



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


United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

COURT OF THE HONORABLE D. MICHAEL LYNN

ORDER DEFINING PROCEDURES FOR TRIAL DOCKET CALL

As of March 15, 2012, the following procedures shall govern the court's management of trial docket call in Judge Lynn's court:

- 1) Attorneys who wish to pass to a subsequent trial docket call an adversary proceeding scheduled for trial docket call must do so 7 days before the date scheduled for trial docket call.
- 2) To pass, both attorneys must contact the courtroom deputy via telephone or electronic mail. Passes will be granted automatically up to 3 times.
- 3) After the third pass, in order to receive a further pass, the parties must submit a written status report to the court which details why the adversary proceeding has yet to go to trial and updates the court as to the adversary proceeding's status. The report must be submitted 7 days before the date the adversary proceeding is scheduled for trial docket call. The parties must appear in court to explain why the matter is not yet ready to go forward at that time.

- 4) Alternatively, if both parties have filed all of the required pre-trial documents, including a joint pre-trial order, proposed findings and conclusions and witness and exhibits lists, then the parties may also appear in court to request a further pass without submitting a status report. However, the parties will be expected to explain to the court why a further pass is necessary.
- 5) When considering whether to grant an additional pass after the initial 3 passes, the court may choose to grant the pass, or to set the matter for trial.
- 6) The parties must submit a status report, as described above, each time the parties pass after the initial 3 passes, if they have not filed all of the pre-trial documents.
- 7) If a matter has been passed more than 3 times, and the parties fail to submit a status report, or, alternatively, have failed to request a pass in court after filing all pre-trial documents, an order to show cause why the adversary proceeding should not be dismissed or why a default judgment should not be entered will issue.
- 8) If the plaintiff fails to respond to the order to show cause, the adversary proceeding will be dismissed, with prejudice, for want of prosecution. If any defendant fails to respond to the order to show cause, the court may grant a default judgment against that defendant.
- 9) The preceding rules shall apply to all adversary proceedings filed after March 15, 2012. A pass previously requested in currently pending adversary proceedings will not count toward the 3 passes referenced in paragraph 3.

It is so **ORDERED** that the preceding rules shall take effect immediately for all adversary proceedings before the Honorable D. Michael Lynn.

END OF GENERAL ORDER