



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed June 24, 2017

Barbara J. Houser

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS

IN RE: §
§
STANDING SCHEDULING ORDER §
CONCERNING MID-CASE AUDITS § GENERAL ORDER
IN CHAPTER 13 CASES § 2017-02

This General Order amends and supersedes General Order 2014-02 and applies to all Chapter 13 Cases. In order to provide a consistent method for resolving disputes arising from the Mid-Case Audit Procedures found in Local Bankruptcy Rule 3002.1-1. It is

ORDERED that the attached Standing Scheduling Order Regarding Mid-Case Audit (the "Scheduling Order") is approved by the United States Bankruptcy Court for the Northern District of Texas; and it is further

ORDERED that the Scheduling Order shall be entered by the Clerk of the Court in every Chapter 13 case concurrently with any Notice to Deem Mortgage Current or Notice of Amount Deemed Necessary to Cure filed by a Chapter 13 Trustee.

###End of Order###

If the debtor fails to respond by the deadline provided herein, or files a response stating that the debtor agrees with the Mortgage Notice and/or the Lender's Response (if any), the debtor is not required to attend the pre-hearing conference and the Court will enter an order approving the amounts asserted in the Mortgage Notice or Lender's Response, as follows: (1) in a non-conduit case, if a timely filed Lender's Response asserts a different post-petition arrearage than that asserted in the Mortgage Notice, then the post-petition arrearage in the Lender's Response shall control and be set forth in the order regarding the Mortgage Notice; (2) in a conduit case, if a timely filed Lender's Response asserts a different post-petition arrearage than that asserted in the Mortgage Notice, then the lender must appear at the pre-hearing conference to attempt to resolve the discrepancy; or (3) in either case, if the Lender's Response states that the lender agrees with the Mortgage Notice, then the Court will enter an order approving the amounts asserted in the Mortgage Notice.

If the matter is not resolved as of the time of the pre-hearing conference, the trustee shall either set the matter on the Court's next regularly scheduled chapter 13 docket, or at the trustee's option, contact the courtroom deputy and obtain a special setting for an evidentiary hearing. The Court will use its best efforts to provide an evidentiary hearing within 30 to 45 days after the pre-hearing conference. All witness and exhibit lists must be filed and exhibits must be exchanged at least three business days before the evidentiary hearing date.

Once the Court enters an order on the Mortgage Notice, the debtor and the lender will be barred from contesting the amounts set out in the order in any contested matter or adversary proceeding in this case, or in any other matter, manner or forum after a discharge in the case, unless the Court determines, after notice and hearing, that the failure to respond, reply, and/or to attend the pre-hearing conference was substantially justified or is harmless.

FOR THE COURT:

Jed G. Weintraub, Clerk of Court

By:/s/, Deputy Clerk