

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA**

**NOTICE OF PROPOSED LOCAL RULE CHANGE
AND OPPORTUNITY TO COMMENT**

Pursuant to Local Bankruptcy Rule 1001-1, the United States Bankruptcy Court for the District of Columbia is publishing for comment a proposed to new Local Rule 2072-1 and a change to Local Rule 6004-2.

The proposed rule changes, which are set forth below, will be adopted and become effective unless modified or withdrawn by the Court after reviewing comments from organized bar associations, members of the bar and public. Such comments must be made in writing within 45 days of the publication of this Notice and should be addressed to:

[Gunn Chambers@dcb.uscourts.gov](mailto:Gunn_Chambers@dcb.uscourts.gov).

Angela D. Caesar, Clerk

[New language is underlined]

RULE 2072-1 ACCESS TO INFORMATION IN CHAPTER 11 CASES

Unless otherwise ordered by the Court, a committee appointed under 11 U.S.C. § 1102 or a trustee appointed in a Subchapter V case is not required to provide access to information to the extent that such information has been reasonably designated by the party providing such information as non-public, proprietary, privileged, work product, or otherwise confidential.

RULE 6004-2 SALE OF ESTATE PROPERTY BY CHAPTER 13 DEBTOR AFTER CONFIRMATION

- (a) Sale of property free and clear of liens and interests of persons other than the debtor. A debtor seeking to sell property of the estate free and clear of liens and interests of parties other than the debtor outside of the ordinary course of business of the debtor following confirmation of a chapter 13 plan shall be brought by motion. The motion shall clearly state the liens and interests on the property. The debtor shall provide the chapter 13 trustee, all creditors, and parties in interest at least twenty-one (21) days' notice of the motion seeking such approval, unless the notice period has been shortened by the Court for cause shown. If no objection is timely filed, the Court may enter an order endorsed by the chapter 13 trustee approving the sale or refinancing without holding a hearing.
- (b) Sale of property free and clear of liens and interests of only the debtor. A debtor seeking to sell property of the estate free and clear of liens and interests of only the debtor outside of the ordinary course of business of the debtor following confirmation of a chapter 13 plan may file a notice of private sale in lieu of a motion filed under section (a). The notice shall clearly state the liens and interests on the property. The debtor shall provide the chapter 13 trustee, all creditors, and parties in interest at least twenty-one (21) days' notice, unless the notice period has been shortened by the Court for cause shown. If no timely written objection is filed, the sale shall be deemed authorized upon expiration of the notice period.
- (c) In addition to setting forth the information required by Bankruptcy Rule 2002(c)(1), the motion or notice filed pursuant to subsections (a) and (b) of this Rule shall state:
- (1) the total proposed sale price or maximum amount to be secured by the refinancing, as applicable, and, in the case of refinancing, the amount of existing secured debt to be paid thereby;
 - (2) the amount of the sale or loan proceeds to be applied to the debtor's obligations under the confirmed plan;
 - (3) whether such payment will result in full payment of all allowed claims; and
 - (4) if all allowed claims will not be paid in full, the amount of the sale or loan proceeds that will be paid to the debtor.