

N.D.W.V. LBR 2004-1

Depositions & Examinations.

(a) Rule 2004 of the Bankruptcy Rules governs discovery within the bankruptcy case.

Upon proper motion, the Court may order that a person appear and be examined or respond to written interrogatories and requests for production.

(b) The proponent of a motion for examination shall attempt to arrange a mutually agreeable time, place and date for the examination and the motion shall reflect the agreement of the parties. If there is such agreement, an order shall be tendered with the motion which likewise reveals the agreed time, place and date of the examination. (See Forms, Appendix C)

(c) In the event that the parties cannot agree on the terms of the examination, a notice of hearing shall accompany the motion and the Court will decide the dispute upon evidence or argument. (See Appendix C-1a, re: contested motion.)

Cross Reference

Rule 45 Fed. R. Civ. Pro.

Bankruptcy Rule 2004

Bankruptcy Rule 9014 (Contested Matters)

Bankruptcy Rule 7001 (Adversary Proceedings)

N.D.W.V. LBR 9013-1 (Notice)

N.D.W.V. LBR 7026-1 (Adversary Proceedings)

Appendix C