

N.D.W.V. LBR 1015-1

Joint Administration / Consolidation

A party desiring to have two (2) or more bankruptcy cases consolidated procedurally, substantively, or for some other purpose must file a written motion requesting consolidation. Subsections (a) and / or (b) become applicable after consolidation is granted by the Court.

(a) Procedural consolidation

Cases that are procedurally consolidated are consolidated for noticing purposes only (they will share a joint mailing matrix). The party seeking procedural consolidation shall file a consolidated mailing matrix for each case included in the consolidation within ten (10) days from the date of the order granting the consolidation.

A pleading, order, or notice which concerns a matter in only one of the procedurally consolidated cases shall be docketed and filed in that case only, but shall reflect the consolidation by stating, in parentheses below the style of the case, “(Procedurally consolidated with Case No. _____)”.

A pleading, order, or notice which concerns a matter in all of the procedurally consolidated cases shall contain the style of the cases and shall reflect the consolidation by stating, in parentheses below the style of the cases, “(Procedurally consolidated)”.

(b) Substantive consolidation

Cases are substantively consolidated when all of the requirements of procedural consolidation are met and when the assets and liabilities of the debtors are consolidated. When a case is substantively consolidated, the movant shall file within ten (10) days from the date of the order granting consolidation a mailing matrix for the combined cases. All further pleadings,

orders, and notices shall contain the style of the consolidated cases and the style shall reflect the consolidation by stating, in parentheses below the style of the cases, “(Substantively consolidated)”.

(c) Modification of Procedure

The Court may, by administrative order, *sua sponte* or upon a motion of a party, modify the rules and procedures applicable to procedural or substantive consolidation.

Cross Reference

Bankruptcy Rule 1015
Bankruptcy Rule 2009
Bankruptcy Rule 7042