

OCT 27 2016

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

Clerk, U.S. Courts
District of Montana
Missoula Division

In re

ORDER REGARDING LOCAL RULES
9006, 9013-1(f) and 9013-2(a)

GENERAL ORDER NO. 2016-2-RBK

ORDER REGARDING LOCAL RULES 9006, 9013-1(f) and 9013-2(a)

At Butte in said District this 27th day of October, 2016.

Effective December 1, 2016, this Court will follow FED. R. BANKR. P. 9006, and not Mont.

LBR 9006-1 for the computation of time, except that three days shall not be added to the applicable time period when such time period is given in open court.

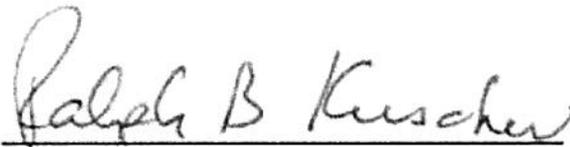
Effective immediately, Mont. LBR 9013-1(f) and Mont. LBR 9013-2(a) are amended to read as follows:

9013-1(f) Response to Motion. Unless otherwise provided by these Local Rules, any entity objecting to a motion shall file a response and request a hearing within fourteen (14) days of the date of the motion and shall, in the response, notice the contested matter for hearing by including in the caption of the responsive pleading the date, time and location of the hearing by inserting in the caption in bold and conspicuous print the Notice of Hearing as specified in the subpart (e) above. The notice of the hearing shall provide that the hearing on the contested matter shall be scheduled at the earliest hearing day following the expiration of the twenty-one (21) days counted after the date of the response and request for hearing. If no response and request for hearing is filed within fourteen (14) days *after the motion was filed*, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted. Any response must state with specificity the grounds for any and all objections, including citation to applicable statutes and case law, provisions of any executory contract or unexpired lease in question, and the facts regarding whether any default exists.

AND

RULE 9013-2. Briefs and Memoranda of Law.

(a) **Memoranda of Law.** Motions, responses to motions, objections, and responses to objections shall be supported by a memorandum of law filed with or as a part of the motion, objection or response, except as provided in subsection (b) below. Such memoranda shall be succinct and shall not exceed 15 pages in length without prior leave of the Court and shall include a concise statement of the facts and each basis for the pleading with relevant citations to legal authorities. Memoranda opposing the motion or objection shall be filed within fourteen (14) days after the motion or objection was filed, or as otherwise directed by the Court and shall not exceed ten (10) pages in length, without prior leave of the Court. Memoranda in support of or in opposition to motions for summary judgment shall not exceed 25 pages in length. Any reply memoranda by the party moving for summary judgment shall not exceed 10 pages. Parties who cite authority not generally available on WESTLAW shall provide a copy to the Court. [See also Mont. LBR 7056-1 for special requirements applicable when the memorandum of law is being filed in support of a motion for summary judgment.]



Honorable Ralph B. Kirscher
Chief U.S. Bankruptcy Judge