

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re)
) Case No. _____
)
) NOTICE OF MOTION FOR RELIEF
 Debtor(s)) FROM **CODEBTOR STAY ONLY**
) IN A **CHAPTER 13** CASE

I. YOU ARE NOTIFIED a motion was filed on behalf of the moving party, _____, for the relief from the stay protecting the **CODEBTOR**, whose name and service address are _____, and **CODEBTOR'S** property as provided by 11 USC §1301. 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 codebtor stay is resisted;

AND B. A FULLY COMPLETED NOTICE OF HEARING using Local Form #1320.5 (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 9th, and the next available hearing dates are the 15th & 22nd, your hearing will be on the 15th.

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, 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 the debtor or the codebtor fail to file BOTH a timely response AND proper Notice of Hearing, then the stay protecting the CODEBTOR will automatically expire by operation of law 20 days after the service date of this Notice.

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 the above Notice, AND the Motion, were served on the codebtor(s) at the address listed above, debtor(s), Trustee, U.S. Trustee, members of any committee elected pursuant to 11 USC §705, and their respective attorneys.

Signature of Moving Party or Attorney (OSB#)

****SEE REVERSE/ATTACHED FOR FORM #1320.5****