



United States Bankruptcy Court
Middle District Of Florida
Sam M. Gibbons United States Courthouse
801 North Florida Avenue
Tampa, Florida 33602

MEMORANDUM

To: Attorneys practicing in the Middle District of Florida, Tampa Division

From: Hon. Catherine Peek McEwen

Subject: Tips for Getting Amended and Agreed Orders Entered Promptly

Date: June 22, 2009

The Court requests that attorneys follow these tips in order to simplify the process of obtaining amended and agreed orders.

Amended Orders

The order should specify the reason for the amendment and what is being amended. Either file a motion to amend or include the information in a preamble or decretal paragraph in the order (e.g., to correct scrivener's error).

Agreed Orders

There are five acceptable procedures for obtaining an agreed order, each of which sufficiently documents the record that agreement has been reached (any other method makes it appear that it is possible that an *ex parte* communication has been made to the Court, which communication is forbidden):

- 1) File an agreed or joint motion signed by both parties;
- 2) File a motion in which one party represents that the party's counsel has obtained consent of the other party [to the entry of a proposed order attached to the motion];
- 3) File a consent by the opposing party;
- 4) Submit an agreed order signed by both parties (endorsement under a legend stating "Approved as to form and content" or "Agreed for entry"); or
- 5) Submit an order that recites in the preamble that by submitting the order you are representing that the other parties have agreed to the form and content of the order: "By submission of this order for entry, the submitting counsel represents that the opposing party consents to its entry."