

[4001-2. Motions to Extend or Impose the Automatic Stay.](#)

Revised: Monday, March 14, 2016

(a) Motion Required.

Any party in interest seeking to extend the automatic stay pursuant to 11 U.S.C. § 362(c)(3)(B) or to impose Bankruptcy Rule 9013, thus initiating a contested matter under Bankruptcy Rule 9014.

(b) Contents.

The moving party must state whether continuation or imposition of the automatic stay is sought with respect to the moving party must also set forth facts in support of the motion, established by declarations as appropriate, and describing the circumstances that led to the dismissal of all prior case(s) concerning the debtor that were stayed.

(c) Service.

Service must be on all creditors to be stayed, the United States Trustee, any trustee appointed in the case, and any party with Bankruptcy Rule 7004, except as to parties who have appeared in the case (in which event Bankruptcy Rule 7004 applies).

(d) Manner of Disposing of Motion.

(1) A notice of the motion must be filed with the court and served on the moving party at least 14 days before the hearing date, unless the court orders otherwise.

(2) A hearing on the motion must be held at the time and place set forth in the notice of the motion.

(3) A hearing on the motion must be held at the time and place set forth in the notice of the motion.

(4) A hearing on the motion must be held at the time and place set forth in the notice of the motion.

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(12) A hearing on the motion must be held at the time and place set forth in the notice of the motion.

(13) A hearing on the motion must be held at the time and place set forth in the notice of the motion.

(14) A hearing on the motion must be held at the time and place set forth in the notice of the motion.

(e) Opposition and Hearing.

When a moving party proceeds under (d)(1) hereof, any opposition may be presented in writing, prior to the hearing on the motion. Hereof, any responsive pleadings, points and authorities, and declarations for any hearing must be filed with the court. The hearing on the motion must be completed no later than 30 days after the petition date. See, 11 U.S.C. § 362(c)(3)(B).

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