

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

STANDING ORDER WITH RESPECT  
TO THE 1993 AMENDMENTS TO  
THE FEDERAL RULES OF CIVIL  
PROCEDURE

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Entered April 28, 1994

ORDER NO. 94-8

STANDING ORDER

On December 1, 1993, several amendments to the Federal Rules of Civil Procedure ("Federal Rules") took effect. The amendments to the Federal Rules, insofar as they are made applicable to Bankruptcy matters by the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rules") , shall generally apply to all proceedings before this Court. However, the Court having considered the impact which amended Federal Rule 26 has on Bankruptcy Rules 7026, 7030 and 9014, and in accordance with Federal Rule 26 (a) (1) , (a) (2) (B) , (d) & (f) , as incorporated by Bankruptcy Rule 7026, and Bankruptcy Rule 9014, it is hereby

ORDERED that the disclosure requirements set forth in Federal Rule 26(a)(1) & (a)(2)(B) shall **NOT** apply to **Contested Matters** <sup>1/</sup> unless so ordered sua sponte or upon timely motion; it is further

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<sup>1/</sup>"Contested Matters" as used herein shall refer to those proceedings as described in Bankruptcy Rule 9014.

ORDERED that the timing and sequence requirements for discovery set forth in the first sentence of Federal Rule 26(d) shall **NOT** apply to **Contested Matters** unless so ordered sua sponte or upon timely motion. The second sentence of Federal Rule 26(d) shall remain in full force; it is further

ORDERED that the discovery meeting requirements set forth in Federal Rule 26(f) shall **NOT** apply to **Contested Matters** unless so ordered sua sponte or upon timely motion; it is further

ORDERED that in **Adversary Proceedings 2/** the discovery plan report required by Federal Rule 26(f) shall be filed with the Court by no later than the initial Scheduling Conference set in accordance with the Comprehensive Scheduling, Pretrial and Trial order issued upon institution of an adversary proceeding; it is further

ORDERED that Federal Rule 30(a)(2)(C) shall **NOT** apply to **Contested Matters** unless Federal Rule 26(d) is made applicable to such contested matter by order of the presiding judge; it is further

ORDERED that this Standing order is effective May 1, 1994; it is further

ORDERED that the presiding judge in a particular adversary proceeding or contested matter may modify this Standing Order by separate order issued on motion or sua sponte; and it is further

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2/ "Adversary Proceedings" as used herein shall refer to those proceedings as described in Bankruptcy Rule 7001.

ORDERED that the Clerk's Office shall post a copy of this Order in a conspicuous spot in that office in each Division.

SIGNED with the unanimous consent of the Bankruptcy Judges, at Houston, Texas on this 28th day of April, 1994.

\Signed\  
CHIEF JUDGE MANUEL D. LEAL  
UNITED STATES BANKRUPTCY JUDGE