

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In re

GENERAL ORDER 08-11

GENERAL ORDER VACATING
GENERAL ORDERS NUMBERS 05-02, 06-06 ADOPTING INTERIM RULES;
RETAINING INTERIM RULE 5012 PENDING REPLACEMENT BY NATIONAL RULE

The following new rules and amendments to the Federal Rules of Bankruptcy Procedure will take effect on December 1, 2008, unless Congress acts to the contrary:

Bankruptcy Rules 1005, 1006, 1007, 1009, 1010, 1011, 1015, 1017, 1019, 1020, 2002, 2003, 2007.1, 2015, 3002, 3003, 3016, 3017.1, 3019, 4002, 4003, 4004, 4006, 4007, 4008, 5001, 5003, 6004, 7012, 7022, 7023.1, 8001, 8003, 9006, 9009, and 9024, and new Bankruptcy Rules 1021, 2007.2, 2015.1, 2015.2, 2015.3, 5008, and 6011.

The above rules and amendments and new rules implement the substantive and procedural changes to the Bankruptcy Code made by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (Pub. L. No. 109-08, 199 Stat.23).

Except for Interim Bankruptcy Rule 5012 (Communication of and Cooperation with Foreign Courts and Foreign Representatives), which is under study, the amendments and new rules supercede the Interim Rules adopted by this Court as Local Bankruptcy Rules through General Orders Nos. 05-02 and 06-06. Accordingly,

IT IS HEREBY ORDERED THAT:

1. General Orders Numbers 05-02 and 06-06 are vacated.
2. The attached Interim Bankruptcy Rule 5012 (Communication of and Cooperation with Foreign Courts and Foreign Representatives) is hereby retained and shall remain in effect until further order of the Court or until replacement by permanent national rule.
3. This General Order shall take effect on December 1, 2008.

ENTERED: **NOV 12 2008**



RONALD G. PEARSON, JUDGE

Rule 5012. Communication and Cooperation with Foreign Courts and Foreign Representatives.

Except for communications for scheduling and administrative purposes, the court in any case commenced by a foreign representative shall give at least 20 days' notice of its intent to communicate with a foreign court or a foreign representative. The notice shall identify the subject of the anticipated communication and shall be given in the manner provided by Rule 2002(q). Any entity that wishes to participate in the communication shall notify the court of its intention not later than 5 days before the scheduled communication.