

Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing

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Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing

Introduction

This document contains filing procedures for using the text-only *Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing* event in CM/ECF.

See [Local Bankruptcy Form \(LBF\) 720.5, Procedures re: Motions for Relief from Stay](#), for more information regarding motions for relief from stay and objections thereto.

Use of the Event

Use this event only to reschedule non-evidentiary hearings set on objections filed in response to motions for relief from stay that have yet to commence.

The following limitations and requirements apply to the use of this event:

- A stipulated continuance may only be requested for the first hearing set on each motion.
- A new preliminary hearing date no later than 4 weeks from the original hearing must be selected. Hearing dates are available on the court's website.¹
- The stipulated continuance must be requested no later than one business day before the hearing. Do not use the event the day of the hearing.

Waiver of § 362(e) Termination of Stay

The continuance constitutes a waiver by the creditor of the 30-day termination of the stay provided under 11 U.S.C. 362(e) (i.e., the stay will remain in effect).

Affirmation of Assent of All Parties to the Motion


By using this event, filers are affirming that they have conferred with all other parties to the motion for relief from stay, including all respondents, and that all parties have consented to the rescheduled date.

¹ <https://www.orb.uscourts.gov/hearings>


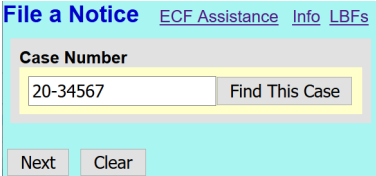
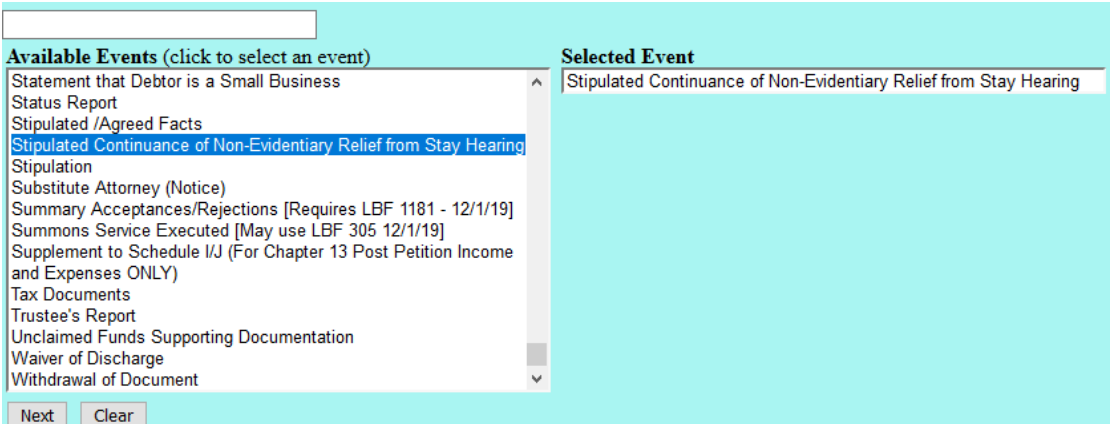
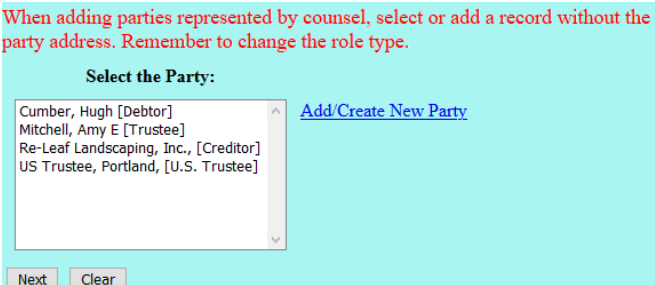
Filing Procedures

Step	Action
1	Click on Bankruptcy on the ECF main menu bar
2	Select the Miscellaneous menu
3	Enter case number in YY-XXXXX format
4	Select the Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing event
5	Select or add ² represented party
6	Review the instructional messages and proceed (use the in-event link to find available hearing times if a hearing date has not already been selected)
7	Check the box to relate the filing to the relief from stay motion at issue
8	Review the instructional messages and proceed
9	<ul style="list-style-type: none"> • Select the hearing from the Please select from the following hearings drop-down list (the “Chambers Presets” link will bring up a list of future hearing dates) • When selecting the hearing from the dropdown, be sure to select the RFS hearing for the correct date and time • Check the box for the relief from stay motion to which the objection relates
10	Modify docket text with dropdown box as appropriate
11	Review docket text and submit

Filing Procedures with Screenshots

Step	Action
1	<p>Click on Bankruptcy on the ECF main menu bar</p>  <p>The screenshot shows the ECF main menu bar with the following items: CM ECF, Bankruptcy (dropdown), Adversary (dropdown), Query, Reports (dropdown), Utilities (dropdown), Search Events, Help, and Log Out. Below the menu bar is the U.S. Bankruptcy Court District of Oregon seal, followed by the text: U.S. Bankruptcy Court, District of Oregon, Official Court Electronic Document Filing System. At the bottom, it states: This system is running NextGen version 1.2 (01/29/2018) of the ECF application.</p>

² See separate [ECF Filing Basics](#) procedures for instructions on adding parties.

2	<p>Select the Miscellaneous menu</p>  <p>Bankruptcy Events ECF Assistance Info LBFs</p> <ul style="list-style-type: none"> Answer/Response... Appeals CaseUpload Claim Actions Creditor Maintenance... File Claims Judge/Trustee Assignment Miscellaneous Motions/Applications Notices Open Bankruptcy Case Using XML Forms Data Open a BK Case Open Involuntary Case Open Related BK Case Plan Order Upload
3	<p>Enter case number in YY-XXXXX format</p>  <p>File a Notice ECF Assistance Info LBFs</p> <p>Case Number</p> <p>20-34567 Find This Case</p> <p>Next Clear</p>
4	<p>Select the Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing event</p>  <p>Available Events (click to select an event)</p> <ul style="list-style-type: none"> Statement that Debtor is a Small Business Status Report Stipulated /Agreed Facts Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing Stipulation Substitute Attorney (Notice) Summary Acceptances/Rejections [Requires LBF 1181 - 12/1/19] Summons Service Executed [May use LBF 305 12/1/19] Supplement to Schedule I/J (For Chapter 13 Post Petition Income and Expenses ONLY) Tax Documents Trustee's Report Unclaimed Funds Supporting Documentation Waiver of Discharge Withdrawal of Document <p>Selected Event</p> <p>Stipulated Continuance of Non-Evidentiary Relief from Stay Hearing</p> <p>Next Clear</p>
5	<p>Select or add³ represented party</p> <p>When adding parties represented by counsel, select or add a record without the party address. Remember to change the role type.</p>  <p>Select the Party:</p> <ul style="list-style-type: none"> Cumber, Hugh [Debtor] Mitchell, Amy E [Trustee] Re-Leaf Landscaping, Inc., [Creditor] US Trustee, Portland, [U.S. Trustee] <p>Add/Create New Party</p> <p>Next Clear</p>

³ See separate [ECF Filing Basics](#) procedures for instructions on adding parties.

6 Review the instructional messages and proceed (use the in-event [link](#) to find available hearing times if a hearing date has not already been selected)

A stipulated continuance may only be requested for the first hearing set on each motion. The continuance constitutes a waiver by the creditor of the 30-day termination of the stay provided under 11 U.S.C. 362(e) (i.e., the stay will remain in effect).

You must select and enter a new preliminary hearing date that is no later than 4 weeks from the original hearing. Hearing dates are available on the court's website at <https://www.orb.uscourts.gov/hearings>.

The stipulated continuance must be requested no later than one business day before the hearing. If the hearing is scheduled for today, do not continue with this event. You must appear via telephone at the hearing.

By using this event, you are hereby affirming that you have conferred with all other parties to this motion (including all respondents) and they have consented to the continued date.

This event is text only.

7 Check the box to relate the filing to the relief from stay motion at issue

Select the appropriate event(s) to which your event relates:

01/28/2021 [2](#) Notice and Motion for Relief From Stay Filed by Creditor Re-Leaf Landscaping, Inc. (Attorney, Jeff)

8 Review the instructional messages and proceed

Select the continued hearing date and time from the list on the following screen.

9

- Select the hearing from the **Please select from the following hearings** drop-down list (the "Chambers Presets" link will bring up a list of future hearing dates)
- When selecting the hearing from the dropdown, be sure to select the **RFS** hearing for the correct date and time
- Check the box for the relief from stay motion to which the objection relates

Please select from the following hearings [Chamber Presets](#)

Relief From Stay Hearing Date: Hearing Time:

Location:

Select docket entries which are to be associated with the above schedule(s).

Filing Date #	Docket Text
<input checked="" type="checkbox"/> 05/04/2021 4	Notice of Hearing and Motion for Relief From Stay Filed by Creditor Re-Leaf Landscaping, Inc. Hearing Scheduled for 5/13/2021 at 09:00 AM in/by Video Hearing. Visit www.orb.uscourts.gov/video-hearings for connection information. (Attorney, Jeff)
<input type="checkbox"/> 09/07/2021 - 01:30 PM - RFS-TMR~hrgnrlf~	[Slots: 29]
<input type="checkbox"/> 09/14/2021 - 01:30 PM - RFS-DWH~hrgnrlf~	[Slots: 50]
<input type="checkbox"/> 11/02/2021 - 01:30 PM - RFS-DWH~hrgnrlf~	[Slots: 50]
<input type="checkbox"/> 06/21/2021 - 09:30 AM - Ch11 Order Aproving	[Slots: 11]

<p>10</p>	<p>Modify docket text with dropdown box as appropriate</p> <div style="border: 1px solid black; padding: 5px;"> <p>Docket Text: Modify as Appropriate.</p> <div style="border: 1px solid black; padding: 2px;"> <input type="text" value="Stipulated continuance of non-evidentiary hearing and waiver of 11 U.S.C. 362(e)."/> </div> <p>Hearing rescheduled for: 2/25/2021. Stay remains in effect until otherwise ordered. Filed by Jeff Attorney. To participate in the telephone hearing, dial the toll free call in number 1-888-684-8852 and enter the seven digit access code 3702597. Re: [2] Notice and Motion for Relief from Stay Filed By Creditor Re-Leaf Landscaping, Inc. Hearing Scheduled for 2/25/2021 at 09:30 AM in/by Telephone Hearing.(Attorney, Jeff)</p> <p>Next Clear</p> </div>
<p>11</p>	<p>Review docket text and submit</p> <div style="border: 1px solid black; padding: 5px;"> <p>Docket Text: Final Text</p> <p>Stipulated continuance of non-evidentiary hearing and waiver of 11 U.S.C. 362(e). Hearing rescheduled for: 2/25/2021. Stay remains in effect until otherwise ordered. Filed by Jeff Attorney. To participate in the telephone hearing, dial the toll free call in number 1-888-684-8852 and enter the seven digit access code 3702597. Re: [2] Notice and Motion for Relief from Stay Filed By Creditor Re-Leaf Landscaping, Inc. Hearing Scheduled for 2/25/2021 at 09:30 AM in/by Telephone Hearing.(Attorney, Jeff)</p> <p>Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.</p> <p>Have you redacted?</p> <p>Next Clear</p> </div>