

motion to amend the plan. The chapter 13 trustee shall attach a copy of the amended plan to the proposed order of confirmation. The chapter 13 trustee shall serve a copy of the proposed order confirming an amended plan on the debtor, debtor's attorney, and all parties and attorneys who have filed appearances and requests for service of pleadings in the case.

13-13. PROOFS OF CLAIM AND OBJECTIONS

- (a) All creditors must timely file a proof of claim that conforms with Official Form 10 to participate in distributions under the plan. If the claim relates to a mortgage or security agreement, the creditor shall attach a copy of the original note and mortgage or security agreement to the proof of claim. If the claimant is not the original holder of the note and mortgage or security agreement, in addition to attaching copies of the original note, mortgage or security agreement to the proof of claim, the creditor shall attach copies of any and all assignments or other appropriate documentation sufficient to trace the chain of ownership of the mortgage or security agreement and to establish its standing to assert the claim.
- (b) A creditor whose proof of claim relates to a mortgage or security agreement shall set forth a detailed itemization of all amounts asserted to be due. The itemization shall set forth the principal, interest, costs, and all expenses charged under the agreement or statute under which the claim arose, including but not limited to expenses of any notices, foreclosure sales, advertisements and/or appraisals. The itemization also shall include a statement of attorneys' fees charged as an accounting of the amount of the prepetition arrearage. The Court, in its discretion, may order a claimant or a claimant's attorney to file an application for compensation and reimbursement of expenses in accordance with MLBR 2016-1 or an accounting of the amount of any prepetition arrearage.
- (c) The provisions of MLBR 3007-1 shall apply to chapter 13 cases.
- (d) Within seven (7) days after filing a response to an objection to a proof of claim, the objecting party (whether the trustee, counsel to the debtor, or a pro se debtor) shall confer with counsel to the claimant, either in person or by telephone conference to make a good faith effort to resolve or narrow disputes as to the contents of the objection to claim. Counsel to the objecting party, the Chapter 13 trustee or the pro se debtor shall be responsible for initiating the conference by telephone, facsimile, email,

first class mail, or in person. Such communications shall be for the purposes of initiating the conference only, and the conference must be held either in person or by telephone. The court shall not schedule a hearing on an objection to claim unless counsel to the objecting party or a pro se debtor files a certificate stating that the conference was held, together with the date and time of the conference, and the names of the participating parties. If the conference is not held despite timely efforts to initiate the conference, the party initiating the conference must file a statement attesting to the efforts made to initiate the conference. In the event the parties do not hold the required conference, the court may order appropriate sanctions, including sustaining or overruling the objection to claim or awarding monetary sanctions. The requirement of a conference shall not apply in the event the court determines that expedited or emergency consideration of the objection to claim is warranted.

- (e) Objections to claims shall be served and filed with the Court within thirty (30) days after the deadline for filing proofs of claim or within such additional time as the Court may allow upon the filing of a motion to extend time and for good cause shown. Any claim to which a timely objection is not filed shall be deemed allowed and paid by the chapter 13 trustee in accordance with the provisions of the confirmed plan. The Court, in its discretion, may overrule an untimely objection to a proof of claim.
- (f) If the Court has determined the allowed amount of a secured or unsecured claim in the context of a valuation hearing pursuant to 11 U.S.C. ' 506, the debtor or trustee need not file an objection to a secured creditor's proof of claim that varies from the Court's determination, and the chapter 13 trustee shall make distribution in accordance with the Court's order.

13-14. SALE OF ESTATE PROPERTY

- (a) Any sale of the property of the estate outside the ordinary course of business, including but not limited to, the debtor's principal residence, real property, or other property must be approved by the Court after notice and a hearing. A motion for such approval shall be made in accordance with 11 U.S.C. § 363, Fed. R. Bankr. P. 4001 or 6004, and MLBR 6004-1, as applicable, and the notice of sale shall conform to MLBR Official Local Form 2A. The motion to sell shall include a proposed distribution of the proceeds of the sale. All motions to sell shall be served on the chapter 13 trustee, all creditors, all parties who have filed appearances and any other entity as the Court may direct.