

JUDGE SANDRA R. KLEIN'S SELF-CALENDARING INSTRUCTIONS

Judge Klein's self-scheduling system is designed to allow counsel and parties to schedule hearing dates for matters heard on regular notice, without having to contact the Courtroom Deputy to obtain a hearing date. **All hearings will be held in Courtroom 1575 on the 15th floor of the Edward R. Roybal Federal Building and Courthouse at 255 E. Temple Street, Los Angeles, California.** Matters that do not require hearings may be filed in accordance with Local Bankruptcy Rule 9013-1(o)(1) except as provided below. Please refer to the appropriate Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules (FRBP) regarding the filing and service of motions.

1. Parties may select their own hearing dates if the matter to be heard is 15 minutes or less **and** falls within the one of the following categories:
 - a. Motions regarding the automatic stay.
 - b. Motions to convert or dismiss under 11 U.S.C. § 1112.
 - c. Objections to claims (20 or less).
 - d. Fee applications in chapter 7 and chapter 11 cases.
 - e. Employment applications.
 - f. Any motion in a chapter 7, 11 or 13 case or an adversary proceeding not identified in § 2 below as being ineligible for self-scheduling.
2. The following matters **may not** be self-scheduled:
 - a. Applications for orders shortening time.
 - b. Matters heard on shortened notice or on an *ex parte* basis. Unless the matter falls within one of the specific categories listed in § 3 below, the movant must apply for an order shortening time or utilize the emergency motion procedure under Local Bankruptcy Rule 9075-1.
 - c. Emergency motions.
 - d. Initial status conferences in adversary proceedings.
 - e. Clusters of related matters that would ordinarily be set for different hearing times.
 - f. Mass objections to claims (more than 20 objections set for a single hearing).

- g. Motions for authority to use/restrict use of cash collateral.
- h. Motions for reconsideration.
- i. Motions to dismiss a complaint.
- j. Motions for summary judgment.
- k. Motions to appoint a Chapter 11 Trustee.
- l. Chapter 11 disclosure statement hearings.
- m. Chapter 11 confirmation hearings.

3. **Although generally, matters heard on shortened time may not be self calendared, (see § 2(b) above), parties can self calendar the following motions to be heard on shortened time (minimum 14 days notice) without prior approval from the court:**

- a. Motions for relief from the automatic stay involving:
 - i. Residential unlawful detainer actions.
 - ii. At least two prior bankruptcy filings affecting the subject property within six months of the instant petition date.
 - iii. Postpetition transfers of real property to the debtor.
 - iv. Prepetition transfers to the debtor:
 - 1. Within 90 days of the debtor's petition date; or
 - 2. Involving a fractionalized interest in real property.
- b. Motions to continue or impose the automatic stay under 11 U.S.C. § 362 (c)(3) or (4).

To self calendar any motion listed above on shortened time, the moving party must file and serve all moving papers on the Trustee, any creditor who may be affected, and the creditor's attorney, if any, by personal service, overnight mail or "electronic means," in accordance with FRBP 7005, **at least** 14 days before the date scheduled for a hearing. A declaration regarding service must be filed **at least** 7 days before the scheduled hearing. If the declaration regarding service is not timely filed, the motion may be continued or summarily denied. Any opposition must be filed **at least** 7 days before the hearing. If the court determines that a hearing is set using this procedure without meeting these requirements, the court may, *inter alia*, dismiss the motion with prejudice.

Please Note: Because calendar dates are subject to periodic revisions, please verify that you are referring to a current version of the Judge’s monthly calendar before scheduling a matter.

For matters that may be self-calendared, follow the steps outlined below:

STEP 1: Identify available dates and times for the type of matter that you want to calendar by referring to the monthly calendars posted on the court’s website (www.cacb.uscourts.gov) or in the Judge’s courtroom.

STEP 2: Prepare a notice of hearing for the date and time you have selected. If the motion is regarding the automatic stay, the motion and notice of hearing must be in the form required by Local Bankruptcy Rule 4001-1(b).

NOTE: By choosing a date for a relief from stay hearing that is more than 30 days from the date you file your motion, you are deemed to have waived the time limits of 11 U.S.C. § 362(e).

STEP 3: Schedule hearing dates to give sufficient notice of all matters to all parties entitled to receive such notice pursuant to the applicable provisions of the Local Bankruptcy Rules and Federal Rules of Bankruptcy Procedure.

STEP 4: File and serve your moving papers in a timely manner. Moving papers that are not filed timely will not be placed on the calendar date you have chosen and you will be notified of a new hearing date by the Courtroom Deputy. Refer to the Local Bankruptcy Rules and Federal Rules of Bankruptcy Procedure for applicable filing and service deadlines. If proof of service is insufficient, the moving party’s motion may be continued or denied. Deliver a Judge’s copy (marked “Judge’s Copy”) of all papers to the Judge’s chambers with the date and time of the scheduled hearing placed underneath the title of the pleading. **All Judge’s copies shall be served in accordance with Local Bankruptcy Rule 5005-2(d) and Section 3-F and Supplement 5005-2(d) if The Central Guide.**

STEP 5: If the date you have selected is unavailable for any reason, the Calendar Clerk will contact you to arrange an alternative date. Local Bankruptcy Rule 9004-1(a)(1) and The Central Guide require that you include your telephone number, fax number and email address at the top left corner of all pleadings.

STEP 6: Counsel must follow Local Bankruptcy Rule 9021-1(b)(1)(B), which provides that “A proposed order must be served and lodged within 7 days of the granting thereof.” The proposed order must be lodged electronically via the Lodge Order Upload (LOU) program in accordance with the LOU Procedures contained in Section 1-15 of The Central Guide posted on the court’s website. Except as provided by Local Bankruptcy Rule 9021-1(b)(1)(B), a proposed order **must not be** submitted or uploaded on LOU before the hearing.

The court will make every reasonable effort to honor your selection of a hearing date. However, the court reserves the right to reschedule any hearing. You will be notified promptly if your hearing has been rescheduled.