

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE

IN RE:

Debtor(s).

Bankr. Case No.
Chapter
Judge

NOTICE AND MOTION FOR ORDER SETTING HEARING
ON SHORTENED NOTICE AND REQUEST FOR [INSERT SUBSTANTIVE RELIEF
SOUGHT AS PART OF THE MOTION]

[*Party name*] (“Movant”), hereby moves the court to shorten the time for notice and schedule a hearing on [*insert either the substantive relief requested in the form or, if the motion is filed separately from the motion to shorten notice and hearing time, indicate the title of the motion and the CM/ECF docket entry for the related document*]. As the basis for reducing the notice and time normally set for scheduling such a hearing, the Movant asserts as follows:

Request for Order Setting Hearing on Shortened Notice. The Movant requests the court schedule a hearing within ____ (hours/days/weeks) from the filing of this Notice and Motion, and suggests a hearing date of _____, 202_ and time of ____ a.m./p.m. (CST).

1. Grounds for Shortening Notice and Setting Hearing. The Movant provides the following reasons for shortening notice and requesting a hearing be set within the time frame suggested in the preceding paragraph.
 - a. Facts Supporting the Urgency of Shortening the Hearing Time and Notice. [*Assert the facts which support the shortened time and explain the urgency for granting a hearing on shortened notice, including what deadline or event precludes the giving of routine notice or requires accelerated processing of the request in the motion*].

b. Argument in Support of Shortening Notice and Reduction of Time for Court to Act.

[Provide the substantive, legal basis for reducing the time the court may act on the relief sought.]

c. Declarations. The following is a list of declarants whose statements evidence the need for the court to provide the relief requested on shortened hearing and notice:

[Declarant 1, title or position, company/business name, business address]

[Declarant 2, title or position, company/business name, business address]

Movant's Declarations are attached as exhibits to this motion. *[Attach to the motion all necessary declarations of one or more competent witnesses under penalty of perjury that justify the setting of a hearing on shortened notice and establishes a prima facie basis for the granting of the motion].*

d. Movant asserts that such relief is an emergency and suggests the court schedule the hearing no later than [insert #] days from the filing of this motion.

2. The Nature of Relief Requested and Grounds for Granting Such Relief (Combining Motion for Shortened Hearing Notice and Substantive Request for Relief).

a. Movant asserts the following facts that warrant the relief sought:

[Describe the nature of the relief requested and rational for such relief].

b. The Movant argues that such relief may be granted pursuant to *[insert applicable argument(s) and law which allows for the granting of such relief]*.

3. Proof of Service and Acknowledgement. As indicated in the attached certificate of service, Movant has provided notice of the motion and all attachments to the parties listed on the service list by identifying the parties served, the means of service, and the date of service.

[Parties served should be listed separately. The movant may use Suggested Local Form, TNMB Certificate of Service, as an attachment to the motion.] 4. Objection to Timing of Hearing. Notwithstanding any objection period set forth in the Order Setting Hearing on Shortened Notice, any party-in-interest may object to the adequacy of the notice provided. Based on the foregoing, the Movant requests the court grant the relief sought in the motion; and for such other relief as the court deems proper and necessary.

Respectfully submitted,

Dated: _____

/s/ Electronic Signature

Movant Name (Bar Number)
Attorney for Movant
Address
Telephone Number
ECF Email Address

[Attach Declarations and Form Certificate of Service to Motion]

Instructions for Filling Out Notice and Motion for Order Setting Hearing On Shortened Notice and Request for Relief

In the **first paragraph**, insert the name of the party (or parties) requesting the relief.

Types of motions filed in this district. There are two general types of motions filed in this district. The first type is those filed under LBR 9013-1 on 21 days “if objection” notice. The second type is those motions filed pursuant to FRBP 9014 and which the court sets for hearing in 30 days or less depending on the type of relief requested. Please refer to the local bankruptcy rules as there are other motions which follow a different procedure and timing that are neither LBR 9013-1 or FRBP 9014 motion types.

In the **“Request for Order Setting Hearing on Shortened Notice” paragraph**, state the timeframe of the scheduling request. After typing in the numerical value of the request, either type in the hours, days, or weeks after the numerical value; or circle the hours, days, or weeks of the numerical request. For example, “72 hours,” “5 business days,” “one week,” etc. In addition, provide the date and time of the suggested hearing. For example, if the case was filed on Monday and payroll needs to be paid by Friday, you may suggest a hearing of Wednesday or Thursday at 1:00 p.m. (CST) of the same week → (Friday, January 24, 2025, at 1:00 p.m. CST).

Numbered paragraph 1 is self-explanatory. If you are seeking emergency relief, make sure to explain in the paragraph why a certain timeframe to schedule a hearing has been suggested. For example, “The hearing should be held no later than 14 days from the filing of this motion because”

Use the layout of listing the declarants as indicated on the form. Make sure the attached declarations of the witnesses are signed under penalty of perjury and double-check that they are attached or made attachments to the motion using the “Browse” and attach document feature in CM/ECF.

Numbered paragraph 2. Because the motion combines the shortened timeframe for scheduling the hearing and the substantive relief sought, proceed to fill out the paragraph.

Numbered paragraph 3. The certificate of service must list/identify each party served along with the means of service (which includes hand-delivery at a specific address, a mailing address, email address, phone number, or describe what other means of electronic service was made), Movant has provided notice of the motion and all attachments to the parties listed on the service, and the date of service. Parties serving the motion may also use Suggested Local Form, TNMB Certificate of Service, as an attachment to the motion.

Numbered paragraph 4. Do not omit this paragraph.

Signature paragraph. Do not omit any information. This should be current information. It is a way for parties and the clerk or court to reach you.