

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

IN THE MATTER OF:

STANDING ORDER OF REFERENCE  
TO THE BANKRUPTCY COURT  
UNDER TITLE 11

STANDING ORDER  
OF REFERENCE

12-1

Upon the Court's own motion and with approval of the Board of Judges of the United States District Court, the Court has determined to amend the Standing Order entered on July 23, 1984, by the Honorable Clarkson S. Fisher, Chief Judge, to add a new ¶ 5 thereof;

IT IS, this 18<sup>th</sup> day of **September, 2012**, hereby

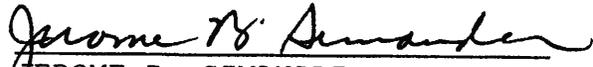
ORDERED that:

- (1) Any or all cases under Title 11 of the United States Code and any or all proceedings arising under Title 11 of the United States Code, or arising in or relating to a case under Title 11 of the United States Code shall be referred to the bankruptcy judges for the district.
- (2) The district court may withdraw, in whole or in part, any case or proceeding referred above, on its own motion or on timely motion of any party, for cause shown. The district court shall, on timely motion of the parties, so withdraw a proceeding if it determines that the resolution of the proceeding requires consideration of both Title 11 and other laws of the United States regulating the organization of activities affecting interstate commerce.
- (3) A bankruptcy judge may hear a proceeding that is not a core proceeding as defined by the Act but that is otherwise related to a case under Title 11. In such a proceeding the bankruptcy judge shall submit proposed

findings of fact and conclusions of law to the district court, and any final order or judgment shall be entered by the district judge after considering the bankruptcy judge's proposed findings and conclusions and after reviewing de novo those matters to which any party has timely and specifically objected.

- (4) Notwithstanding Paragraph 1 above, the district court, with the consent of all parties to the proceeding, may refer a proceeding relating to a case under Title 11 to a bankruptcy judge to hear and determine and to enter appropriate orders and judgments, subject to review by the district court under Section 158 of Title 28.
- (5) If a bankruptcy judge or district judge determines that entry of a final order or judgment by a bankruptcy judge would not be consistent with Article III of the United States Constitution in a particular proceeding referred under this order and determined to be a core matter, the bankruptcy judge may, unless otherwise ordered by the district court, hear the proceeding and submit proposed findings of fact and conclusions of law to the district court. The district court may treat any order of the bankruptcy court as proposed findings of fact and conclusions of law in the event the district court concludes that the bankruptcy judge could not have entered a final order or judgment consistent with Article III of the United States Constitution.

FOR THE COURT:

  
JEROME B. SIMANDLE  
Chief U.S. District Judge