Objection/Response to Motion for Relief from Stay & Notice of Hearing Thereon

Table of Contents

Objection/Response to Motion for Relief from Stay & Notice of Hearing Thereon

Introduction

This document contains filing procedures for e-filing objections or responses to motions for relief from stay in chapter 7 and chapter 13 cases and the notices of hearings thereon that must accompany such objections or responses.

See Local Bankruptcy Form (LBF) 720.5, *Procedures re: Motions for Relief from Stay*, for more information.

Required Forms

Objections/responses to motions for relief from stay must be filed on the following forms in the following order as a single PDF document:

- LBF 721, *Notice of Hearing on Motion for Relief from Debtor's Automatic Stay in a Chapter 7/13 Case, and/or Codebtor's Stay in a Chapter 13 Case*

- LBF 720.80, *Chapter 7/13 Motion for Relief from Debtor/Chapter 13 Codebtor Stay*

See below for information on completing each form.

LBF 721: Notice of hearing

Before filing the objection/response, go to the Ch. 7/13 Relief From Stay Hearing page on the court's website.[1]

Use the first hearing date on this page that is at least six calendar days after the objection will be filed to complete the hearing date and time sections of the form.

LBF 720.80: Objection/response form

A motion for relief from stay must be filed on LBF 720.80. To file an objection to the motion, complete the "***OBJECTION***" sections for each applicable part.

For example, when objecting to a relief from codebtor stay request which is included in the form at part 4, enter the grounds for objection here:

---

[1] www.orb.uscourts.gov

4. **Request for Relief from Codebtor Stay** (*Chapter 13 only*)
   a. _____, whose address is _____
   _____, is a codebtor on the obligation described above, but is not a
   debtor in this bankruptcy.

   b. Movant should be granted relief from the codebtor stay because (*check all that apply*):
      ☐ codebtor received the consideration for the claim held by movant ☐ debtor's plan does not
      propose to pay movant's claim in full ☐ movant's interest would be irreparably harmed by
      continuation of the codebtor stay as a result of the default(s) described above ☐ because:

   OBJECTION (*Identify any disputed items and specify the pertinent facts*) (*to be completed by respondent*):

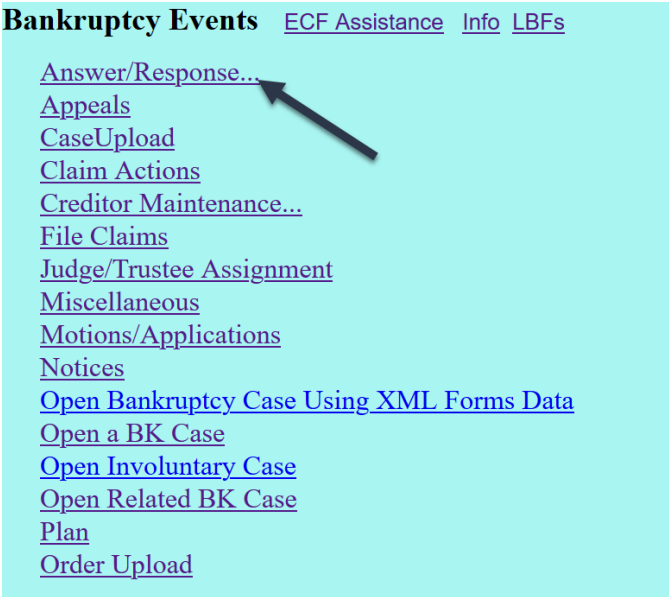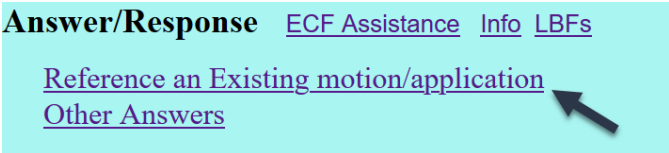5. **Other Pertinent Information** (*To be completed by movant, if applicable*):

E-Filing Instructions

Step	Action
1	Click on **Bankruptcy** on the ECF main menu bar
2	Select the **Answer/Response…** menu
3	Select **Reference an Existing motion/application**
4	Enter case number in YY-XXXXX format
5	Select the **Objection and Ntc of Hearing Re: Relief from Stay [LBF 721-12/1/19, 720.80-12/1/19, 1220.5-12/18/06]** event
6	Select or add[2] represented party
7	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)
8	• Select the hearing from the **Please select from the following hearings** drop-down list[3] (the "Chambers Presets" link will bring up a list of hearings for each judge) • 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
9	Click **Browse…** button to attach the following documents as a single PDF in the following order: • LBF 721 (notice of hearing) • LBF 720.80 (objection/response)
10	Modify docket text with drop-down box as appropriate
11	Review docket text and submit

---

[2] See separate ECF Filing Basics procedures for instructions on adding parties.
[3] This will auto-fill the "Date," "Hearing Time," and "Location" fields below.
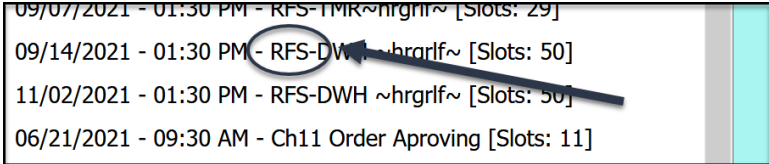
E-Filing Instructions with Screenshots

Step	Action
1	Click on **Bankruptcy** on the ECF main menu bar
2	Select the **Answer/Response…** menu
3	Select **Reference an Existing motion/application**

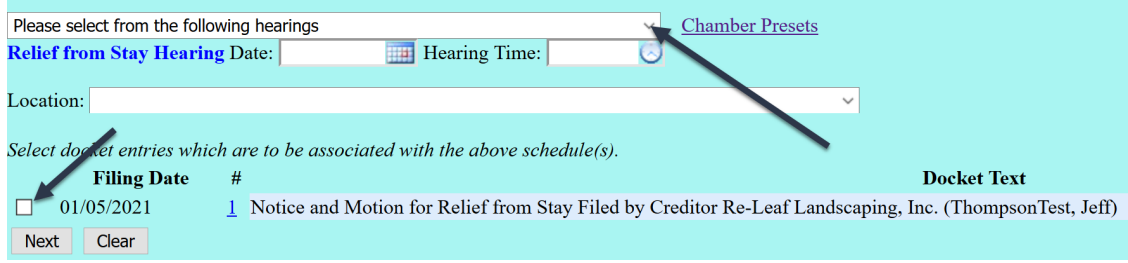|	

4	Enter case number in YY-XXXXX format
	
	File a Notice ECF Assistance Info LBFs
	
	Case Number
	
	`20-34567` `Find This Case`
	
	`Next` `Clear`

5	Select the **Objection and Ntc of Hearing Re: Relief from Stay [LBF 721-12/1/19, 720.80-12/1/19, 1220.5-12/18/06]** event **Available Events** (click to select an event) Lessor's Objection to Certification re: Intent to Cure Residential Judgment Notice of Hearing on Ch 13 Trustee Motion to Dismiss/Convert [Requires LBF 1366 - 12/1/20] Objection Objection and Ntc of Hearing Re: Relief from Stay [LBF 721-12/1/19, 720.80-12/1/19, 1220.5-12/18/06] Objection to Statement that Debtor is a Small Business Reply Response **Selected Event** Objection and Ntc of Hearing Re: Relief from Stay [LBF 721-12/1/19, `Next` `Clear`
6	Select or add[4] represented party When adding parties represented by counsel, select or add a record without the party address. Remember to change the role type. **Select the Party:** Re-Leaf Landscaping, Inc., [Creditor] Add/Create New Party Toh, Thomas A. [Debtor] US Trustee, Eugene, [U.S. Trustee] `Next` `Clear`
7	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) • File LBF 721 and LBF 720.80 as a single pdf and in that order. • Hearing Date and Time must be obtained from the courts website. Click here to see available dates. • You must select a hearing date and time from the list on the following screen. Be sure to review the final docket text to verify all hearing information. `Next` `Clear`

---

[4] See separate ECF Filing Basics procedures for instructions on adding parties.

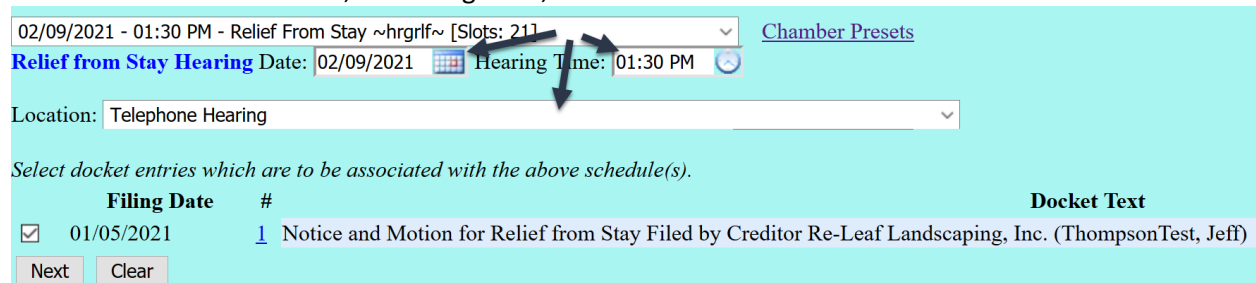|	
8	• Select the hearing from the **Please select from the following hearings** drop-down list[5] (the "Chambers Presets" link will bring up a list of hearings for each judge) • When selecting the hearing from the dropdown, be sure to select the **RFS** hearing for the correct date and time 09/07/2021 - 01:30 PM - RFS-TMR~hrgrlf~ [Slots: 29] 09/14/2021 - 01:30 PM - RFS-DWH~hrgrlf~ [Slots: 50] 11/02/2021 - 01:30 PM - RFS-DWH ~hrgrlf~ [Slots: 50] 06/21/2021 - 09:30 AM - Ch11 Order Aproving [Slots: 11] • 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** ☐ 01/05/2021 1 Notice and Motion for Relief from Stay Filed by Creditor Re-Leaf Landscaping, Inc. (ThompsonTest, Jeff) \[Next\] \[Clear\]

9	Click the **Browse...** button to attach the following documents as a single PDF in the following order:
	    • LBF 721 (notice of hearing)
	    • LBF 720.80 (objection/response)
	
	File all documents (LBF's, motions, affidavits, certificates, etc.) in a single pdf, beginning with any LBF(s), unless otherwise instructed.
	
	Select the **pdf** document (for example: C:\199cv501-21.pdf).
	Filename
	\[Browse...\] No file selected.
	Attachments to Document:
	
	If the document(s) must be broken into multiple pdfs because a single pdf will exceed 50MB, click Yes and attach the remaining pdf(s).
	
	◉ No ○ Yes
	
	_____
	\[Next\] \[Clear\]

02/09/2021 - 01:30 PM - Relief From Stay ~hrgrlf~ [Slots: 21] ▾   Chamber Presets
Relief from Stay Hearing Date: \[02/09/2021\] 🔲 Hearing Time: \[01:30 PM\] 🕐

Location: \[Telephone Hearing\] ▾

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

       Filing Date   **#**   **Docket Text**
☑   01/05/2021   1   Notice and Motion for Relief from Stay Filed by Creditor Re-Leaf Landscaping, Inc. (ThompsonTest, Jeff)
\[Next\] \[Clear\]

10	Modify docket text with drop-down box as appropriate
	Docket Text: Modify as Appropriate. [▾] **Objection and Notice of Hearing Re: Relief from Stay. Filed by Debtor Thomas A. Toh Re: [1] Notice and Motion for Relief from Stay Filed by Creditor Re-Leaf Landscaping, Inc. (ThompsonTest, Jeff) Hearing Scheduled for 2/9/2021 at 01:30 PM in/by Telephone Hearing. (Attorney, Jeff)** Next Clear
11	Review docket text and submit
	Docket Text: Final Text **Objection and Notice of Hearing Re: Relief from Stay. Filed by Debtor Thomas A. Toh Re: [1] Notice and Motion for Relief from Stay Filed by Creditor Re-Leaf Landscaping, Inc. (ThompsonTest, Jeff) Hearing Scheduled for 2/9/2021 at 01:30 PM in/by Telephone Hearing. (Attorney, Jeff)** **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.** **Have you redacted?** Next Clear