

**Local Rule of Bankruptcy Procedure 6004. USE, SALE OR LEASE OF PROPERTY.**

**(a) Contents**

A notice or motion required by Fed. R. Bankr. P. 6004(a), (c), or (d), in addition to the requirements of Fed. R. Bankr. P. 2002(c)(1), must contain:

- (1) the 21-day negative notice language described in LBR 9007(a);
- (2) a certificate of service reflecting service on the master mailing list (matrix) as constituted by the Court on the date of service;

and, to the extent applicable:

- (3) the name and address of the proposed buyer;
- (4) the proposed sale price, estimated costs of the sale or lease, including commissions, auctioneer's fees, costs of document preparation and recordation, etc.;
- (5) the names and addresses of all parties including judgment creditors who claim an interest in the property, the nature of the claimed interest, and the balance due.

Any motion to sell pursuant to Fed. R. Bankr. P. 6004(c) must also state with particularity the provision of 11 U.S.C. § 363(f) upon which movant relies and be accompanied by a proposed order.

**(b) Motion to Sell Personally Identifiable Information**

1. A motion to sell property which includes personally identifiable information under the conditions set forth in §363(b)(1) of the Bankruptcy Code, shall not require negative notice language but instead shall be scheduled for hearing upon filing.
2. Such motion shall contain a certificate of service reflecting service of the motion upon the master mailing list (matrix) as constituted by the Court on the date of service and must be accompanied by two (2) proposed orders:
  - (A) one proposed order shall acknowledge the filing of the motion and shall order the United States Trustee to appoint a consumer privacy ombudsman pursuant to Fed. R. Bankr. P. 6004(g); and
  - (B) the other proposed order shall grant the relief requested by the motion.

3. Any objection to a motion which seeks to sell personally identifiable information must be filed and served no later than seven (7) days prior to the scheduled hearing.

(c) **Authority to Pay Estate Expenses**

A Chapter 7 trustee who has not been authorized to operate the business of the debtor under §721 of the Bankruptcy Code may advance from bankruptcy estate funds:

- (1) payment of expenses incurred by the estate and owed to unrelated third parties in an aggregate amount not to exceed \$1,000; provided that no single expense shall exceed \$500 and that all such expenses are subsequently subjected to court approval for reasonableness after notice and a hearing;
- (2) adversary filing fees; or
- (3) payment of bond premiums as authorized by the United States Trustee.