



United States Bankruptcy Court Middle District of Florida

MEMORANDUM

From: Hon. Lori V. Vaughan
Judicial Liaison to Local Rules Lawyers' Advisory Committee

To: Interested Parties

Subject: Amendments to Local Rules

Date: July 22, 2024

The Bankruptcy Judges of the Middle District of Florida have approved amendments to the Local Rules, effective August 15, 2024. A brief summary of the revisions is set forth below. However, the amended Local Rules should be reviewed in their entirety.

The Bankruptcy Judges thank the members of the Local Rules Lawyers' Advisory Committee for their hard work and assistance: Todd Budgen, Kathleen DiSanto, Paul Giordano, Gene Johnson, and Guy Van Baalen.

Rule 2081-1 Chapter 11 – General

The amendment to section (g) conforms the rule to amended Federal Rule of Bankruptcy Procedure 5005(b)(1) that no longer requires mail or hand-delivery of papers to the United States trustee, but allows service by CM/ECF.

Rule 3002-1 Deadlines for Filing Proofs of Claim in Reinstated Cases and for Rejection Damages; Late-Filed Proofs of Claim; Service of Proofs of Claim on *Pro Se* Debtors

The amendment renames the rule and adds new section (b) that provides a 30-day deadline for filing a claim arising from the rejection of an executory contract or unexpired lease after entry of the order approving the rejection.

Rule 4001-1 Automatic Stay

This amendment to section (c)(6) clarifies that, upon dismissal of a case, the Court will retain jurisdiction and hold hearings on motions for relief from stay that (i) are scheduled for hearing within 14 days of the date of the dismissal order or (ii) request an order binding upon the debtor in subsequently filed cases.

Rule 5071-1 Rescheduling Hearings or Trials

The amendment renames the rule (formerly titled: Continuances) and amends it to clarify that it applies to rescheduling hearings and trials, and not just continuances.

Rule 5072-1 Courtroom Decorum

The amendments to the rule more closely align with M.D. Fla. R. 5.03 and make clear that certain rules of decorum apply whether a person is appearing remotely or in person. Other changes are stylistic.

Rule 7001-1 Adversary Proceedings

The amendments to section (k) extend the ten-page limit to all motions, responses, replies and supporting memoranda filed with the Court and remove motions for summary judgment from the Court's negative notice procedures. New section (m) conforms the rule to the Court's current practices and form orders regarding joint stipulations of fact to be submitted before trial. Other changes are stylistic.

Rule 7026-1 Discovery – General

The amendments to the rule contain specific requirements for parties to meet and confer (and to certify that they have done so) prior to filing discovery motions. Meet and Confer certifications are also moved to the beginning of the motion.

Rule 7026-2 E-Discovery

The amendment conforms the rule to the updated *Middle District Discovery: A Handbook on Discovery Practice in the United States District Court for the Middle District of Florida* (located on the District Court's website at www.flmd.uscourts.gov) and adds new section (h).

Rule 9019-2 Mediation

The amendments to the rule are intended to clarify changes to the mediation rules regarding declaring impasse and execution of agreements.

Rule 9072-1 Orders -- Proposed

The revision to section (c)(3) clarifies that an order after hearing should be submitted within three days of the hearing.