleadings, publications and other documents as the debtors or court may deem necessary or appropriate for an orderly administration of the cases.

- (b) Maintain an official copy of the debtors' schedules of assets and liabilities and statement of financial affairs (collectively, "schedules"), listing the debtors' known creditors and the amounts owed thereto;
- (c) Maintain (i) a list of all potential creditors, equity holders and other parties-in-interest; and (ii) a "core" mailing list consisting of all parties described in sections 2002(i), (j) and (k) and those parties that have filed a notice of appearance pursuant to Bankruptcy Rule 9010; update said lists and make said lists available upon request by a party-in-interest or the clerk;
- (d) Furnish a notice to all potential creditors of the last date for the filing of proofs of claim and a form for the filing of a proof of claim, after such notice and form are approved by this court, and notify said potential creditors of the existence, amount and classification of their respective claims as set forth in the schedules, which may be effected by inclusion of such information (or the lack thereof, in cases where the schedules indicate no debt due to the subject party) on a customized proof of claim form provided to potential creditors;
- (e) Maintain a post office box or address for the purpose of receiving claims and returned mail, and process all mail received;
- (f) For *all* notices, motions, orders or other pleadings or documents served, prepare and file or caused to be filed with the clerk an affidavit or certificate of service within seven (7) business days of service which includes (i) either a copy of the notice served or the docket numbers(s) and title(s) of the pleading(s) served, (ii) a list of persons to whom it was mailed (in alphabetical order) with their addresses, (iii) the manner of service, and (iv) the date served;
- (g) Process all proofs of claim received, including those received by the clerk's office, and check said processing for accuracy, and maintain the original proofs of claim in a secure area;
- (h) Maintain the official claims register for each debtor (the "Claims Registers")

on behalf of the clerk; upon the clerk's request, provide the clerk with certified, duplicate unofficial Claims Registers; and specify in the Claims Registers the following information for each claim docketed: (i) the claim number assigned, (ii) the date received, (iii) the name and address of the claimant and agent, if applicable, who filed the claim, (iv) the amount asserted, (v) the asserted classification(s) of the claim (*e.g.*, secured, unsecured, priority, *etc.*), (vi) the applicable debtor, and (vii) any disposition of the claim;

- (i) Provide public access to the Claims Registers, including complete proofs of claim with attachments, if any, without charge;
- (j) Implement necessary security measures to ensure the completeness and integrity of the Claims Registers and the safekeeping of the original claims;
- (k) Record all transfers of claims and provide any notices of such transfers as required by Bankruptcy Rule 3001(e);
- (l) Relocate, by messenger or overnight delivery, all of the court-filed proofs of claim to the offices of Claims and Noticing Agent, not less than weekly;
- (m) Upon completion of the docketing process for all claims received to date for each case, turn over to the clerk copies of the claims register for the clerk's review (upon the clerk's request);
- (n) Monitor the court's docket for all notices of appearance, address changes, and claims-related pleadings and orders filed and make necessary notations on and/or changes to the claims register;
- (o) Assist in the dissemination of information to the public and respond to requests for administrative information regarding the case as directed by the debtors or the court, including through the use of a case website and/or call center.
- (p) If the case is converted to Chapter 7, contact the clerk's office within three (3) days of the notice to Claims and Noticing Agent of entry of the order converting the case;
- (q) Thirty (30) days prior to the close of these cases, to the extent practicable,

request that the debtors submit to the court a proposed order dismissing the Claims and Noticing Agent and terminating the services of such agent upon completion of its duties and responsibilities and upon the closing of these cases; and

- (r) Within seven (7) days of notice to Claims and Noticing Agent of entry of an order closing the Chapter 11 cases, provide to the court the final version of the claims register, a digital version of all claims, and the creditor mailing matrix as of the date immediately before the close of the cases.

10. The Claims Registers shall be opened to the public for examination without charge during regular business hours and on a case-specific website maintained by Claims and Noticing Agent.

11. Claims and Noticing Agent shall not employ any past or present employee of the debtors for work that involves the debtors' bankruptcy cases.

12. The debtors respectfully request that the undisputed fees and expenses incurred by Claims and Noticing Agent in the performance of the above services be treated as administrative expenses of the debtors' estates pursuant to 28 U.S.C. § 156(c) and 11 U.S.C. § 503(b)(1)(A) and be paid in the ordinary course of business without further application to or order of the court. Claims and Noticing Agent agrees to maintain records of all services showing dates, categories of services, fees charged and expenses incurred, and to serve monthly invoices on the debtors, the office of the United States Trustee, counsel for the debtors, counsel for any official committee, if any, monitoring the expenses of the debtors and any party-in-interest who specifically requests service of the monthly invoices. If any dispute arises relating to the Engagement Agreement or monthly invoices, the parties shall meet and confer in an attempt to resolve the dispute; if resolution is not achieved, the parties may seek resolution of the matter from the court.

13. Prior to the Petition Date, the debtors provided Claims and Noticing Agent a retainer in the amount of \$\_\_\_\_\_. Claims and Noticing Agent seeks to first apply the retainer to all pre-petition invoices, and thereafter, to have the retainer replenished to the original retainer amount, and thereafter, to hold the retainer under the Engagement Agreement during the cases as security for the payment of fees and expenses incurred under the Engagement Agreement.

14. In connection with its retention as claims and noticing agent, Claims and Noticing

Agent represents in the Claims and Noticing Agent Affidavit, among other things, that:

- (a) Claims and Noticing Agent will not consider itself employed by the United States government and shall not seek any compensation from the United States government in its capacity as the claims and noticing agent in the cases;
- (b) By accepting employment in the cases, Claims and Noticing Agent waives any rights to receive compensation from the United States government in connection with the debtors' cases;
- (c) In its capacity as the claims and noticing agent in the cases, Claims and Noticing Agent will not be an agent of the United States and will not act on behalf of the United States; and
- (d) It is a "disinterested person" as that term is defined in Section 101(14) of the Bankruptcy Code with respect to the matters upon which it is to be engaged.

15. To the extent that there is any inconsistency between this Application, the Retention Order and the Engagement Agreement, the Retention Order shall govern.

16. This Section 156(c) Application complies with the ***Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(c)*** and conforms to the standard Section 156(c) Application in use in this court. The debtors have provided copies of this Section 156(c) Application to the clerk of court and to the United States Trustee [ADD ADDITIONAL NOTICE PARTIES AS APPROPRIATE] and submit that no further notice is necessary under the circumstances.

WHEREFORE, the debtors request entry of an order, in the form annexed hereto as Exhibit C, authorizing \_\_\_\_\_ to act as claims and noticing agent for the maintenance and processing of claims and the distribution of notices.

Date: \_\_\_\_\_, 20\_\_\_\_ Attorneys for Debtors or Debtors in Possession

\_\_\_\_\_  
Signature

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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

In Re:

Case No.: \_\_\_\_\_

Chapter: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Judge: \_\_\_\_\_

**ORDER AUTHORIZING RETENTION OF  
\_\_\_\_\_ AS CLAIMS AND NOTICING AGENT  
FOR THE DEBTORS UNDER 28 U.S.C. § 156(c), 11 U.S.C. § 105(a) AND  
GENERAL ORDER GOVERNING PROTOCOL FOR THE RETENTION  
OF CLAIMS AND NOTICING AGENTS UNDER 28 U.S.C. § 156 (c)  
PENDING ADOPTION OF LOCAL RULE**

The relief set forth on the following pages, numbered two (2) through five (5), is hereby **ORDERED**.

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Upon the application (the "Application") of [*name of Debtors*], debtors and debtors in possession (the "debtors"), for an order authorizing the retention and appointment of [*name of claims and noticing agent*] as Claims and Noticing Agent ("Claims and Noticing Agent"), under 28 U.S.C. §156(c), Section 105(a) of the Bankruptcy Code<sup>1</sup> and *General Order Governing Protocol for the Retention of Claims and Noticing Agents Under 28 U.S.C. Section 156(c) Pending Adoption of Local Rule* and to, among other things, (i) distribute required notices to parties in interest, (ii) receive, maintain, docket and otherwise administer the proofs of claim filed in the debtors' cases, and (iii) provide such other administrative services – as required by the debtors – that would fall within the purview of services to be provided by the clerk's office and upon the affidavit of \_\_\_\_\_ submitted in support of the Application; and the debtors having estimated that there are in excess of \_\_\_\_\_ creditors in these cases, many of which are expected to file proofs of claim, and it appearing that the receiving, docketing and maintaining of proofs of claim would be unduly time consuming and burdensome for the clerk; and the court being authorized under 28 U.S.C. §156(c) to utilize, at the debtors' expense, outside agents and facilities to provide notices to parties in title 11 cases and to receive, docket, maintain, photocopy and transmit proofs of claim; and the court being satisfied that Claims and Noticing Agent has the capability and experience to provide such services and that Claims and Noticing Agent does not hold an interest adverse to the debtors or the estates respecting the matters upon which it is to be engaged; and good and sufficient notice of the Application having been given; and no other or further notice being required; and it appearing that the employment of Claims and Noticing Agent is in the best interests of the debtors, the estates and creditors; and sufficient cause appearing therefor; it is hereby

**ORDERED**, that, notwithstanding the terms of the Engagement Letter attached to the Application, the Application is approved solely as set forth in this Order; and it is further

**ORDERED**, that the debtors are authorized to retain Claims and Noticing Agent effective \_\_\_\_\_ under the terms of the Engagement Agreement, and Claims and Noticing Agent is authorized and directed to perform noticing services and to receive, maintain, record and otherwise administer the proofs of claim filed in these cases, and all related tasks, all as described in the Application (the "Claims and Noticing Services"); and it is further

**ORDERED**, that Claims and Noticing Agent shall serve as the custodian of court records and shall be designated as the authorized repository for all proofs of claim filed in these cases

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

and is authorized and directed to maintain official claims registers for each of the debtors, to provide public access to every proof of claim unless otherwise ordered by the court and to provide the clerk with a certified duplicate thereof upon the request of the clerk; and it is further

**ORDERED**, that Claims and Noticing Agent is authorized and directed to obtain a post office box or address for the receipt of proofs of claim; and it is further

**ORDERED**, that Claims and Noticing Agent is authorized to take such other action to comply with all duties set forth in the Application; and it is further

**ORDERED**, that the debtors are authorized to compensate Claims and Noticing Agent in accordance with the terms of the Engagement Agreement upon the receipt of reasonably detailed invoices setting forth the services provided by Claims and Noticing Agent and the rates charged for each, and to reimburse Claims and Noticing Agent for all reasonable and necessary expenses it may incur, upon the presentation of appropriate documentation, without the need for Claims and Noticing Agent to file fee applications or otherwise seek court approval for the compensation of its services and reimbursement of its expenses; and it is further

**ORDERED**, that Claims and Noticing Agent shall maintain records of all services showing dates, categories of services, fees charged and expenses incurred, and shall serve monthly invoices on the debtors, the office of the United States Trustee, counsel for the debtors, counsel for any official committee, if any, monitoring the expenses of the debtors and any party-in-interest who specifically requests service of the monthly invoices; and it is further

**ORDERED**, that the parties shall meet and confer in an attempt to resolve any dispute which may arise relating to the Engagement Agreement or monthly invoices, and that the parties may seek resolution of the matter from the court if resolution is not achieved; and it is further

**ORDERED**, that pursuant to Section 503(b)(1)(A) of the Bankruptcy Code, the fees and expenses of Claims and Noticing Agent under this Order shall be an administrative expense of the debtors' estates; and it is further

**ORDERED**, that Claims and Noticing Agent may apply its retainer to all pre-petition invoices, which retainer shall be replenished to the original retainer amount, and thereafter, Claims and Noticing Agent may hold its retainer under the Engagement Agreement during the Chapter 11 cases as security for the payment of fees and expenses incurred under the Engagement Agreement; and it is further

**ORDERED**, that the debtors shall indemnify Claims and Noticing Agent under the terms

of the Engagement Agreement; and it is further

**ORDERED**, that Claims and Noticing Agent shall not be entitled to indemnification, contribution or reimbursement pursuant to the Engagement Agreement for services other than the services provided under the Engagement Agreement, unless such services and the indemnification, contribution or reimbursement therefore are approved by the court; and it is further

**ORDERED**, that notwithstanding anything to the contrary in the Engagement Agreement, the debtors shall have no obligation to indemnify Claims and Noticing Agent, or provide contribution or reimbursement to Claims and Noticing Agent, for any claim or expense that is either: (i) judicially determined (the determination having become final) to have arisen from Claims and Noticing Agent's gross negligence, willful misconduct, or fraud; (ii) for a contractual dispute in which the debtors allege the breach of Claims and Noticing Agent's contractual obligations if the court determines that indemnification, contribution or reimbursement would not be permissible pursuant to *In re United Artists Theatre Co., et al.*, 315 F.3d 217 (3d Cir.2003), or (iii) settled prior to a judicial determination under (i) or (ii), but determined by this court, after notice and a hearing, to be a claim or expense for which Claims and Noticing Agent should not receive indemnity, contribution or reimbursement under the terms of the Engagement Agreement as modified by this Order; and it is further

**ORDERED**, that if, before the earlier of (i) the entry of an order confirming a Chapter 11 plan in these cases (that order having become a final order no longer subject to appeal), or (ii) the entry of an order closing these cases, Claims and Noticing Agent believes that it is entitled to the payment of any amounts by the debtors on account of the debtors' indemnification, contribution and/or reimbursement obligations under the Engagement Agreement (as modified by this Order), including without limitation the advancement of defense costs, Claims and Noticing Agent must file an application therefore in this court, and the debtors may not pay any such amounts to Claims and Noticing Agent before the entry of an order by this court approving the payment. This paragraph is intended only to specify the period of time under which the court shall have jurisdiction over any request for fees and expenses by Claims and Noticing Agent for indemnification, contribution or reimbursement, and not a provision limiting the duration of the debtors' obligation to indemnify Claims and Noticing Agent. All parties in interest shall retain the right to object to any demand by Claims and Noticing Agent for indemnification, contribution or reimbursement; and it is further



**ORDERED**, that in the event Claims and Noticing Agent is unable to provide the services set out in this order, Claims and Noticing Agent will immediately notify the clerk and debtors' attorney and cause to have all original proofs of claim and computer information turned over to another claims and noticing agent with the advice and consent of the clerk and debtors' attorney; and it is further

**ORDERED**, that the debtors may submit a separate retention application, pursuant to 11 U.S.C. § 327 and/or any applicable law, for work that is to be performed by Claims and Noticing Agent but is not specifically authorized by this Order; and it is further

**ORDERED**, that the debtors and Claims and Noticing Agent are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Application; and it is further

**ORDERED**, that, notwithstanding any term in the Engagement Agreement to the contrary, the court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order; and it is further

**ORDERED**, that Claims and Noticing Agent shall not cease providing claims processing services during the case(s) for any reason, including nonpayment, without an order of the court; and it is further

**ORDERED**, that in the event of any inconsistency between the Engagement Agreement, the Application and the Order, the Order shall govern.

*new. 12/2/2025*

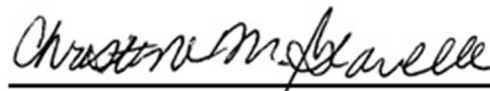
**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**GENERAL ORDER GOVERNING  
CHAPTER 11 COMPLEX CASE PROCEDURES**

**UPON CONSIDERATION** of the recommendations of the Chapter 11 Local Rules Committee established by *General Order Regarding Chapter 11 Case Administration*, dated January 3, 2024, the Court found a need to implement procedures to better serve the bench, bar and public in Chapter 11 Complex Cases under D.N.J. LBR 1002-2, and accordingly, by resolution of the Board of Judges of the United States Bankruptcy Court for the District of New Jersey, adopted *Chapter 11 Complex Case Procedures* to govern cases eligible for treatment as Chapter 11 Complex Cases. Upon further consideration, by resolution of the Board of Judges,

**IT IS ORDERED** that the *General Order Governing Chapter 11 Complex Case Procedures* (dated August 1, 2024), be and hereby is amended at Section VII to incorporate by reference the *General Order Governing Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(c) Pending Adoption of Local Rule*. The amended *Chapter 11 Complex Case Procedures* are annexed by an exhibit hereto and govern cases eligible for treatment as a Chapter 11 Complex Case.

Dated: December 2, 2025

A handwritten signature in black ink, appearing to read "Christine M. Gravelle", written over a horizontal line.

Christine M. Gravelle, Chief Judge  
U.S. Bankruptcy Court  
District of New Jersey

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

**CHAPTER 11 COMPLEX CASE PROCEDURES**

**I. APPLICATION FOR DESIGNATION AS A CHAPTER 11 COMPLEX CASE**

A Chapter 11 debtor whose case meets the eligibility requirements under D.N.J LBR 1002-2, and who is seeking designation as a Complex Case, must file, concurrently with the order for relief, Local Form *Application for Designation as a Chapter 11 Complex Case* and proposed Local Form *Order Granting Chapter 11 Complex Case Designation*. The *Order Granting Chapter 11 Complex Case Designation* may be entered without notice and a hearing, and directs the debtor to submit a proposed Local Form *Chapter 11 Complex Case Management Order* to the chambers's email of the presiding judge. The Case Management Order must attach as an exhibit, the *General Order Governing Chapter 11 Complex Case Procedures*. Provisions outside the scope of the General Order must be highlighted for the Court's review.

If multiple, affiliated Complex Cases are filed, the *Application for Designation as a Chapter 11 Complex Case* need only be filed in the lead case.

**II. ADVANCED NOTICE TO UNITED STATES TRUSTEE AND CLERK OF THE COURT OF FILING OF A COMPLEX CASE**

Unless there are exigent circumstances, the debtor's attorney, as applicable, must contact the United States Trustee and the Clerk of the Court as early as practicable but no later than three (3) business days prior to the filing of a petition for a case that may be designated as a Complex Case. The debtor's attorney must identify all matters that require consideration on or near the first day of the case.

**III. JOINT ADMINISTRATION**

- a. Order Required. A proposed order granting a motion for joint administration may be entered without notice and a hearing, at the Court's discretion.
- b. Schedules and Statements of Financial Affairs. Notwithstanding the entry of an order for joint administration and unless the Court orders otherwise, schedules and statements of financial affairs and any amendments thereto must be filed for each debtor and docketed in the lead case only.
- c. List of Unsecured Creditors. If joint administration is sought, the debtors may file a consolidated list of unsecured creditors of no less than 30 and no more than 50 largest unsecured creditors (the "Unsecured Creditor List"). The Unsecured Creditor List must be filed in the proposed lead case.

#### IV. MASTER SERVICE LIST

- a. Required Parties. The debtor(s) must maintain a master service list (the “Master Service List”) identifying the parties to be served whenever a motion, pleading, or other document requires notice. Unless otherwise required by the Bankruptcy Code or Bankruptcy Rules, notices of motions and other matters must be limited to the parties on the Master Service List and parties directly affected by such notices of motion. The Master Service List must initially include the following parties and their attorney (if any): (i) the debtor(s); (ii) the United States Trustee; (iii) any pre-petition secured creditor; (iv) any post-petition secured creditor; (v) creditors listed on the unsecured creditor list (until an official committee of unsecured creditors is formed); (vi) any committee appointed under the Bankruptcy Code; (vii) any party who has filed a pleading requesting notice; (viii) any applicable government agencies to the extent required by the Federal Rules of Bankruptcy Procedure or Local Bankruptcy Rules; (ix) any local, state, and federal governmental units known by the debtor to have regulatory authority over the debtor or the debtor’s activities; (x) any indenture trustee; and (xi) any petitioning creditors.
- b. Method of Notice and Service.
  - i. Adversary Proceedings. A summons and complaint in an adversary proceeding must be served under Federal Bankruptcy Rule 7004.
  - ii. Initiating Motion in a Contested Matter. Upon a showing of just cause, the Court may relax the requirements of service for contested matters under Federal Bankruptcy Rule 9014 to permit the Notice of Electronic Filing (“NEF”) to constitute proper service by email for those parties on the Master Service List who are, or whose agents are, registered attorney users of the CM/ECF System (collectively, the “ECF System Users”).
  - iii. Notice and Service by Electronic Transmission. In accordance with Federal Bankruptcy Rule 9036, the Notice of Electronic Filing constitutes proper, sufficient, and effective service by email for those parties on the Master Service List who are, or whose agents are, ECF System Users. All other parties on the Master Service List must be served by e-mail, if available, or by regular mail.
  - iv. Certificate of Service. Local Form *Certification of Service* must be filed under D.N.J. LBR 2002-1. Certificates of service may be filed separately from the served document and, if separately filed, need not be served. A certificate of service generally should be filed within three (3) business days of the service date of the filed document. If a document requests expedited relief or a hearing on shortened notice, the certificate of service must be filed in advance of the hearing.
- c. Updates. The initial Master Service List must be filed as soon as possible and, in any event, no later than within three (3) days of the petition date. The debtor or its claims

and noticing agent must file an updated Master Service List at least every seven (7) days during the first thirty (30) days of the case and at least every thirty (30) days thereafter throughout the case; provided, if there are no changes to the list, an updated master service list need not be filed.

## V. HEARING PROCEDURES

### a. First Day Hearings.

- i. Request. If the debtor files motions, pleadings, or other documents that require consideration on or near the first day of the case (the “First Day Matters”), the debtor must file Local Form *Application for Expedited Consideration of First Day Matters* under D.N.J. LBR 9013-5.
- ii. Hearing Format. First Day Matters will be conducted in-person and attendance by the debtor, debtor’s counsel and any declarants in-person is required unless otherwise expressly authorized by the Court; however, virtual participation for other parties-in-interest may be permitted. Information for virtual participation is available on the Court’s website, [www.njb.uscourts.gov](http://www.njb.uscourts.gov).
- iii. Notice of Hearing. Upon the entry of an order granting the request for expedited consideration of certain First Day Matters (the “First Day Order and Notice”), the debtor’s attorney must promptly serve a copy of the First Day Order and Notice by hand delivery, facsimile, electronic mail, overnight mail, or next day United States mail on the parties on the Master Service List, any party whose interest is adversely affected by the relief sought in a First Day Matter, and any other party asserting a security interest in the assets of the debtor(s) that are the subject of a First Day Matter.
- iv. Service of Documents. The debtor must post the First Day Matters conspicuously on the noticing agent’s website. Such a posting, together with service of the First Day Order and Notice as set forth in (iii) above, constitutes sufficient notice of the First Day Matters and the hearing to consider those matters, provided the First Day Order and Notice includes a website URL to the documents on the website and the contact information, including the name, telephone number, and email address of the person or persons whom a party may contact to obtain a copy of the First Day Matters in another format. If service is not made as set forth in this paragraph, service must be made in the same manner as set forth in the paragraph (iii) above.
- v. Paper Copies to Chambers. Unless instructed otherwise by the Court, the debtor’s attorney must provide two (2) paper copies of all First Day Matters and proposed agenda to chambers as soon as practicable following the filing. Additionally, upon request, the U.S. Trustee must be provided paper copies of the First Day Matters as soon as practicable following the filing of the petition.

b. Omnibus Hearings.

- i. Request. The debtor may request that the Court establish periodic dates and times for omnibus hearings (the “Omnibus Hearings”). This may be a First Day Matter. The Court may adjust the frequency of the dates as necessary based on the progress of the case.
- ii. Matters to Be Heard. After the Omnibus Hearing dates are established, any matter in the case, whether initiated by the debtor or another party, must be set for hearing on an Omnibus Hearing date, unless the Court orders otherwise. A party may contact the Court if it believes a matter should be set for hearing on a date and time other than an Omnibus Hearing date. A hearing may not be set by a party on less than twenty-one (21) days’ notice prior to the next scheduled Omnibus Hearing date unless the Court grants an application to shorten time pursuant to D.N.J. LBR 9013-2(c).
- iii. Adversary Proceedings. Unless the Court orders otherwise, a hearing in an adversary proceeding must be heard on an Omnibus Hearing date.
- iv. Notice of Omnibus Hearing Dates. Notice of Omnibus Hearing dates and times must be filed on the docket and served on the parties on the Master Service List.

c. General.

- i. Exhibit and Witness Lists. Unless the Court orders otherwise, exhibit and witness lists, including any witnesses to be called by proffer, must be filed at least three (3) business days before any evidentiary hearing date unless the matter is set on an expedited basis pursuant to D.N.J. LBR 9013-2. In addition to the requirements of D.N.J. LBR 9013-2, exhibits must be filed on CM/ECF in advance of the hearing. Each exhibit must be filed as a separate attachment to an Exhibit List. The Court will review the exhibits from CM/ECF. Exhibits must be offered into evidence by reference to the CM/ECF docket number of the filed exhibit.
- ii. Telephonic or Virtual Appearances. A motion for a telephonic or virtual appearance is not necessary. Information for telephonic or virtual participation is available on the Court’s website, [www.njb.uscourts.gov](http://www.njb.uscourts.gov). Unless otherwise ordered, testimony (direct or cross) and exhibits may not be taken or offered by an attorney appearing telephonically.
- iii. Electronic Devices. Use of cellular telephones, laptops and other electronic devices in the courtroom by attorneys and parties must be permitted, except recording devices, and subject to any restrictions placed by the Court, District Court, Circuit Court of Appeals, or United States Marshal Service. All devices must be set to silent.

- iv. Audio Recordings. Audio recordings of hearings will, as a matter of course, be made available on CM/ECF upon completion of a hearing. The audio file will be reflected on the docket as an .mp3 file embedded within a .pdf document. The .pdf document will contain basic instructions for accessing the audio file.

## VI. OMNIBUS HEARINGS

- a. Filing and Service. No later than 12:00 p.m. (noon) Eastern Time, one (1) business day before the scheduled hearing, the attorney for the debtor or trustee must file an agenda (the “Agenda”) and serve it on the Master Service List and any party whose interest is directly affected by the relief sought in a filed document.
- b. Sequence of Matters. Uncontested matters must be listed before contested matters. Pursuant to D.N.J. LBR 9013-3(d)(1), uncontested motions will be decided without oral argument.
- c. Contents. For each matter, the Agenda must indicate the following:
  - i. moving party’s name;
  - ii. docket number of the initiating document;
  - iii. status, e.g., settled, going forward, continuance requested, continuance opposed, continued by consent; and
  - iv. instructions for obtaining virtual hearing information, if applicable.
- d. Contested Matters. For each matter going forward or where a request for continuance is opposed, the Agenda must also include the following:
  - i. docket number of any objections, responses, replies, and documents in support; and
  - ii. filing party’s name.
- e. Settlements. Chambers must be promptly notified of a settlement. Parties should be guided by D.N.J. LBR 9019-3 and 9019-4.
- f. Omnibus Objections to Claims. The Agenda may list responses that debtors have agreed to continue by consent collectively.
- g. Expedited and Evidentiary Hearings. The Agenda must clearly denote any expedited hearings and evidentiary hearings.
- h. Amended Agendas. Amendments to an Agenda must be highlighted in bold.

- i. Cancellation of Omnibus Hearing. A request by the debtor to cancel an omnibus hearing must be made to chambers and on notice to the U.S. Trustee, any statutory committee, and any party whose interests are directly affected by a matter set forth on the agenda. If a request to cancel an omnibus hearing is granted, the debtor's counsel must file a notice of cancellation of hearing and (i) cause the claims and noticing agent to post such notice conspicuously on the main page of the case website and (ii) serve a copy on the Master Service list.

## **VII. CLAIMS AND NOTICING AGENTS**

- a. General. Unless the Court orders otherwise, a claims agent and noticing agent (a "Claims Agent") must be retained in a Complex Case. This must be a First Day Matter. The Court may waive this requirement at the first day hearing upon motion for cause. The application for retention of a claims and noticing agent must comply with the duties set out in the *General Order Governing Protocol for the Retention of Claims and Noticing Agents under 28 U.S.C. § 156(c) Pending Adoption of Local Rule*.

## **VIII. PROOFS OF CLAIM AND OMNIBUS CLAIM OBJECTION PROCEDURES**

- a. Claims Bar Deadlines. D.N.J. LBR 3003-1 does not apply in a Complex Case. The debtor must file a motion requesting a bar date for the filing of proofs of claim or interest.
- b. Omnibus Claim Objections.
  - i. Except as set forth herein, omnibus claims objections must conform with Fed. R. Bank. P. 3007 and D.N.J. LBR 3007-1 absent further order. The requirement in D.N.J. LBR 3007-2 to file and serve on each claimant Local Form *Notice of Objection to Your Claim* does not apply in a Complex Case.
  - ii. In a Complex Case, parties are authorized to file omnibus objections to no more than 250 claims at a time on the following additional permitted grounds: (i) the amount claimed contradicts the debtor's books and records; (ii) the claims were incorrectly or improperly classified; (iii) the claims seek recovery of amounts for which the debtors are not liable; (iv) the claims do not include sufficient documentation to ascertain the validity of the claims or the claims fail to sufficiently specify the basis for the claims; (v) the Claims are filed against non-debtors, the wrong debtor or are filed against multiple debtors, except to the extent permitted under any bar date order entered in the applicable case, (vi) the claims are disallowed under section 502 of the Bankruptcy Code and (vii) the claimant has withdrawn the claim formally pursuant to either a pleading or the entry of a Court order.
  - iii. In a Complex Case, parties are authorized to file and serve notices in lieu of omnibus objection with respect to certain claims subject to proofs of claim or on the debtor's schedules. A notice of satisfaction may be sent on the grounds that



such claims have been satisfied in full according to the debtor's books and records, including pursuant to any confirmed Chapter 11 plan or an order of the Court. Additionally, a notice (in lieu of an objection) may be sent on the basis that a claim is a duplicate claim or that a claim was amended and superseded.

- iv. Parties may file a motion to approve procedures for handling omnibus claims objections. Unless otherwise ordered, such procedures may not shift the burden of proof, discovery rights or burdens, or pleadings requirements.

## **IX. CASH COLLATERAL/OBTAINING CREDIT**

- a. Motion Required. Except as provided herein and elsewhere in the Local Bankruptcy Rules, all cash collateral and financing requests under §§ 363 and 364 of the Bankruptcy Code must be by motion filed pursuant to Federal Rules Bankruptcy Procedure 2002, 4001, and 9014 as well as D.N.J. LBR 4001-3. Stipulations or agreed orders regarding the use of cash collateral or financing requests are subject to these procedures.
- b. Initial Financing Hearing.
  - i. On motion by the debtors, a hearing (the "Initial Financing Hearing") will routinely be conducted as part of the first day hearing to consider either cash collateral use and/or interim debtor-in-possession financing (the "Initial Financing").
  - ii. At the Initial Financing Hearing, the debtors must introduce a cash flow projection showing sources and uses of cash necessary for ongoing operations on a weekly basis for not less than the first (4) weeks of the case (a "First Budget").
  - iii. The First Budget must be filed with the Court and be served no later than noon on the first business day after the filing, or on the date of the filing if the Initial Financing Hearing is to occur before the second business day after the Petition Date.
  - iv. The debtors must provide a copy of the First Day Budget in native file format upon request by any estate fiduciary or other party-in-interest subject to appropriate confidentiality agreements, if deemed necessary.
  - v. At the Initial Financing Hearing, the Court will consider the Initial Financing pursuant to 11 U.S.C. §§ 363, 364, and Fed. R. Bank. P. 4001, subject to the following:
    - 1. The Court will set a hearing to consider permanent financing through use of cash collateral and/or debtor-in-possession financing in accordance with 11 U.S.C. §§ 363, 364, and Fed. R. Bankr. P. 4001 (a "Final Hearing").

2. If further interim financing relief is sought prior to a Final Hearing, notice of a Final Hearing is adequate notice of a request for further interim relief on the pending motion.
3. At a Final Hearing, the debtors must introduce a cash flow projection for sources and uses of cash for the period of cash collateral use or debtor-in-possession financing that is proposed (a “Final Financing Budget”).
4. The Final Financing Budget must be filed at the same time as the agenda for the Final Hearing as required under VI, as may be supplemented in advance of the Final Hearing. If a Final Financing Budget is not available by the deadline, the debtor must provide an explanation as to why the Final Financing Budget is not yet available. The debtor must provide a copy of the Final Financing Budget in native file format upon request by any party-in-interest.

#### **X. SALE OF SUBSTANTIALLY ALL ASSETS**

A motion to sell substantially all the debtor’s assets may be considered on an expedited basis in accordance with D.N.J. LBR 9013-2. Unless the Court orders otherwise, any motion to sell assets or set sale procedures must comply with D.N.J. LBR 6004-1.

#### **XI. UNSECURED CREDITORS’ COMMITTEE**

- a. The United States Trustee must use best efforts to file a notice of appointment (the “Notice of Appointment”) of an unsecured creditors’ committee, or any other committee, within fourteen (14) days of the petition date if possible.
- b. In the event a committee will not be formed, the United States Trustee must file a notice of no appointment as soon as practicable.
- c. The committee must have fourteen (14) days from the date of the Notice of Appointment to seek an order for relief from or to amend an order entered by the Court prior to or on the date of the Notice of Appointment, which time may be shortened or extended by the Court for cause.
- d. The committee must have at least fourteen (14) days from the date of the Notice of Appointment to object to any motion pending on the date of the Notice of Appointment, which time may be shortened or extended by the Court for cause on notice to the committee and the movant.

## **XII. PRO HAC VICE ADMISSION**

Applications for admission *pro hac vice* may be considered *ex parte* pursuant to D.N.J. LBR 9010-1. Attorneys should file *pro hac vice* applications only if they intend to make an appearance on the record. To the extent an attorney plans to simply attend/observe (and not officially “make an appearance” or present argument), no *pro hac vice* motion is necessary.

## **XIII. EXTENSIONS OF TIME**

Unless otherwise provided in the Bankruptcy Code, the Bankruptcy Rules, the Local Bankruptcy Rules or Court order, if a motion to extend the time to take any action is filed before the expiration of the period prescribed by the Bankruptcy Code, the Bankruptcy Rules, the Local Bankruptcy Rules, the Federal Rules of Civil Procedure, a confirmed plan or Court order, the time must be automatically extended until the Court rules on the motion, without the necessity of a bridge order. For the avoidance of doubt, there is a presumption that the matter will be heard at the next available omnibus hearing date. If the Court denies the motion to extend, then the applicable action must be completed no later than 5:00 p.m., prevailing Eastern Time, on the third business day after the Court enters such order.