

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF TENNESSEE**

IN RE)
)
ABROGATION OF INTERIM) **No. 2008-006**
BANKRUPTCY RULES AND)
AMENDMENTS TO LOCAL RULES)

GENERAL ORDER

The Supreme Court has promulgated amendments and additions to the Federal Rules of Bankruptcy Procedure, to become effective on December 1, 2008. The amendments and new rules supersede the Interim Bankruptcy Rules adopted by this court on October 4, 2005, and amended on September 25, 2006.

For the foregoing reason, it is ORDERED pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure and Rule 9029 of the Federal Rules of Bankruptcy Procedure, that the Interim Bankruptcy Rules are hereby abrogated, effective December 1, 2008; and it is further ORDERED that the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Tennessee are amended, effective December 1, 2008, to (1) delete “Interim Bankruptcy Rule” and “Interim Rule” wherever they appear and insert “Fed. R. Bankr. P.” in lieu thereof, (2) abrogate Rule 4004-1, (3) promulgate Rule 4008-1, which is set forth on the attachment hereto and incorporated herein by reference, and (4) revise Rule 9013-1(g)(2)(vi) to read as set forth on the attachment hereto and incorporated herein by reference.

/s/ John C. Cook
JOHN C. COOK
Chief United States Bankruptcy Judge

/s/ Richard Stair, Jr.
RICHARD STAIR JR.
United States Bankruptcy Judge

/s/ Marcia Phillips Parsons
MARCIA PHILLIPS PARSONS
United States Bankruptcy Judge

/s/ R. Thomas Stinnett
R. THOMAS STINNETT
United States Bankruptcy Judge

ENTERED

November 21, 2008

Clerk
U.S. Bankruptcy Court
Chattanooga, TN

**RULE 4008-1. REAFFIRMATION — MOTION TO ENLARGE TIME
FOR FILING REAFFIRMATION AGREEMENT**

(a) Initial Motion. The court will ordinarily grant a single enlargement of the time to file a reaffirmation agreement under Fed. R. Bankr. P. 4008(a) for not more than 30 days upon the filing of a motion by the debtor and submission of a proposed order as set forth in Local Rule 9013-1(c).

(b) Subsequent Motion(s). For each further enlargement of the time for filing a reaffirmation agreement requested by the debtor, the debtor must file a motion stating—

- (i) how many motions to enlarge the time for filing reaffirmation agreements have previously been filed;
- (ii) the original deadline under Fed. R. Bankr. P. 4008(a);
- (iii) the amount of enlargement granted in response to each previous motion; and
- (iv) the specific grounds for a further enlargement.

If those grounds include difficulty in obtaining a reaffirmation agreement with a creditor, the statement of the grounds must include the name of each such creditor and a description of the efforts made by the debtor to procure the execution of each agreement. The motion must be accompanied by a proposed order granting the relief sought thereby as set forth in Local Rule 9013-1(c).

RULE 9013-1. MOTION PRACTICE

* * *

(g) Ex Parte Motions.

* * *

(2) *Types of Motions.* The motions which fall within this category are—

* * *

- (vi) motions by debtor to enlarge the time for filing a reaffirmation agreement filed in accordance with Fed. R. Bankr. P. 4008(a) and Local Rule 4008-1, or for delay of entry of discharge filed in accordance with Fed. R. Bankr. P. 4004(c)(2);

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