

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re** :  
**ABROGATION OF INTERIM BANKRUPTCY RULES** :  
**AS LOCAL RULES IN THIS DISTRICT** :

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**O R D E R**

Whereas, on **April 20, 2005** the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("the Act") was enacted into law; and

Whereas, most provisions of the Act were effective on **October 17, 2005**; and

Whereas, the Advisory Committee on Bankruptcy Rules prepared Interim Rules designed to implement the substantive and procedural changes mandated by the Act ("the Interim Rules") and the Interim Rules were approved by the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States; and

Whereas, by Order dated **October 31, 2005**, this Court adopted the procedures memorialized in the Interim Rules in their entirety as local rules of the Bankruptcy Court of this district effective **October 17, 2005**;

Whereas, effective **December 1, 2008**, new and amended Federal Rules of Bankruptcy Procedure have been adopted pursuant to the Rules Enabling Act, 28 U.S.C. §§2071 et seq. ("the New National Rules"),

Whereas, with one exception, the New National Rules encompass the same subject matter as the Interim Rules, rendering the Interim Rules duplicative,

Whereas, Federal Rule of Bankruptcy Procedure 9029(a)(1) provides, inter alia, that local rules of bankruptcy procedure "must be consistent with – but shall not duplicate – federal statutes and rules adopted under [the Rules Enabling Act]."

Whereas, the Board of Bankruptcy Judges has recommended that, with one exception, the Interim Rules be rescinded as local rules of court,

**NOW THEREFORE**, pursuant to 28 U.S.C. §2071, Federal Rule of Civil Procedure 83 and Federal Rule of Bankruptcy 9029(a), it is hereby **ORDERED** that:

1. Effective **December 1, 2008**, and except as provided below, this court's Order dated October 31, 2005, adopting the Interim Rules as local rules of the Bankruptcy Court of this district is **VACATED**.
2. Notwithstanding ¶1 above, Interim Rule 5012 shall remain in effect as a local rule of the Bankruptcy Court of this district pending further Order of this Court.

**FOR THE COURT:**

DATED: November 25, 2008

  
**HARVEY BARTLE III**  
**CHIEF JUDGE**