

**LBR 8010.1**  
**TRANSMITTING THE RECORD FOR A PRELIMINARY**  
**MOTION**

**(a) Duties of Party Filing a Preliminary Motion.** If, before the record on appeal is transmitted, a party to an appeal files a preliminary motion in the district court, BAP, or court of appeals for a type of relief listed in Fed. R. Bankr. P. 8010(c), the moving party must:

(1) Contemporaneously with filing the preliminary motion, file in the Bankruptcy Court a notice designating the items to be included in the preliminary record on appeal necessary to determine the preliminary motion.

(2) Within three business days of disposition of the preliminary motion, file in the Bankruptcy Court a notice identifying the disposition of the preliminary motion.

**(b) Duties of Party Responding to a Motion for Preliminary Relief.** If, before the record on appeal is transmitted, a party responds to a preliminary motion for a type of relief listed in Fed. R. Bankr. P. 8010(c) and relies upon items not designated by the moving party pursuant to subsection (a)(1) of this Rule, then the responding party must, contemporaneously with filing the response to the preliminary motion, file in the Bankruptcy Court a notice cross-designating the items to be included in the preliminary record on appeal necessary to determine the preliminary motion.

**(c) Copies for the Bankruptcy Clerk.** If paper copies of designated or cross-designated items are needed, a party filing a designation of items must provide a copy of any of those items that the Clerk of the Bankruptcy Court requests. If the party fails to do so, the Clerk must prepare the copy at the party's expense.

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Adopted 3/17/15.