

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

ORDER AMENDING LOCAL RULES

Appropriate public notice and an opportunity to comment having been given pursuant to Rule 83 of the Federal Rules of Civil Procedure and, pursuant to the majority vote of the active judges of this court, **IT IS ORDERED** that the Local Rules for the United States District Court, Western District of Louisiana, are amended as follows:

LR 67.2 Form of Order

A proposed order to deposit funds in the court's registry shall specify the amount to be deposited. If the moving party desires to have the funds placed in a separate investment, a proposed order shall be filed with the court which shall state the type of investment to be made, the prevailing rate of interest, the length of time the funds are to be invested, and, whether the investment is to be automatically renewed at maturity.

Unless otherwise specifically provided by order of the court, any interest earned on registry accounts will accrue to the person or persons ultimately found to be entitled to receive the original principal amount deposited in the court's registry.

LR5.7.06 Sealed Documents

Documents ordered to be placed under seal must be filed electronically, except as may be admitted in open court.

LR83.4.3 Motion Seeking Relief From a District Judge

Motions filed seeking relief from a district judge, including motions under *28 USC 157(d)*

(for withdrawal of reference), 28 USC 157(c)(1) (objections to proposed findings of fact and conclusions of law) and *Bankruptcy Rule* 8007 (for stay pending appeal), shall be governed by the rules set out below.

A. *Original Motion*

1. *Applicable Rules.* The Local Rules for the district court shall be applicable to all motions filed in bankruptcy cases or proceedings seeking relief from a district judge. In those instances where the Bankruptcy Rules require a report from the bankruptcy judge, *e. g.*, *Bankruptcy Rules* 5011(b) and 9027(e), the local Bankruptcy Rules shall apply until such report is issued.
2. *Place of Filing.* All motions described in this section above shall be filed with the clerk of the bankruptcy court.
3. *Contents of Motion.* In addition to the normal requirements of papers filed in the bankruptcy court, motions described in this section above shall include:
 - a. A clear and conspicuous statement opposite the title of the action that "RELIEF IS SOUGHT FROM A UNITED STATES DISTRICT JUDGE."
 - b. A designation of the portions of the record of the proceedings in the bankruptcy court that will reasonably be necessary or pertinent for consideration of the motion by the district court.
 - c. A list showing each party with an interest in the motion and for each party shown, their attorney along with such attorney's mailing address.
4. *Subsequent Filings.* Any filing in a matter under this section subsequent to

the "Original Motion" set forth above shall be filed with the clerk of the district court and shall comply with all rules of such court.

5. *Duties of the Clerk of the Bankruptcy Court.* Upon filing of an original motion, as set forth above, the clerk of the bankruptcy court shall promptly transmit to the clerk of the district court:

- a. The original motion and all attachments to the motion, and
- b. The portion of the bankruptcy court record designated in accordance with (3)(b) above.

B. *No Automatic Stay.* There shall be no automatic stay of bankruptcy court proceedings as a result of the filing of any motion under the above. Any stay of proceedings will result only from an order of the bankruptcy court or the district court.

C. *Obligation of the Parties.* It shall be the obligation of each and every party and their attorney to apprise the bankruptcy court and the United States District Court of orders entered in either forum which significantly affect matters pending in either forum.

Alexandria, Louisiana, this 23rd day of February, 2016.



DEE D. DRELL, CHIEF JUDGE
WESTERN DISTRICT OF LOUISIANA