Opening an Adversary Proceeding via Complaint
Attorney Filers

> After filing the complaint using the steps below, per LBR 7004-1(c), file an LBF ADV-A, *Statement re Party's Address*, with a preferred service address using the *Statement re Party's Address [Requires LBF ADV-A - 12/1/24]* event under the *Notices/Miscellaneous* menu.

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

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

STEP 3. The **Open an AP** Case screen displays.

- **Case type** is **ap** and is hard-coded.
- **Date Filed** is current date and is hard-coded.
- Leave the complaint default as Y
- 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.

- Enter **Lead case number** in YY-NNNNN format. This would be the Bankruptcy Case Number.
- At **Association Type** is **Adversary** and **must not be changed**.
- Click **Next**.

STEP 6. The Case is assigned to **XXXXX** Division, Judge **XXXXX** based on the lead Bankruptcy Case YY-NNNNN screen displays. .

- Click **Next.**

STEP 7. **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.

- 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 drop-down 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**.

- As Counsel for Plaintiff , 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.

- 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 8. 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.

- Do not fill or change the following fields: **Office, Country** (unless defendant resides or is located in a foreign country), **Phone, Fax, E-mail, and Party text**.

- Click on the drop-down 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**

- Click **Submit**.

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

STEP 9. A statistical information screen displays.

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

- **Primary nature of suit field**: select the appropriate nature of suit from the drop-down list.

- **Second through Fifth natures of suit**: select one nature of suit per drop-down 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 "yes" or "no", depending on whether or not this case involves a substantive issue of state law.

- Click **Next**.

- Click **Next** again.

STEP 10. A screen displays with the following questions:

□ Is Plaintiff a

- Debtor in a Chapter 7-12-13 case?

- U.S. Govt Agency?

- Child Support Creditor or its representative? If so, attach a completed Official Form B 2810 as the last page of this filing.

□ Is Plaintiff a

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

- Chapter 11 Debtor in Possession that is certifying under penalty of perjury that there are insufficient funds in the estate to pay the filing fee?

- Respond to the questions as appropriate. The default for each is No.

- Click **Next.**

STEP 11. The filing fee amount will appear as appropriate.

- Click Browse to select the appropriate PDF to attach.

- Click **Next.**

- Click **Next** two times.

STEP 12. The Docket Text: Final Text screen displays. Review the text.

- Click **Next**.

STEP 13. The Notice of Electronic Filing (NEF) screen displays.

If the filing fee is not deferred or exempt, the **Summary of current charges** 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 will need to click a selection on the menu bar to continue in ECF.

- If you do not want to Pay Now, click **Continue Filing** to file another document.