

NOTICE REGARDING JUDGE FAGONE'S REQUIREMENTS FOR FORMS OF ORDER ON CERTAIN MOTIONS FOR RELIEF FROM STAY

Unless otherwise ordered by the Court, the following requirements apply in cases assigned to Judge Fagone:

1. These requirements apply in cases under chapter 7, chapter 12, and chapter 13.
2. If a party files a motion for relief from stay to permit the foreclosure of a mortgage on a debtor's principal residence, the movant must submit the form of order attached to this Notice (the "Standard Form of Order").
 - a. The movant may only modify the introductory and numbered paragraphs of the Standard Form of Order by (i) adding case and property specific information; (ii) addressing Fed. R. Bankr. P. 4001(a)(3) in the second paragraph; and/or (iii) adding the language described in D. Me. 9013-1(d)(1) regarding the 14-day window for objections.
 - b. If the movant seeks relief beyond the relief described in the Standard Form of Order, the movant may only add such relief to the final paragraph in the space provided for "**additional relief.**" Any request for such relief must be specifically identified and explained in the body of the motion.
3. With respect to a form of order supplied by a movant with any motion for relief from stay, the form of order must not contain:
 - A request for an award of attorney fees or expenses;
 - The establishment of a bar date for the filing of proofs of claim, or a deadline by which proofs of claim may be amended;
 - The requirement that the debtor(s) surrender or deliver the collateral; or
 - Findings about the perfection or priority of a lien or security interest.
4. Failure to comply with these requirements may result in the denial of a stay relief motion or the entry of an order directing compliance and imposing sanctions for failure to comply.
5. These requirements apply to forms of order submitted with stay relief motions on or after March 1, 2018.