

LBR 8003-1 - Motion For Leave to Appeal

In addition to the content required by FRBP 8003(a), a movant seeking leave to appeal shall include a brief argument as to why the judge should enter a certification that in the judge's opinion the order being appealed involves (1) a controlling question of law as to which there is substantial ground for difference of opinion and (2) that an immediate appeal from the order may materially advance the ultimate termination of the litigation.

Any response to the motion filed by an adverse party shall include any argument in opposition to the court certifying the appeal as outlined above.

The certification of the Bankruptcy Court will not bind the District Court which in its discretion may permit an appeal to be taken or deny the motion as that court deems appropriate.