

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re )  
) Case No. \_\_\_\_\_  
)  
) NOTICE OF MOTION FOR RELIEF  
) FROM AUTOMATIC STAY IN A  
Debtor(s) ) **CHAPTER 7/13 CASE**

I. YOU ARE NOTIFIED a motion was filed on behalf of the moving party, \_\_\_\_\_, for the relief from the automatic stay protecting the debtor(s) and debtor's property, as provided by 11 USC §362. A COPY of the motion is ATTACHED.

The name and address of the moving party's attorney (or moving party, if no attorney) are: \_\_\_\_\_

II. IF you WISH TO RESIST the motion, YOU MUST, WITHIN 14 DAYS OF THE SERVICE DATE SHOWN BELOW, FILE WITH the Bankruptcy Court Clerk BOTH of the following [NOTE: If you mail the Response to the court for filing, you MUST MAIL it at least 3 days before the filing deadline, unless you use an overnight delivery service, so that it will actually be RECEIVED at the court on time]:

A. A written response which states the facts upon which relief from the automatic stay is resisted;

AND B. A FULLY COMPLETED NOTICE OF HEARING using Local Form #721 (see reverse/attached), INCLUDING the DATE and TIME of the hearing which must be CALCULATED as follows:

1. Determine whether the case is a **PORTLAND** office case (i.e., the 5-digit portion of the Case No. begins with a "3" or "4"), OR if it is a **EUGENE** office case (i.e., the 5-digit portion of the Case No. begins with a "6" or "7").

2. Hearings for both offices will be "Meet Me" style telephone hearings which must be set on the FIRST available Motion for Relief hearing date AND time for the correct office (see pt. 3 below) which is AT LEAST SIX (6) calendar days after the Response is filed (i.e., RECEIVED) at the court. For example, if your Response will be filed on Wednesday the 9<sup>th</sup>, and the next available hearing dates are the 15<sup>th</sup> & 22<sup>nd</sup>, your hearing will be on the 15<sup>th</sup>.

3. HEARING DATES and TIMES for the CORRECT OFFICE must only be obtained via either the "Calendars/Scheduling" button on the Internet at [www.orb.uscourts.gov](http://www.orb.uscourts.gov). OR a recorded phone message (i.e., if a **PORTLAND** case call (503) 326-2231, **EXT.** 130, OR if a **EUGENE** case call (541) 465-6448, **EXT.** 130).

III. FAILURE to Respond OR serve proper Notice of Hearing. If you fail to file EITHER a timely response OR proper Notice of Hearing, then either:

A. The automatic stay will expire pursuant to 11 USC §362(e) 30 days after the motion was originally filed;

OR B. The court may sign an ex parte order, submitted by the moving party, granting relief from the stay.

CLERK, U.S. BANKRUPTCY COURT

[NOTE: If the 5-digit portion of the Case No. begins with "3" or "4", mail to 1001 SW 5th Ave. #700, Portland OR 97204; OR if it begins with "6" or "7", mail to PO Box 1335, Eugene OR 97440.]

I certify that on \_\_\_\_\_ copies of BOTH this Notice AND the Motion were served on the Debtor(s), Trustee, U.S. Trustee, members of any committee elected pursuant to 11 U.S.C. §705, and their respective attorneys.

\_\_\_\_\_  
Signature of Moving Party or Attorney

\_\_\_\_\_  
(OSB#)

**\*\*SEE REVERSE/ATTACHED FOR FORM #721\*\***