

## **Rule 6008-1: Redemption**

### **(a) Procedure.**

**(1) Motion.** A motion shall be filed for the redemption of property.

**(2) Service.** A motion for order authorizing redemption of property shall be served upon:

(A) Any creditor claiming a lien or interest upon the property to be redeemed;

(B) The case trustee; and

(C) Any other person or entity required by law or the court.

**(3) Entry of Order.** If an objection is not timely filed and served, the proposed form of order shall be lodged and served by movant with a certificate of service and of no objection. The certificate shall not be made until the expiration of 3 days after the last day for objection.

### **(b) Objection.**

(1) An objection shall be served and filed within 14 days of service of the notice of motion for order authorizing redemption of property.

(2) An objection shall be supported by specific facts and law. Legible copies of all appraisals or summaries thereof currently in the objector's possession or control upon which the objector intends to rely shall be attached.

(3) If a timely objection is filed and served, movant shall obtain a hearing date from the court and file a notice of hearing and serve the notice on the objecting party and file a certificate of service with the Court prior to the hearing.

*Related Code Section and Rules: 11 U.S.C. § 722 and Rules 1007 and 6008.*

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Committee Notes ~~2009: Time deadlines have been amended to be consistent with amendments to the Federal Rules of Bankruptcy Procedure, effective December 1, 2009.~~

~~2014: The notice component was not present in our local rule. The Advisory Committee notes 2007: No substantive changes were made to this rule. One change to subsection (b)(3) was made to reflect current practice in the bankruptcy court, which is that upon an objection discussed the importance of giving notice to a motion under this rule, the moving party is responsible to request secured creditor. Added a notice section providing~~

14 days to object and ~~notice a hearing and serve same on the objecting party and file a certificate of service.~~cleaned up some run-ons.