



U.S. Bankruptcy Court, District of Minnesota

Rule 6004-1. Sale of Estate Property

- (a) CHAPTER 7 CASES - GENERAL NOTICE. Except as otherwise provided in this rule, in a chapter 7 asset case the trustee shall give not less than 21 days notice to all entities listed in the matrix referred to in Local Rule 1007-2 of any proposed sale or other disposition of estate property by the trustee under Federal Rule of Bankruptcy Procedure 2002(a)(2) or (3). The notice shall conform substantially to Local Form 6004-1(a).
- (b) CHAPTER 7 CASES - LIMITED NOTICE.
- (1) Generally; Form. If approved by the United States Trustee under subparagraph (3) of this paragraph, a trustee may sell property where the value to the estate is less than \$5000, after giving notice of the proposed disposition only to the United States Trustee, each entity that has filed a request for notice or notice of appearance under Federal Rule of Bankruptcy Procedure 2002(l) or 9010(b), and each member of any creditors' committee. The notice shall conform substantially to Local Form 6004-1(a).
 - (2) Notice. Notice shall be given not later than fourteen days before the date set for the proposed disposition. Along with the original notice, the trustee shall also transmit to the United States Trustee 1) a proposed certificate approving use of limited notice and the proposed disposition and 2) proof of transmittal of the notice.
 - (3) Approval. If the United States Trustee approves limited notice and the proposed disposition, the United States Trustee shall file the notice, the certificate and the proof of transmittal.
 - (4) Disapproval. If the United States Trustee disapproves the limited notice or the proposed disposition, the trustee shall comply with paragraph (a) of this rule.
- (c) CHAPTER 7 CASES - OBJECTIONS TO DISPOSITION. An objection to a proposed disposition under this rule shall be transmitted to the trustee and the United States Trustee and filed not later than 12:00 o'clock noon the day before the date set for the proposed disposition. If the trustee receives an offer in writing to purchase property being sold at private sale before the time to file an objection to the sale has expired, the trustee shall file the offer and the offer shall be deemed an objection timely served and filed. If the trustee accepts the offer or another offer and the court approves the sale, the objection shall be deemed sustained.
- (d) CHAPTER 7 CASES - CERTIFICATE. Upon request of the trustee, the clerk shall issue a certificate conforming substantially to Local Form 6004-1(d) if no objection has been timely filed or all filed objections have been resolved. Copies of the notice and the certificate of approval if any shall be attached to the certificate. If the court has entered any order with



U.S. Bankruptcy Court, District of Minnesota

respect to the proposed disposition, the clerk shall issue the certificate with a copy of the order attached.

- (e) **CASES UNDER CHAPTERS 11, 12 AND 13.** In a chapter 11, 12, or 13 case, a request for approval of any proposed sale, or other disposition of property of the estate shall be made by motion. Local Rules 2002-1 and 2002-4(a) govern notice to creditors.
- (f) **INSTRUMENTS TRANSFERRING REAL PROPERTY.** An instrument of transfer of real property located in Minnesota by the trustee or debtor in possession shall conform substantially to Local Form 6004-1(f).

Fed. R. Bankr. P. Reference 6007, 9019.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; December 1, 2015; October 1, 2019.]