

NEBRASKA RULES OF BANKRUPTCY PROCEDURE

Adopted by the United States District Court
for the District of Nebraska
April 15, 1997

Effective Date April 15, 1997

**RULE 1017-2. DISMISSAL OR SUSPENSION - CASE OR
PROCEEDINGS**

A. Voluntary Dismissal. In addition to stating with particularity the grounds for relief, all motions to dismiss shall comply with Neb. R. Bankr. P. 9013-1 and shall fully disclose any existing arrangement or agreement between the debtor and creditors or any person or entity in connection with the motion for dismissal. The Court may condition dismissal upon payment of fees, including quarterly fees due the Office of the United States Trustee, as warranted. After notice and a hearing, the Court may enter judgment for the fees against the debtor and debtor-in-possession upon filing of an appropriate declaration or affidavit by the Office of the United States Trustee.

B. Motions to Alter, Amend or Reconsider Dismissal of Chapter 13 Cases. A timely filed motion to alter, amend or reconsider dismissal of a Chapter 13 case which was dismissed for failure of the debtor to make payment shall comply with Neb. R. Bankr. P. 9013-1 and state with particularity:

1. the circumstances which explain why the required payments were not made;

2. the circumstances which have changed so as to permit the debtor to make future payments; and

3. the date and the manner of the future payments the debtor proposes to make to the Chapter 13 Standing Trustee.

If the future payments are to be made by payroll deduction, the motion shall state the name and address of the employer and the pay period of the debtor.