

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Procedures For Appearances By Telephone

The following procedures apply in the San Francisco Division for appearances by telephone by counsel or parties appearing in propria persona:

1. Permitted Appearances.

In general, telephone appearances are permitted except in situations where the party or counsel:

Will be examining witnesses;

Is the proponent of a Chapter 11 disclosure statement or plan;

Is counsel for a client who is present in court; or

Is directed by the court to appear personally.

There are no restrictions on eligibility to appear by telephone based upon the geographic location of the counsel or the party.

2. Court Conference Center

A. Judge Carlson and Judge Montali require counsel/parties desiring to participate by telephone to use Court Conference Center for:

Regular Relief From Stay Calendars;

Regular Adversary Proceeding Status Conference Calendars; and

Other hearings involving multiple parties participating by telephone, determined on a case-by-case basis, in which cases parties/counsel will be notified by the

courtroom deputy.

B. All parties/counsel using this service must have an account or make arrangements to set one up one well in advance of the hearing. Appearances are arranged by reservation.

C. To make a telephonic reservation:

Call 1-866-582-6878 to reach a court coordinator prior to 4:00 PM PT the day before the appearance. (Failure to make a reservations no later than 4:00 PM the day before the hearing may result in the inability of Court Conference Center to arrange for the appearance.) For emergency hearings only, call the coordinator as soon as possible but not less than 15 minutes prior to the scheduled hearing. Note however, Court Conference Center will not process telephonic appearances unless an account has been set up.

The coordinator will need:

- Court date and time
- Name of judge
- Case name and number
- Name and phone number of the attorney appearing.
- Verification that a Court Conference Center account has been set up.

Attorneys will receive fax confirmation the day before the hearing.

Ex Parte or Short Notice Hearings. When the court conducts a telephone conference on short notice and uses Court Conference Center, it may designate one party to bear the entire cost of the conference call.

3. Court Initiated Telephone Appearances for Other Hearings

A. A party desiring to appear by telephone must make the request to the proper courtroom deputy no less than 72 hours (exclusive of weekends and holidays) prior to the scheduled hearing. Exceptions will be made in cases of emergency or for hearings set on extremely short notice.

B. When requests to appear by telephone are made, the requesting party must provide the telephone number where he or she will be at the time of the scheduled hearing.

C. The court's own equipment permits it to initiate calls to one or two persons directly from chambers without the use of a conference operator. In those instances the court will contact the parties by dialing 1-800-COLLECT; parties who have made requests to appear by telephone must alert their receptionists or other persons who receive calls that an automated collect call from Judge Carlson or Judge Montali must be accepted when it is received. Normally calls to parties in San Francisco will be made without charge to the parties.

D. The court will make every effort to place the call at the scheduled time of the hearing. Because of calendar matters, however, it is possible that a call will be delayed. Parties will be expected to remain available regardless of the hour, and parties who are located in other time zones should be prepared to adjust their schedules accordingly.

E. Calls will be placed from the courtroom or from chambers. Occasionally the parties will be required to hold for a short time. If a call is refused, or not taken immediately, or fails to go through twice due to lack of answer or busy signals, the telephone appearance of the responsible party will be canceled and the matter will be deemed submitted without appearance by that party.

F. Because the courtroom deputies are usually in court prior to the initiation of any particular call, last minute changes in Judge Montali's courtroom must be communicated directly to his judicial assistant.

5. Telephone Privilege.

The court views these procedures as a privilege for the convenience of the parties. Abuses of these procedures will result in cancellation of these privileges of offending parties.

6. Courtroom Deputies/Judicial Assistant

The names and telephone numbers of the San Francisco Courtroom Deputies and Judge Montali's Judicial Assistant are set forth below:

Judge Carlson

Mr. Gordon Hom, Courtroom Deputy, 415-268-2362

Judge Montali

Ms. Virginia Belli, Courtroom Deputy, 415-268-2323

Ms. Dorothy Timo, Judicial Assistant, 415-268-2320