

Note Regarding Use of This Order. This is the form of order the Court typically will enter where pre-hearing deadlines are set at a preliminary hearing. Alternatively, the deadlines may be announced on the record and memorialized in minutes filed of record without entry of an order.

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW MEXICO

In re:

BANKRUPTCY CAPTION

ORDER RESULTING FROM PRELIMINARY HEARING ON _____

This matter came before the Court on _____, docket no. ____ (the “Motion”). _____ appeared for the movant, and _____ appeared for the debtor [*or*, counsel appeared as noted on the record].

IT IS HEREBY ORDERED:

1. Final Hearing Date and Time. A final hearing on the Motion shall be held on _____ at ____ a.m./p.m. in the _____ Courtroom, 13th Floor, Dennis Chavez Federal Building and Courthouse, 500 Gold Avenue, SW, Albuquerque, New Mexico. _____ hours have been set aside for the hearing.

2. Exhibits. No later than 10 days before the final hearing date, the parties shall file and serve a list of exhibits, and shall exchange exhibits, except for rebuttal exhibits that cannot reasonably be anticipated. Parties shall provide three copies of the exhibits to Chambers (one for the Court, one for the Court’s law clerk, and one for the witness) prior to commencement of the hearing. Movant’s exhibits are to be marked with numbers, and Debtor’s exhibits with letters. Each page of any multiple-page exhibit shall be numbered. Exhibits shall be accompanied by a list of the exhibits by number or letter and a brief description or name of each exhibit. If a party intends to proffer more than five exhibits, then the exhibits shall be tabbed and bound in three-

ring binders or by some similar binding. Any counsel requiring authentication of any exhibit must so notify in writing the offering counsel within seven days before the final hearing date, or objection to authenticity will be waived. The Court generally will exclude exhibits not exchanged as required. The parties shall be prepared to notify the Court at the beginning of the hearing which exhibits can be admitted into evidence by stipulation.

3. Witnesses. No later than 10 days before the final hearing date, the parties shall file and serve witness lists of persons the party expects to call to testify at the final hearing, except for rebuttal witness that cannot reasonably be anticipated. The Court may exclude from testifying any witnesses not listed.

4. Expert Reports. [*if applicable*] If a party will offer expert testimony, an expert report must be included in the party's list of exhibits. Expert reports shall comply with Fed.R.Bankr.P 7026(a)(2)(B), which the Court deems applicable pursuant to its authority under Fed.R.Bankr.P. 9014.

5. Discovery. [*insert any applicable provisions*].

6. Pre-Hearing Submissions. The following additional matters were determined: (*set out any schedule for filing briefs, and/or proposed findings and conclusions in advance of the hearing.*)

7. Disposal of Exhibits. Unless an appeal is pending, 45 days after an order ruling on the Motion becomes final the Court will dispose of all hearing exhibits in its possession that have not been retrieved by the submitting party.

Date entered on docket: _____.

United States Bankruptcy Judge

Submitted by:

xxxxxxx

Attorneys for xxxx

Address

Phone

Fax

E-mail address

Approved:

xxxxxxx

Attorneys for xxxx

Address

Phone

E-mail address