

## **AO 8002-1 Notice of Appeal**

*(a) Filing of Appeals.* Unless an election to the United States District Court is filed with the court, an appeal from a final order or judgment or decree of the court shall be taken to the United States Bankruptcy Appellate Panel for the First Circuit as provided by 28 U.S.C. § 158(a) and Part VIII of the Bankruptcy Rules and shall be made by filing a notice of appeal with the clerk of the bankruptcy court, substantially in the form of Official Form 17A, within the time allowed by Bankruptcy Rule 8002. Direct appeals to the First Circuit as provided by 28 U.S.C. § 158(d)(2) are governed by Bankruptcy Rule 8006 and other provisions in Part VIII of the Bankruptcy Rules.

*(b) Extending Time to Appeal.* As provided in Bankruptcy Rule 8002(d) and in accordance with LR 77.4(d)(1), the bankruptcy court shall hear motions to extend the time for filing a notice of appeal.

*Cross-Reference:*

· LR 77.4 (Bankruptcy)

## **AO 8004-1 Motion for Leave to Appeal**

The United States District Court for the District of New Hampshire and the United States Bankruptcy Appellate Panel for the First Circuit have jurisdiction over appeals from interlocutory orders and decrees of the court, but only by leave of the district court or bankruptcy appellate panel under 28 U.S.C. § 1334(b). Leave to appeal under 28 U.S.C. § 1334(b) shall be sought by filing a motion pursuant to Bankruptcy Rule 8004.

## **AO 8005-1 Statement of Election**

Unless an election to have the appeal heard by the United States District Court for the District of New Hampshire is filed within the time prescribed by 28 U.S.C. § 158(c)(1), the appeal shall be heard by United States Bankruptcy Appellate Panel for the First Circuit.

## **AO 8007-1 Stay Pending Appeal**

The filing of a notice of appeal does not stay the operation of the appealed order. All parties are required to comply with the provisions of the order in the absence of a stay even though compliance may ultimately render the appeal moot. Appellants seeking a stay pending appeal must comply with the provisions of Bankruptcy Rule 8007. See also 11 U.S.C. §§ 363(m), 364(e) and 921(e).

## **AO 9037-1 Redaction of Personal Identifiers**

(a) *Compliance with Bankruptcy Rule 9037.* All documents filed with the court shall comply with Bankruptcy Rule 9037.

(b) *Motion to Redact Personal Identifiers.* Notwithstanding the requirements of Bankruptcy Rule 9037, a party seeking to redact personal identifiers from a document or a proof of claim, already filed with the court, shall file a motion to redact the personal identifiers accompanied by a proposed order in the form of *LBF 9037-1*. The motion shall identify the individual whose personal identifiers have been exposed.

(c) *Service of Motion to Redact.* When a party files a motion to redact, the party shall serve the request on the debtor, any individual whose personal identifies have been exposed, the trustee, and the United States Trustee.

(d) *Filing of Correctly Redacted Document or Claim.* Unless otherwise ordered by the court, the party seeking redaction shall file a correctly redacted document or proof of claim within twenty-one days of the granting of the motion.

(e) *Filing Motions to Reopen in Closed Cases.* The granting of a motion to redact in a closed case is ministerial in nature and does not impact the administration of the case. For that reason, a party seeking redaction in a closed case does not need to file a motion to reopen the case, and no fee for reopening shall be collected by the clerk.

(f) *Redaction Fee.* In accordance with the provisions of the Bankruptcy Court Miscellaneous Fee Schedule, the party filing a motion to redact personal identifiers from a document or proof of claim must pay a fee for filing such motion to redact.

### *Cross References:*

- *LBR 5005-4 (Electronic Filing)*
- *LBF 9037-1 (Order Granting Motion to Redact)*