

**APPENDIX CC11-2 – ORDER GRANTING COMPLEX CHAPTER 11 BANKRUPTCY
CASE TREATMENT**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
_____ DIVISION

IN RE:

§
§
§ CASE NO. _____
§
§
DEBTOR. §

**ORDER GRANTING COMPLEX
CHAPTER 11 BANKRUPTCY CASE TREATMENT**

This bankruptcy case was filed on _____, 20___. A Notice of Designation as Complex Chapter 11 Case was filed. After review of the initial pleadings filed in this case, the Court concludes that this case appears to be a complex Chapter 11 case.

Accordingly, unless the Court orders otherwise,

IT IS ORDERED THAT:

1. The debtor shall maintain a service list identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required by the Bankruptcy Code or Rules, notices of motions and other matters will be limited to the parties on the service list.

- a. The service list shall initially include the debtor, debtor's counsel, counsel for the unsecured creditors' committee, the U.S. trustee, all secured creditors, the 20 largest unsecured creditors of each debtor, any indenture trustee, and any party that requests notice;
- b. Any party in interest that wishes to receive notice, other than as listed on the service list, shall be added to the service list by filing and serving the debtor and debtor's counsel with a notice of appearance and request for service.
- c. The initial service list shall be filed within 3 days after entry of this order. A revised list shall be filed 7 days after the initial service list is filed. The debtor shall update the service list, and shall file a copy of the updated service list, (i) at least every 7 days during the first 30 days of the case; (ii) at least every 14 days during the next 60 days of the case; and (iii) at least every 30 days thereafter throughout the case.

2. [The Court sets _____ of [each week] [every other week, commencing [Month and Day] [each month] at _____ am/pm as the pre-set hearing day and time for hearing all motions and other matters in these cases.] The Court sets the following dates and times for the next two months as the pre-set hearing date and time for hearing all motions and other matters in these cases [insert dates and times]. Settings for the following months will be published by the Court no later than 30 days before the first hearing date in the said following months. (There may be exceptions; those exceptions will be noted on the Court's internet schedule, available at www.txwb.uscourts.gov.)

- a. All motions and other matters requiring hearing, but not requiring expedited or emergency hearing, shall be noticed for hearing, on the next hearing day that is at least 21 days after the notice is served. As a preface to each pleading, just below the case caption, in lieu of the language required by any Local Bankruptcy Rule, the pleading shall state:

**A hearing will be conducted on this matter on _____ at
am/pm in courtroom __, [courthouse name & address], _____,
Texas.**

If you object to the relief requested, you must respond in writing, specifically answering each paragraph of this pleading. Unless otherwise directed by the court, you must file your response with the clerk of the bankruptcy court within 21 days from the date you were served with this pleading. You must serve a copy of your response on the person who sent you the notice; otherwise, the court may treat the pleading as unopposed and grant the relief requested.

- b. All motions and other matters requiring expedited or emergency hearing shall comply with the applicable Local Bankruptcy Rule(s) for explanation and verification of the need for emergency or expedited hearing. Specifically, if a party in interest has a situation that it believes requires consideration on less than 21 days' notice, then the party should file and serve a separate, written motion for expedited hearing, with respect to the underlying motion. The Court will make its best effort to rule on the motion for expedited or emergency hearing within 24 hours of the time it is presented. If the Court grants the motion for expedited or emergency hearing, the underlying motion will be set by the Courtroom Deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by the Court. The party requesting the hearing shall be responsible for providing proper notice in accordance with this order and the Bankruptcy Code and Rules.
 - c. Not less than 24 hours before each of the pre-set hearing dates, the debtor shall file an agenda listing each matter set for hearing and indicating which of those matters are contested, which have been resolved, and which the parties will seek to continue to a later hearing date.
3. Emergency and expedited hearings (and other hearings in limited circumstances) in this case may be conducted by virtual means. Parties must request permission to participate virtually in accordance with the assigned Judge's procedures, which are available on the Court's website [\[link\]](#). The Court may, on its own motion and in its sole discretion, order that any hearing be conducted solely by virtual means. In such instances, parties need not seek permission to appear virtually. All "First Day" Hearings shall be conducted only by virtual means.
4. If a matter is properly noticed for hearing and the parties reach a settlement of the dispute

before the final hearing, the parties may announce the settlement at the scheduled hearing. If the Court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated) the Court may approve the settlement at the hearing without further notice of the terms of the settlement and without requiring a motion under FRBP 9019. Parties should notify the appropriate Courtroom Deputy as soon as practicable if a matter has been resolved consensually.

5. The debtor shall serve this order to all parties in interest within 7 days of the date of this order. If any party in interest, at any time, objects to the provisions of this order, that party shall file a motion articulating the objection and the relief requested. After hearing the objection and any responses the Court may reconsider any part of this order and may grant relief, if appropriate.

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The Clerk shall notice:
Debtor
Debtor's Counsel
U.S. trustee