

## Motion to Determine if Proceeding Is Core—Adversary Proceedings

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### **Docketing Event**

Adversary > Motions/Applications > Motion to Determine Whether Proceeding Is Core

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**Negative Notice: Yes.**

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**Accompanying Orders: N/A.**

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### **Code and Rule References:**

[28 U.S.C. § 157](#)

[Fed. R. Bankr. P. 7008](#)

[Fed. R. Bankr. P. 7012](#)

[Fed. R. Bankr. P. 9027](#)

[Fed. R. Bankr. P. 9033](#)

[Fed. R. Civ. P. 8.](#)

[Fed. R. Civ. P. 12](#)

[Local Rule 5011-1](#)

[Local Rule 7001-1](#)

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**Fee: N/A**

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**Applicable Chapters: 7, 11, 12, 13**

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**Implemented: 2/9/2016**

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**Last Revision: 9/28/2017 11:49:40 AM**

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### **Description**

Local Rule 7001-1(k)(6) provides that not later than the date set for filing a response to the complaint, any party objecting to the entry of final orders or judgments by the Bankruptcy Court on any issue in the adversary proceeding shall file a motion requesting that the Court determine whether the proceeding is a core proceeding or otherwise subject to the entry of final orders or judgments by the Bankruptcy Court. Failure of any party to file a motion by this deadline shall be deemed consent by such party to the Bankruptcy Court entering all appropriate final orders and judgments in the proceeding subject to review under 28 U.S.C. § 158.

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### **Filing Checklist**

Review the motion to determine if it is:

- ☐ Signed;
- ☐ Is properly served and includes a proper certificate of service;
- ☐ The attorney's name and address are complete and consistent with the filing attorney's name and address in CM/ECF; and
- ☐ Filed with negative notice that contains correct language located on first page.
  - Response period is 14 days (plus an additional three days for service if any party was served by U.S. Mail).