

April 27, 2010 www.orb.uscourts.gov

NEWLY POSTED OPINIONS

Boone v. California, Case No. 96-61799-fra13, Adv. No. 09-6137-fra
January 20, 2010

Sovereign immunity, in rem and in personam jurisdiction
Complaint seeking damages from Alameda County and the State of California dismissed as to State with leave to replead. Because the remedies sought require not in rem but in personam jurisdiction of the bankruptcy court, for amended complaint to stand plaintiffs must allege sufficient facts for the court to reasonably infer liability by defendants for misconduct.

In re Warren, Case No. 07-60674-fra7
March 22, 2010

Motion to settle and compromise, California law on bad faith failure to settle; *A&C Properties*
The court analyzed settlement of a claim between a creditor injured by the debtor in a car accident and the debtor's insurer using guidelines set by *In re A&C Properties*, 784 F2d 1377 (9th Cir 1986), and determined that the settlement was fair, equitable and reasonable.

NEW ITEM:

Local Bankruptcy Forms

Two LBFs were updated in April: B10 (Proof of Claim) and 201 (Application for Inclusion on Court's Register of Qualified Mediators).

PREVIOUSLY PUBLISHED ITEMS:

The following is a summary of items added in the past several weeks.

ECF Training

Currently scheduled training dates for **Eugene and Portland** are: May 19, June 17, July 21 and August 19. Lawyers get 4 CLE credits for ECF training. Sessions run from 8:30 am to 12:30 pm. **The Clerk's office will add ECF classes if there is sufficient demand.**

Adjustments to Dollar Amounts

On April 1, automatic adjustments to certain dollar amounts in the Bankruptcy Code and official forms became effective for cases filed on or after April 1, 2010. More information and pending form changes are posted at www.uscourts.gov/bankform/index.html.

Bankruptcy Judgeships – Central District of California

Two bankruptcy judgeship vacancies will become available in early 2011 in the Central District of California - Los Angeles Division. The deadline for receipt of all application materials is **June 17, 2010**. See www.ce9.uscourts.gov for the announcement and application packet.

Final §363(b) Sale Guidelines Posted

LBF 363 (Guidelines Regarding Motions for Sales of All or Substantially All Assets and Sale Procedures Motions) is posted on the site under **Rules and Forms**.

Federal Bar Association Seminar

The Oregon Chapter of the Federal Bar Association, Young Lawyers Division, will present a seminar entitled "Strategic Discovery Practice in Federal Court" on Friday, **April 30, 2010**, from 12:00 noon to 5:00 pm in the Mark Hatfield Federal Courthouse. The FBA discount rate for the seminar will apply to Debtor-Creditor Section members. For details and registration information, please review the flyer posted on our website, <http://osb-dc.org/index.htm>.

ECF Waiver

The court has approved a limited waiver of the ECF filing requirements for lawyers whose only work in

bankruptcy court is on a pro bono basis for chapter 7 debtors. The waiver application and order forms are posted on the Debtor-Creditor section website at <http://osb-dc.org/bankruptcyclinic.htm>.

Local Rules Committee

The Debtor-Creditor Section has reestablished a Local Rules Committee to review and discuss new local rules and forms on an ongoing basis. If you are interested in serving on this committee, please contact either Dave Hercher, dave.hercher@millernash.com, or Tom Renn, thomas.renn@7trustee.net.

Debtor-Creditor Section Website

An archive of these court updates is maintained on the Debtor-Creditor Section website at <http://osb-dc.org/orb.htm>.