

UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In re

Case No. \_\_\_\_\_

Chapter \_\_\_\_\_

Debtor(s)

NOTICE OF MOTION TO MODIFY AUTOMATIC STAY  
NOTICE OF PRELIMINARY HEARING

NOTICE IS HEREBY GIVEN of the \_\_\_\_\_  
(short description of motion and property).

NOTICE IS FURTHER GIVEN that a preliminary hearing on the motion to modify automatic stay will be held at \_\_\_\_ on \_\_\_\_ at \_\_\_\_\_ (location of hearing). Counsel for the movant(s) and any party with an objection or response to the motion must appear at the preliminary hearing prepared to make their representations and legal argument to the Court. Parties will not be required to produce factual or expert evidence and testimony unless, upon motion of a party, the Court orders otherwise.

NOTICE IS FURTHER GIVEN that failure of counsel for the Debtor(s) or debtor (if pro se) to appear at the preliminary hearing may result in the Court granting the relief requested without further hearing.

NOTICE IS FURTHER GIVEN that telephone notification, followed up with a written pleading, must be given to the Clerk's Office (304-347-3003) of settlements or requests to continue this matter at least three (3) business days prior to the above hearing date, otherwise counsel should make an appearance at the scheduled hearing.

Dated:

M. Jo Proops, Clerk  
U. S. Bankruptcy Court

By: \_\_\_\_\_  
Deputy Clerk