

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUL 20 1984

IN THE MATTER OF
REFERRAL OF BANKRUPTCY CASES

JAMES R. MANSPEAKER
CLERK

GENERAL PROCEDURE ORDER NO. 1984-3

This order is adopted pursuant to the authority contained in 28 U.S.C. § 157 in order to provide for procedures in bankruptcy in this district. Accordingly, it is

ORDERED:

1. General Procedure Orders 1983-1 and 1984-2 are hereby vacated, and all cases in bankruptcy shall be governed by the provisions of this order as of the date of its entry.

2. All cases under title 11, United States Code, and all proceedings arising under title 11 or arising in or related to cases under title 11 shall be automatically referred to the bankruptcy judges of this district pursuant to 28 U.S.C. § 157 without further order. All papers in those cases shall be filed directly in the bankruptcy court, and the bankruptcy judges of this district shall exercise the jurisdiction of this court in bankruptcy matters as provided in 28 U.S.C. § 157(b).

3. Any claim arising in or related to a case under Title 11 involving claims of personal injury and wrongful death shall be tried in the district court of the district in which the bankruptcy case is pending, or in the district court of the district

in which the claim arose, as may be determined by the district judge assigned to bankruptcy administration. Parties seeking a change of venue based upon this paragraph shall present a proper motion to the district judge assigned to bankruptcy administration.

4. When a bankruptcy judge hears a proceeding that is not a "core proceeding" as defined by 28 U.S.C. § 157(b)(2), the bankruptcy judge shall submit to the district judge assigned to bankruptcy administration the proposed findings of fact and conclusions of law required by 28 U.S.C. § 157(c)(1). Copies of those recommendations shall be mailed by the bankruptcy judge to all parties, who shall have 10 days after the date of mailing of the recommendations (or such further time not to exceed 30 days as the bankruptcy judge may order) to file written objections. Objections lacking specificity as to factual findings or legal conclusions the objecting party claims to have been erroneously made and objections not timely filed may be summarily overruled. If no objection is filed, or if the parties consent in writing, the recommendations of the bankruptcy judge may be accepted by the district judge, and appropriate orders may be entered without further notice. Procedure for determining objections shall be as set forth in 28 U.S.C. § 157(c)(1).

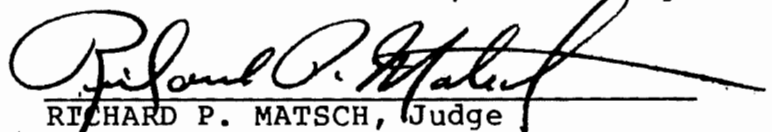
5. The chief judge shall assign one or more district judges to preside over bankruptcy administration, and all matters arising under this order or under the Bankruptcy Code which

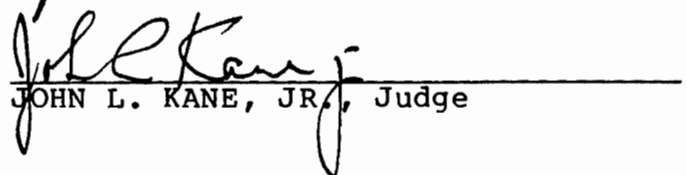
pertain to bankruptcy administration shall be referred by the clerk directly to the judge or judges so assigned. If the judge to whom a matter is referred determines the matter presents an issue which must be tried in this court, the judge may order the assignment of the matter by the clerk in accordance with Local Rule 200.

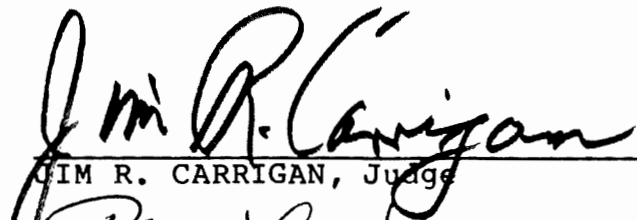
6. The clerk of the bankruptcy court shall take in all files in bankruptcy cases and related proceedings. Bankruptcy papers shall be filed with the bankruptcy court and, thus, shall be deemed filed in the district court. Any bankruptcy papers filed with the clerk of the district court shall be transferred to the bankruptcy court. The clerk of the bankruptcy court is authorized to receive on behalf of the clerk of this court all fees required pursuant to § 1930(a) and (b) of title 28, United States Code. Those fees shall be collected, receipted, recorded, deposited, and reported by the clerk of the bankruptcy court as required by law or by instructions of the Administrative Office of the United States Courts.

DATED at Denver, Colorado, this 20 day of July, 1984.

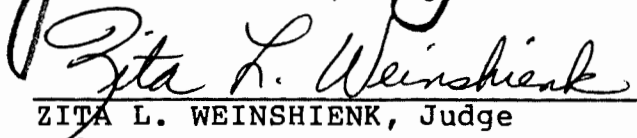

SHERMAN G. FINESILVER, Chief Judge


RICHARD P. MATSCH, Judge


JOHN L. KANE, JR., Judge



JIM R. CARRIGAN, Judge



ZITA L. WEINSHIENK, Judge



JOHN P. MOORE, Judge

(Continuation of signatures on General Procedure Order 1984-3.)