

## Rule 3007-1. Claims - Objections

(a) Motion required. Except as provided by ~~the~~ Federal Rule of Bankruptcy Procedure 3007(b), an objection to the allowance of a claim ~~shall~~must be made by motion.

(b) Counterclaims. If the objector ~~intends to assert~~files and serves a counterclaim as an adversary proceeding against the claimant, ~~the objector shall file and serve a complaint for such relief~~ under Federal Rule of Bankruptcy Procedure 7001 ~~and shall~~, the complaint for the counterclaim must include the objection to the allowance of the claim ~~in the complaint~~.

[Adopted effective April 15, 1997; amended January 1, 2002; amended January 9, 2006; amended December 1, 2009; amended May 1, 2015; amended October 1, 2019; amended \_\_\_\_\_, 2022.]

### 2022 Advisory Committee Notes

Local Rule 3007-1 has been restyled by splitting its provisions into two subsections and removing language that is duplicative of the Federal Rules. The language in what is now subsection (a) was amended to clarify that an objection to the allowance of a claim must be made by motion. Please note that Federal Rule of Bankruptcy 3007(a)(1) requires that the notice of objection substantially conform to the appropriate Official Form (currently form 420B). Locally, there are very few attorneys filing and serving the required Official Form. The language in what is now subsection (b) was restyled to clarify that if the objector files and serves a counterclaim against the claimant under Federal Rule of Bankruptcy 7001, the complaint for the counterclaim must include the objection to the allowance of the claim.

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