

Attorney or Party Name, Address, Phone, Fax, Email		[for court use only]	
		UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII	
		Case No.	Chapter
In re [Debtor(s)]:		Scheduled Hearing: Date: Time:	
<u>DECLARATION FOR ENTRY OF ORDER GRANTING BY DEFAULT MOTION FOR RELIEF FROM STAY</u>			
Moving Party:			
Relief from Stay re: [identify subject matter]			
Related Docket No.:		Objection Deadline:	

The undersigned declares under penalty of perjury that the statements below are true and correct and requests that the court enter an order granting the motion for relief from stay filed by the above-named party.

1. I am or represent the above-named party and have personal knowledge of the facts stated in this declaration.
2. A motion seeking relief from stay under 11 U.S.C. § 362 and/or § 1301 was filed by the above-named party in accordance with Fed. R. Bankr. P. 4001, LBR 4001-1, and any other applicable rules.
3. Notice of the motion and a hearing date and time for its consideration was given promptly to the debtor(s) and/or all parties against whom relief is sought in accordance with Fed. R. Bankr. P. 4001, LBR 4001-1, and any other applicable rules, as evidenced by a certificate of service filed in this case.
4. Said notice advised the debtor(s) and/or all parties against whom relief is sought that the failure to file a response opposing the motion by the deadline noted above may result in the court entering an order granting the relief requested.
5. A copy of the proposed order granting the motion has been served on the parties identified below by first class mail postage prepaid, hand delivery (“HD”), or electronic transmission through the court’s facilities (“ECF”).

Date of Service of Proposed Order (<i>not less than 12 days after motion filed</i>):		

[Attach additional pages if necessary.]

6. The court docket in this case indicates that no response in opposition to the motion has been filed (or that any response filed in opposition to the motion was subsequently withdrawn), nor have I received any opposition statement.
7. The Servicemembers Civil Relief Act of 2003 (“SCRA”) does not prohibit the entry of an order by default based on the following.

The respondent is not an individual.

No individual against whom relief is sought has filed a Statement of Military Service, the documents filed in this case do not indicate that any such individual is a servicemember in military service, and declarant has no personal knowledge that any such individual is a servicemember or that SCRA protections otherwise apply.

One or more individuals against whom relief is sought is a servicemember in military service but any such individual is represented by an attorney or SCRA protections do not apply for the reason(s) stated in an attached memorandum.

I am unable to determine whether or not an individual against whom relief is sought is a servicemember in military service and understand that the court may require the posting of a bond before entering an order granting the relief requested.

Dated: _____

/s/ _____