Open Adversary/Notice of Removal for Attorney Filers

STEP 1. Click on **Adversary** on the ECF Main Menu Bar.

STEP 2. Click on **Open an AP Case**.

STEP 3. The opening screen displays.

- **Case type** is **ap** and is hard-coded.
- **Date filed** is current date and is hard-coded.
- Change **Complaint** from “y” to “n.” A field for **Counsel for** will appear with a default of “plaintiff.” If the filing party is attorney for plaintiff in the removed action, leave the default as “plaintiff.” If the filing party is attorney for defendant in the removed action, change the selection to “defendant.”
- Click **Next**.

STEP 4. These reminders display:

On the next screen, Association Type must be Adversary.

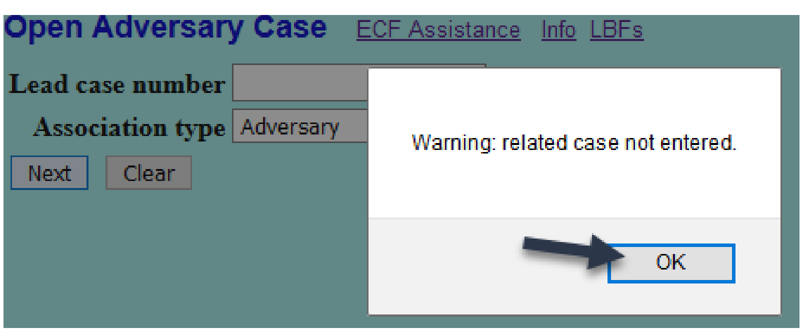
If you are filing a Stipulated Judgment without Complaint or a Notice of Removal, on the previous screen be sure you have changed the selection for complaint from Y to N.

Do not file the Adversary Proceeding Cover Sheet.

- Click **Next**.

STEP 5. The case association screen displays.

- The **Lead case number** is the related bankruptcy case number. Enter it in the given field with a YY-NNNNN format. If the related case is pending outside the District of Oregon, leave the **Lead case number** field blank.
- Leave **Association Type** as **Adversary**.
- Click **Next**. If lead case is being administered outside the District of Oregon, click “OK” button in the **Warning: related case not entered** pop-up box.



STEP 6. If a case number was entered in STEP 5, the Divisional Office and judge assigned to the case will appear (hard-coded). If no lead case number was entered because the related bankruptcy case is pending outside of the District of Oregon, select Eugene for the Divisional Office.

- Click **Next.**

STEP 7. Answer the prompt**: Select the filer e.g. Plaintiff or Defendant.** This answer should be the same as the answer to the "Counsel for" prompt in Step 3.

- Click **Next.**

STEP 8. **The Search for a Plaintiff** screen displays.

- Add all plaintiffs one at a time. You may search by Social Security Number, Tax ID Number, Last Name and First Name, Last Name only, or by a Business Name. Refer to the Style Guide for the style conventions for adding parties and addresses. **NOTE: An address for any pro se Plaintiff is required**.
- The following fields must <u>never</u> be used: **Office, Country** (unless plaintiff resides or is located in a foreign country), **Phone, Fax, E-mail, and Party text**.
- Click on the dropdown list **Role in Bankruptcy Case** and select the appropriate Plaintiff role type (e.g. Creditor).
- If applicable, enter any alias names by selecting **Alias**.
- If applicable, enter any corporate parent by clicking **Corporate Parent**.
- If you are Counsel for Plaintiff as selected on the opening screen, you will be automatically associated as the Attorney for the Plaintiff(s). Click the **Add Additional Attorney** button only if you need to add co-counsel. If you are Counsel for the Defendant as selected on the opening screen, use the **Attorney** button to associate any attorney with the plaintiff.
- When all the information for the first plaintiff is entered, click the **Submit** button.
- If the first name and any address fields are blank, you will receive WARNING pop-ups that read "Warning: The first name is blank." and "Warning: The Address 1 is blank." Be sure that if your Plaintiff party is a business, that only the **Last name** field is populated and an address is only required if that party does not have an attorney. Click OK for both of these Warning pop-ups.
- When all plaintiffs have been added, click **End plaintiff selection**.

STEP 9. The **Search for a Defendant** screen displays.

- Add all defendants, one at a time. You may search by Social Security Number, Tax ID Number, Last Name and First Name, Last Name only, or by a Business Name. Refer to the Style Guide for the style conventions for adding parties and addresses. **NOTE: An address for any pro se Defendant is required**

- The following fields must <u>never</u> be used: **Office, Country** (unless defendant resides or is located in a foreign country), **Phone, Fax, E-mail, and Party text**.

- Click on the dropdown list **Role in Bankruptcy Case** and select the appropriate Defendant role type (e.g. Creditor).

- If applicable, enter any alias names by selecting **Alias**

- If applicable, enter any corporate parent by clicking **Corporate Parent**

- If you are filing this proceeding as Counsel for Defendant, click the **Attorney** button to associate yourself with the defendant.

- Click **Submit**.

- When all defendants have been added, click **End defendant selection**.

STEP 10. A statistical information screen displays.

- **Party code**: select the appropriate party code from the dropdown list.

- **Primary nature of suit field**: select the appropriate nature of suit from the dropdown list. **01 Determination of removed claim or cause**.

- **Second through Fifth natures of suit**: select one nature of suit per dropdown list. It there are no additional natures of suit, leave the default as "none."

- **Rule 23 (class action)**: if the action is not class action suit, select "n;" if class action suit, select "y."

- **Jury demand**: if a jury demand is requested, select the appropriate party(ies) from the drip-down list; if a jury demand is not requested, select "None."

- **Demand ($000)**: enter the dollar amount, rounded to the nearest thousand, i.e., $500.00 would be entered as 1; $40,000 would be entered as 40.

- **State law:** select either "y" or "n", depending on whether or not this case involves a substantive issue of state law.

- Click **Next**.

STEP 11. Select event from the dropdown list: **Notice of Removal** and click **Next**. Click **Next** again if blank screen appears.

- A screen displays with filer identity options–select one:

  - Filer is a Debtor in a Chapter 7, Chapter 12, or Chapter 13 case

  - Filer is a U.S. Government Agency

  - Filer is a Child Support Creditor or its representative and Official Form B 2810 is attached as the last page of this filing

  - Filer is a Trustee who is certifying under penalty of perjury that there are insufficient funds in the estate to pay the filing fee

- Filer is a Debtor in Possession that is certifying under penalty of perjury that there are insufficient funds in the estate to pay the filing fee
- None of the Above.

● Click **Next.**

STEP 12. The filing fee amount will appear as appropriate. Click **Next**.

STEP 13. The complaint attachment screen will appear.

● Click on the **Browse** button to attach the pdf of the complaint.

● Click **Next**. Click **Next** again on blank screen.

STEP 13. The **Docket Text: Final Text** screen displays.

● Confirm the docket text is correct.

● Click **Next**.

STEP 14. The **Notice of Electronic Filing (NEF)** screen displays.

STEP 15. If the filing fee is not deferred or exempt, the **Electronic Payment** window displays over the top of the **Notice of Electronic Filing (NEF**) screen.

● Click **Pay Now** to pay fees. You will then be completing information in the Pay.gov electronic payment area. Upon completion of your transaction, you must select a heading on the menu bar to continue in ECF.

● Or click **Continue Filing** to file another document.

● Contact an Adversary Proceeding clerk if you require a Summons to be issued.