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## Chapter 11 - Motions

### Motions

#### [Motions \(General\)](#)

The motions below should be filed by selecting the appropriate motion event and using the instructions under [Filing Motions \(General\)](#).

Motion for Abstention	Motion to Dismiss Single <a href="#">Debtor</a> <sup>i</sup>
Motion for Access to Tax Documents	Motion to Extend <a href="#">Automatic Stay</a> <sup>i</sup>
Motion for Adequate Protection	Motion to Extend <a href="#">Plan</a> <sup>i</sup> Payments
Motion for Appointment of Ombudsman	Motion to Extend Time
Motion for Conditional Use of Cash Collateral	Motion to Extend Time to Appeal
Motion for Contempt	Motion to Extend Time to File <a href="#">Credit Counseling</a> <sup>i</sup> Certificate
Motion for Continuation of Utility Service	Motion to Extend/Limit Exclusivity Period
Motion for Damages for <a href="#">Creditor</a> <sup>i</sup> Misconduct	Motion to File Amended <a href="#">Proof of Claim</a> <sup>i</sup>
Motion for Default Judgment	Motion to File <a href="#">Claim</a> <sup>i</sup> After Claims Bar Date
Motion for Entry of Default	Motion to Impose Automatic Stay
Motion for Examination	Motion to Incur Debt
Motion for Exemption from Credit Counseling	Motion to Intervene
Motion for Exemption from Financial Management Course	Motion to Limit Notice
Motion for Exemption from <a href="#">Means Test</a> <sup>i</sup>	Motion to Modify Plan
Motion for Extension of Time Regarding Transcript	Motion to Obtain Credit
Motion for Hardship <a href="#">Discharge</a> <sup>i</sup>	Motion to Pay
Motion for Intra-District Transfer	Motion to Prohibit Cash Collateral

Motion for <a href="#">Joint Administration</a> <sup>i</sup>	Motion to Reconsider
Motion for Jury Trial	Motion to Recuse Judge
Motion for Leave to Appeal	Motion to Redeem
Motion for Limited Admissions	Motion to Reinstate Case
Motion for Moratorium	Motion to Reinstate Retiree Benefits
Motion for More Definite Statement	Motion to Reject Lease or Executory Contract
Motion for Order to Show Cause	Motion to Release Funds
Motion for Preliminary Injunction	Motion to Remove Debtor as Debtor in Possession
Motion for Production of Documents	Motion to Remove Professional
Motion for Protective Order	Motion to Remove <a href="#">Trustee</a> <sup>i</sup>
Motion for Sale of Property	Motion to Reopen <a href="#">Adversary Proceeding</a> <sup>i</sup>
Motion for Sanctions	Motion to Reopen <a href="#">Chapter 11</a> <sup>i</sup> Case
Motion for Summary Judgment/Adjudication	Motion to Reopen <a href="#">Chapter 12</a> <sup>i</sup> Case
Motion for Temporary Restraining Order	Motion to Reopen <a href="#">Chapter 15</a> <sup>i</sup> Case
Motion for Turnover of Property	Motion to Reopen <a href="#">Chapter 7</a> <sup>i</sup> /13 Case
Motion for Withdrawal of Reference	Motion to Restrict Public Access
Motion Miscellaneous Relief	Motion to Sell Property Free and Clear
Motion Objecting to Discharge	Motion to Set Last Day to File Proofs of Claim
Motion Setting Property Value	Motion to Substitute Attorney
Motion to Abandon	Motion to Use Cash Collateral
Motion to Abstain and Remand	Motion to Vacate
Motion to Allow Claims	Motion to Vacate Discharge
Motion to Allow Payment Arrearages	Motion to Waive Appearance at <a href="#">341 Meeting</a> <sup>i</sup>
Motion to Appear Nunc Pro Tunc	Motion to Withdraw as Attorney
Motion to Appoint Examiner	Motion to Reinstate Case
Motion to Appoint Trustee	Motion to Reinstate Retiree Benefits
Motion to Avoid <a href="#">Lien</a> <sup>i</sup> on Household Goods	Motion to Reject Lease or Executory Contract
Motion to Bar Debtor	Motion to Release Funds
Motion to Cancel Meeting of Creditors	Motion to Remove Debtor as Debtor in Possession
Motion to Change Venue/Inter-District Transfer	Motion to Remove Professional

Motion to Confirm Termination or Absence of Stay	Motion to Remove Trustee
Motion to Consolidate	Motion to Reopen Adversary Proceeding
Motion to Consolidate for Trial	Motion to Reopen Chapter 11 Case
Motion to Deconsolidate Case Association	Motion to Reopen Chapter 12 Case
Motion to Delay Discharge	Motion to Reopen Chapter 15 Case
Motion to Deposit Funds into Court Registry	Motion to Reopen Chapter 7/13 Case
Motion to Determine Final Cure and Mortgage Payment	Motion to Restrict Public Access
Motion to Determine Mortgage Fees and Expenses	Motion to Restrict Public Access
Motion to Determine Tax Liability	Motion to Sell Property Free and Clear
Motion to Disallow Claims	Motion to Set Last Day to File Proofs of Claim
Motion to Dismiss Adversary Proceeding	Motion to Substitute Attorney
Motion to Dismiss Case	Motion to Use Cash Collateral
Motion to Dismiss Case for Abuse	Motion to Vacate
Motion to Dismiss Case for Failure to File Documents	Motion to Vacate Discharge
Motion to Dismiss Case for Failure to Make Plan Payments	Motion to Waive Appearance at 341 Meeting
Motion to Dismiss Party	Motion to Withdraw as Attorney

### [Filing Motions \(General\)](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **[the name of the Motion]**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note:** If it is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

**Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.**

Click **Next**.

Associate the pdf file of the **[name of the Motion]**, click **Next**.

Edit the docket text if necessary.

Click **Next**.

Review final docket text.

Click **Next**.

### Motions (with Reference)

The motions are those which reference pleadings which are already on the docket. They should be filed by selecting the appropriate motion event and using the instructions under [Filing Motions \(with Reference\)](#).

Motion to Amend	Motion to Quash
Motion to Approve Document	Motion to Restrict Public Access
Motion to Bifurcate Case	Motion to Seal
Motion to Continue Hearing	Motion to Set Hearing
Motion to Convert	Motion to Shorten Time
Motion to Dismiss/Withdraw Document	Motion to Stay Pending Appeal
Motion to Expedite Hearing	Motion to Turnover Property
Motion to Expunge	

### Filing Motions (with Reference)

Click the **Bankruptcy** or **Adversary** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **[the name of the Motion]**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

**Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.**

Associate the pdf file of the **[Motion]**, click **Next**.

Place a check mark in the box " **Refer to Existing Event**"

Click **Next**.

Select the category to which your event relates.

Click **Next**.

Select the appropriate event (s) to which your event relates:

Place a check mark in the box next to the document, click **Next**.

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

[Amended Application/Motion](#)

Click the **Bankruptcy** or **Adversary** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **Amended Application/Motion**

Click **Next**.

Click **Next**.

**Select** the Party.

Click **Next**.

**Note:** If this is your first time docketing on a case the following message will display:

*"The following attorney/party associations do not exist for this case.*

*Please check which associations should be created for this case."*

Place a check mark in the box to establish the association.

Click **Next**.

**Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.**

Click **Next**.

Click **Next**.

Associate the pdf file of the **Amended Application/Motion**.

Click **Next**.

**Note: The following question displays:**

*"Which are you filing, a Motion or an Application?"*

**Enter** appropriate answer.

Click **Next**.

**Note: The following question displays:**

*"Are you rescheduling the hearing date? **Click** on the radio button for **Yes** or **No**."*

**Note:** The following reminder message displays:

***Please terminate the original motion on the next screen.***

**Pending Documents to be terminated displays:**

Place a check mark in the box of the document to be terminated.

Click **Next**.

### **Relate This Filing To The Original Application/Motion displays**

Click **Next**.

Place a check mark in the box of the related event.

Click **Next**.

**Select** the appropriate event(s) to which your event relates:

Click **Next**.

### **Please enter the original hearing date below.**

Click **Next**.

Edit the docket text if necessary.

**Review final docket text.**

Click **Next**.

### [Motion to Assume/Reject](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **Assume**  **/Reject**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

***Select applicable document description. Do not bypass this screen.***

Assume Lease or Executory Contracts

Reject Lease or Executory Contracts

Click the radio button. Click **Next**.

Click **Next**.

Associate the pdf file of the **Motion to Assume/Reject**, click **Next**.

Edit the docket text if necessary.

Click **Next**.

***Review final docket text.***

Click **Next**.

[Motion to Redact](#)

**Refer to the Interim District Procedure for Motions to Redact prior to docketing the Motion to Redact.**

Click on Bankruptcy or Adversary hyperlink on the CM/ECF Main Menu Bar.

Click on the Motions hyperlink.

Enter the [Adversary Proceeding](#) or Bankruptcy Case Number. Click Next.

Select the Redact event code from the available event menu. Click Next.

Select the appropriate party from the pick list. Click Next. If party is not listed, click Add/Create New Party and follow the prompts to add a new party.

A message will appear "Are you setting a hearing on the court calendar for this motion? If

yes, a notice of hearing must be filed separately." Click Next.  
Click on Browse button to attach PDF document. Click next.  
The following message prompt will appear. Click Next.

**"Each Affected Case is Charged a \$25 Redaction Fee."**

Review final docket text. Click Next.  
Notice of Electronic Filing Screen will appear. The transaction is complete.

[Motion to Avoid Lien](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.  
Enter **Case Number**  
Click **Next**.  
Select **Avoid Lien** , click **Next**.  
Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.  
Click **Next**.

Associate the pdf file of the **Motion to Avoid Lien**, click **Next**.  
Enter the lien holder  
Click **Next**.

Edit the docket text if necessary.

Click **Next**.

Review final docket text.

Click **Next**.

#### [Motion Re: Chapter 11 First Day Motions](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **Chapter 11**  **First Day Motions** click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Associate the pdf file of the **Motion Re: Chapter 11 First Day Motions**, click **Next**.

**Enter** the relief type (one relief type per motion)

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

Review final docket text.

Click **Next**.

#### [Motion to Compel](#)

Click the **Bankruptcy** or **Adversary** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **Compel**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

Click **Next**.

*Is this a motion to compel abandonment of property? **Please enter yes or no.***

Click **Next**.

Associate the pdf file of the **Motion to Compel**, click **Next**.

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

[Motion for Exemption from Credit Counseling](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Exemption from [Credit Counseling](#)**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note: If it is your first time docketing on a case the following message will display:**

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

**Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.**

Click **Next**.

Associate the pdf file of the **Motion for Exemption from Credit Counseling**, click **Next**.

**Exemption Due to :** *Enter a reason for the exemption.*

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

[Motion for Extension of Time Regarding Transcript](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **Extension of Time Regarding Transcript**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

**Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.**

Click **Next**.

Click **Next**.

Associate the pdf file of the **Motion for Extension of Time Regarding Transcript**, click **Next**.

### **Select Original Transcript for Which Extension of Time is Requested**

*Select the appropriate event(s) to which your event relates*

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

Review final docket text.

Click **Next**.

### [Motion for Jury Trial](#)

Click the **Adversary** hyperlink on the CM/ECF Main Menu.

Click **Motions** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Jury Trial**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note:** If it is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

Click **Next**.

Associate the pdf file of the **Motion for Jury Trial**, click **Next**.

Update Jury Demand.

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

### [Motion for Order to Show Cause](#)

Click the **Bankruptcy** or **Adversary** hyperlink on the CM/ECF Main Menu.

Click **Motion/Applications** hyperlink.

Enter **Case Number**

Click **Next**.

Select **Order to Show Cause** click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

**Note:** If this is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

Associate the pdf file of the **Motion for Order to Show Cause**, click **Next**.

Enter what it is regarding.

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

Review final docket text.

Click **Next**.

### [Motion for Reaffirmation Agreement](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Reaffirmation Agreement**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note:** If it is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

Click **Next**.

**Effective December 1, 2009, a Reaffirmation Agreement Cover Sheet (Official Form B 427) is required. Are you submitting the required cover sheet with this reaffirmation agreement? Enter Yes or No**

Click **Next**.

Associate the pdf file of the **Motion for Reaffirmation Agreement**, click **Next**.

Enter the name of the [creditor](#) for this reaffirmation Agreement:

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

*Review final docket text.*

Click **Next**.

### Motion to Reconsider

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Reconsider**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note: If it is your first time docketing on a case the following message will display:**

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

***Select applicable document description. Do not bypass this screen.***

Click **Next**.

Associate the pdf file of the **Reconsider**, click **Next**.

Place a check mark in the box " **Refer to Existing Event**"

Click **Next**.

Select the category to which your event relates, click **Next**.

Select the appropriate event (s) to which your event relates: click **Next**.

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

### [Motion For Relief from Stay](#)

This explains how to docket a two-part motion. The example illustrated is for a Motion for Relief from Stay and Adequate Protection.

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Relief from Stay**

**Note:** If there is also a request for "in the alternative adequate protection" Hold your control key down and select "**Adequate protection**".

Select the party you represent, if not listed, click **Add/Create New Party**.

Click **Next**.

**Note:** If it is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

Click **Next**.

Associate the pdf file of the **Motion for Relief from Stay or in the Alternative Adequate Protection**, click **Next**.

**Enter the RS # if your case is filed in the San Jose or Oakland Divisions.** RS Numbers are assigned by the attorney. It is recommended that you maintain a log in your office of RS numbers assigned.

The naming convention to use when assigning numbers is:

Your three initials of your name (All **UPPER CASE**) and a 3-digit number starting with 001 (i.e. **SDH-001, SDH-002**)

Click **Next**.

**Pay the fee.**

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

#### [Motion to Review Fees](#)

Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Review Fees** click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note: If it is your first time docketing on a case the following message will display:**

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

Click **Next**.

Associate the pdf file of the **Motion to Review Fees**, click **Next**.

**Enter of Whom?**

Click **Next**.

Edit the docket text if necessary.

Click **Next**.

**Review final docket text.**

Click **Next**.

#### [Motion to Waive Fee](#)

Click the **Bankruptcy** or **Adversary** hyperlink on the CM/ECF Main Menu.

Click **Motions/Applications** hyperlink.

Enter **Case Number**, click **Next**.

Scroll down and select **Waive Fee**, click **Next**.

Select the **Party**. If not listed, click **Add/Create New Party**.

Click **Next**.

**Note:** If it is your first time docketing on a case the following message will display:

"The following attorney/party associations do not exist for this case.

Please check which associations should be created for this case."

Place a check mark in the box to establish the association.

Click **Next**.

***Are you setting a hearing on the court calendar for this motion? If yes, a notice of hearing must be filed separately.***

Click **Next**.

Associate the pdf file of the **Motion to Waive Fee**, click **Next**.

Is this regarding an application for in forma pauperis? Yes or No

Click **Next**.

Select the category to which your event relates, click **Next**.

Select the appropriate event (s) to which your event relates: click **Next**.

Edit the docket text if necessary.

Click **Next**.

[Review final docket text.](#)

Click **Next**.

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