

MAR 23 2004

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

Michael N. Mills, Clerk
By Deputy Clerk *M. Gassett*

IN THE MATTER OF MOTIONS §
FOR RELIEF FROM THE §
AUTOMATIC STAY §
§
§

GENERAL ORDER NO. 2004-4

ORDER

Effective immediately, parties and/or counsel filing motions to lift or modify the automatic stay under 11 U.S.C. §362 shall include the following language on the first page of the motion, immediately below the title:

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON THE [DATE] AT [TIME] IN COURTROOM _____, [ADDRESS]. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT AT LEAST FIVE BUSINESS DAYS PRIOR TO THE HEARING AND YOU MUST ATTEND THE HEARING. THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR BY ELECTRONIC DELIVERY IF IT IS SENT LESS THAN FIVE BUSINESS DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING.

The date, time and courtroom address of the hearing must be filled in prior to filing the motion with the court. Motions to lift or modify stay shall otherwise continue to be served, and hearings noticed, in accordance with FRBP and BLR 4001.

Signed and entered this 23rd day of March, 2004.


WILLIAM GREENDYKE, CHIEF JUDGE
For the Court