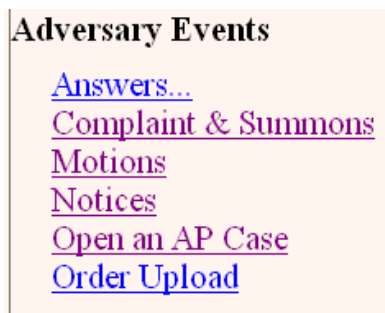


ADVERSARY OPENING INSTRUCTIONS FOR ATTORNEYS AND TRUSTEES  
Revised 8/4/2006

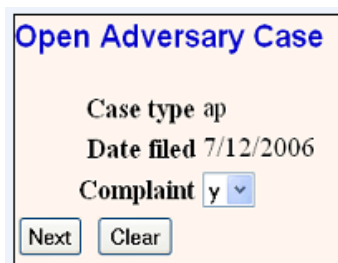
Attorneys and trustees are now able to open an adversary proceeding on the ECF system and then file a complaint or notice of removal and pay any required filing fee online with a credit card. You must first open the adversary proceeding and obtain an adversary number and then file the complaint or notice of removal using the adversary number assigned. No Adversary cover sheet is required.

Before beginning the filing process, be sure all pop-up blockers are turned off, including those in Internet Explorer and add-on toolbars such as a Google or Yahoo. Turning off your pop-up blockers will allow you to receive the pop-up to pay your filing fee on-line.

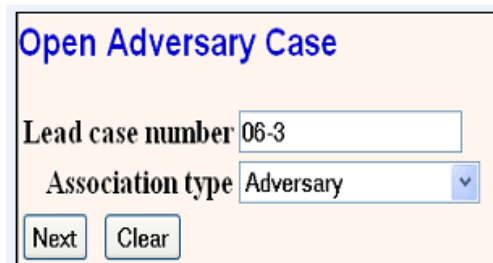
1. To open the adversary, select **Open an AP Case** from the **Adversary Events Menu**.



2. Select **Complaint y** (or **n** if filing a notice of removal) and click on **Next**.

A screenshot of a form titled "Open Adversary Case". The form contains the following fields: "Case type" with value "ap", "Date filed" with value "7/12/2006", and "Complaint" with a dropdown menu showing "y". There are "Next" and "Clear" buttons at the bottom.

3. Input the bankruptcy (bk) case number in the Lead case number field and leave Association type at Adversary.

A screenshot of the "Open Adversary Case" form. The "Lead case number" field contains "06-3" and the "Association type" dropdown menu is set to "Adversary". There are "Next" and "Clear" buttons at the bottom.

4. If the bk case number exists in more than one office, you will receive a list of cases and you will need to select the correct bk case number. Click on **Next**.

**Open Adversary Case**

The case number entered is not descriptive enough, please select the exact case from the following lists.

- 2-6-bk-23 - BRADLEY PITT and ANGELINA JOLEE
- 4-6-bk-23 - ERROL FLYNN
- 2-6-ap-23 - HERSHEY CHOCOLATE CO v. WONKA CHOC

5. The next screen will tell you the office and the judge the adversary will be assigned to based on the office and judge of the bk case. Click on **Next**.

**Open Adversary Case**

Case is assigned to **Phoenix** Division, Judge **Curley** based on the lead Bankruptcy case 2:06-bk-00003-SSC.

6. You will then be prompted to add the plaintiff(s). You now have the option of adding first and middle names to narrow your search.

**Open Adversary Case**

**Search for a plaintiff**

SSN  Tax Id

Last/Business name

First Name

Middle Name

7. If the search results include your party's name, highlight the name for additional information. If this is your party, click **Select name from list**. If this is not your party, click **Create new party**. (When creating a new party, your client's address is optional.) Do not use the Attorney button to add yourself or any attorneys for the other parties, their attorneys will be added when they file a pleading in the case. You will automatically be added.

**Search for a plaintiff**

SSN  Tax Id

Last/Business name

First Name

Middle Name

**Party search results**

- ZUCKERMAN, JULIA ANNE
- ZUCKERMAN, JULIA ANNE
- ZUCKERMAN, KARYLL S
- ZUCKERMAN, KARYLL S.
- ZUCKERMAN, SAM JONES**
- ZUCKERMAN, WAYNE MITCHELL

https://ecf-train.azb.circ9.dcn - ...

SAM JONES ZUCKERMAN  
123 W MY WAY  
PHOENIX, AZ 85008

Dot Internet

8. After you have added all plaintiffs, click on **End plaintiff selection**.

The screenshot shows a web form titled "Open Adversary Case" with a light orange background. The heading "Search for a plaintiff" is in blue. Below it are input fields for "SSN" and "Tax Id". Further down are fields for "Last/Business name", "First Name", and "Middle Name". At the bottom left are "Search" and "Clear" buttons, and at the bottom center is a button labeled "End plaintiff selection".

9. You will then be prompted to enter the defendant(s). You now have the option of adding first and middle names to narrow your search.

This screenshot is similar to the previous one but titled "Search for a defendant". The "Last/Business name" field now contains the text "PIGLEY". The "Search" and "Clear" buttons are present at the bottom left, and the "End plaintiff selection" button is at the bottom center.

10. After you have added all defendants, click on **End defendant selection**.

This screenshot is identical to the previous one, but the button at the bottom center is now labeled "End defendant selection".

If you are filing a Notice of Removal which has counter or cross claimants and/or third party plaintiffs or defendants, you will not be able to add those parties at this time. You may contact the ECF help desk at 602-682-4900 for assistance.

11. You will next be prompted to input the adversary statistical data. Unless the U. S. is a plaintiff or defendant, leave the Party code at the default of U.S. not a Party. For Primary nature of suit, if the complaint includes a count objecting to the discharge under Section 727, be sure to select 424. If your complaint is only objecting to the discharge of your client's debt under Section 523, do not select a nature of suit that includes a Section 727 objection to discharge. An action under Section 523 does not hold up the debtor's discharge. You may also select up to 5 Secondary natures of suit. The remaining items should be left at the defaults and do not need to be input.

**Open Adversary Case**

Party code: U.S. not a Party in the case

Rule 23 (class action): n

Jury demand: None

Demand (\$000):

Primary nature of suit: 424 (Obj/Revocation Discharge 727)

Secondary nature[s] of suit:

- None
- 426 (Dischargeability 523)
- 434 (Injunctive Relief)
- 435 (Validity/Priority/Extent Lien)
- 454 (Recover Money/Property)
- 455 (Revoke Plan Confirmation)

Next Clear

12. Click on **Next** on the next four screens. Please be sure to read the screen that includes the instructions for filing the proper complaint and payment of any required filing fee.
13. On the final submission screen, please note that the docket entry will be for opening the adversary only, no document is filed. Click on **Next**.

**Open Adversary Case**

Docket Text: Final Text

**Adversary Proceeding Opened. (ATTORNEY, KRYSTAL)**

Warning!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

14. You will then receive a Notice of Electronic Filing that will include the adversary number assigned.

**Open Adversary Case**

U.S. Bankruptcy Court  
District of Arizona

Notice of Electronic Filing

The following transaction was received from ATTORNEY, KRYSTAL entered on 7/12/2006 at 10:28 AM AZ and filed on 7/12/2006

Case Name: ZUCKERMAN v. PIGLEY WIGLEY'S  
Case Number: [2:06-ap-00026-SSC](#)

Document Number:  
Case Name: BRADLEY PITT and SAM ZUCKERMAN  
Case Number: [2:06-bk-00003-SSC](#)

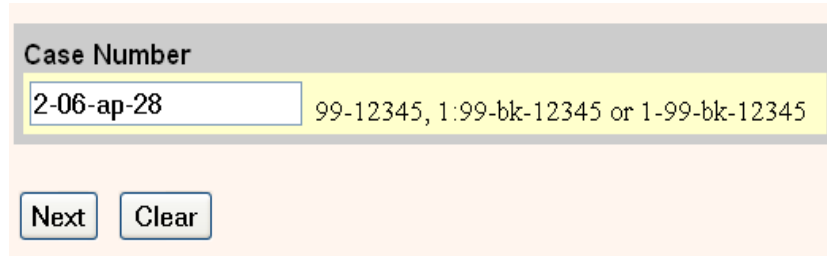
Document Number:

Docket Text:  
Adversary Proceeding Opened. (ATTORNEY, KRYSTAL)

The following document(s) are associated with this transaction:

## FILING THE COMPLAINT OR NOTICE OF REMOVAL

15. **You will then need to return to the Adversary Events Menu and file your complaint or notice of removal using the adversary number assigned.** To file the complaint, select **Complaint & Summons** from the **Adversary Events Menu** and enter the adversary number.



The screenshot shows a web form with a header "Case Number" in a grey box. Below it is a text input field containing "2-06-ap-28". To the right of the input field, there is a list of suggestions: "99-12345, 1:99-bk-12345 or 1-99-bk-12345". Below the input field are two buttons: "Next" and "Clear".

Select the appropriate complaint entry from the list. If a Removal action is being filed, see Section 16 below.

If the complaint contains a count objecting to the discharge under Section 727, be sure to select one of the two complaint entries that includes Section 727 Objection to Discharge.

If you are filing a complaint or notice of removal for a creditor or Chapter 11 or 12 debtor, a filing fee of \$250.00 is incurred and you need to select the appropriate entry that includes a filing fee. You will then be prompted to pay the filing fee on-line by credit card. If filing for a Chapter 7 or 13 debtor, select the appropriate entry that states no fee is due.

### Complaint/Summons

[2:06-ap-00028-SSC ZUCKERMAN v. PIGLEY WIGLEY'S](#)

Type: ap                      Office: 2 (Phoenix)              Judge: SSC  
Lead Case: 2:06-bk-              Case Flag:  
00003-SSC                      727COMPLNT

Amended Complaint  
Complaint (Does not include a Section 727 Objection to Discharge) (250.00 fee)  
Complaint (Does not include a Section 727 Objection to Discharge) (No Fee Due or Fee Deferred)  
Complaint (Includes a Section 727 Objection to Discharge) (250.00 fee)  
Complaint (Includes a Section 727 Objection to Discharge) (No Fee Due or Fee Deferred)  
Counterclaim  
Crossclaim  
Request for Issuance of Replacement/Alias Summons

Next Clear

**If you are filing for a trustee** and you normally pay the filing fee and then seek reimbursement of it as an expense, you may select the appropriate entry that includes a filing fee. You will then be prompted to pay the filing fee online by credit card. If you are filing for a trustee and are not paying the filing fee to be reimbursed later as an expense, you may select the appropriate entry that states Fee Deferred. The trustee may then pay the filing fee by check when funds are available. If a trustee is filing a complaint, without an attorney, the trustee should select the appropriate entry that states Fee Deferred and then pay the filing fee by check immediately if there are now sufficient assets in the estate or when assets are received. If using a Fee Deferred entry and are not sending in a check, you should also file a Notice that there are insufficient estate assets to pay the filing fee at this time. There is an entry in **Adversary Notices** called **Trustee Notice Regarding Filing Fee** that should be used to file this document.

16. If filing a Removal, select the **Notices** category from the **Adversary Events Menu** and then select the proper **Notice of Removal** entry depending on whether or not a filing fee is incurred (the above rules regarding when a filing fee is due apply.)

17. When filing a complaint, you will be asked to select the filer (your client, the plaintiff) and then to select the defendants against whom the complaint is being filed. All defendants, if more than one, should appear in the box for selection if you added them all when opening the adversary. If more than one defendant, select all of them by clicking and dragging or by using Ctrl click.

18. You will then be prompted to upload the pdf document for your filing. Click on **Browse** to locate the file containing your complaint or notice of removal.

Select the **pdf** document (for example: C:\199cv501-21.pdf).

**Filename**

**Attachments to Document:**  No  Yes

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19. If the document you are filing requires a fee, and you selected the correct entry, this screen will indicate the fee due. Click **Next**.

Fee: \$250

20. Verify information and click **Next**.

Docket Text: Modify as Appropriate.

Complaint (Fee Due) against PIGLEY WIGLEY'S  filed by KRYSTAL ATTORNEY on behalf of SAM JONES ZUCKERMAN . (ATTORNEY, KRYSTAL)

21. Prior to completion of the entry, you will receive a final text warning. If information is correct, click **Next**.

Docket Text: Final Text

**Complaint (Fee Due) against PIGLEY WIGLEY'S filed by KRYSTAL ATTORNEY on behalf of SAM ZUCKERMAN. (ATTORNEY, KRYSTAL)**

**Warning!!** Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

22. You will then receive a Notice of Electronic Filing.

Notice of Electronic Filing

The following transaction was received from ATTORNEY, KRYSTAL entered on 8/1/2006 at 3:27 PM AZ and filed on 8/1/2006

Case Name: ZUCKERMAN v. PIGLEY WIGLEY'S

Case Number: [2:06-ap-00028-SSC](#)

Document Number: [1](#)

Docket Text:  
Complaint (Fee Due) against PIGLEY WIGLEY'S filed by KRYSTAL ATTORNEY on behalf of SAM JONES ZUCKERMAN. (ATTORNEY, KRYSTAL)

23. After filing a complaint, a summons can be issued (see below instructions). If filing a notice of removal, a status hearing will need to be set. To obtain a date for the status hearing, please refer to the judges' procedures link at the court's web site, [www.azb.uscourts.gov](http://www.azb.uscourts.gov).
24. Issuance of Summons. To have the clerk's office prepare and issue the summons on the ECF system, you need to enter a **Request for Issuance of Summons**, which is located under the **Complaint & Summons** category on the **Adversary Events Menu**. No document is needed for this filing. If you prefer, you may prepare and submit a summons on paper for issuance by the clerk's office.

**Complaint/Summons**

[2:06-ap-00028-SSC ZUCKERMAN v. PIGLEY WIGLEY'S](#)

Type: ap Office: 2 (Phoenix) Judge: SSC

Lead Case: 2:06-bk-00003-SSC Case Flag: 727COMPLNT

Complaint (Does not include a Section 727 Objection to Discharge) (No Fee Due or Fee Deferred) ^

Complaint (Includes a Section 727 Objection to Discharge) (250.00 fee)

Complaint (Includes a Section 727 Objection to Discharge) (No Fee Due or Fee Deferred)

Counterclaim

Crossclaim

Request for Issuance of Replacement/Alias Summons

**Request for Issuance of Summons**

Third-Party Complaint

Next Clear

You will select the filer (your client, the plaintiff), and then the defendant(s), as you did when filing the complaint.

Please select the filer:

**Select the Party:**

PIGLEY WIGLEY'S, [Defendant] [Add/Create New Party](#)

ZUCKERMAN, SAM [Plaintiff]

Next Clear

Please select the party that this filing is **against**.

**Select the Party:**

PIGLEY WIGLEY'S, [Defendant] [Add/Create New Party](#)

ZUCKERMAN, SAM [Plaintiff]

Next Clear



The summons will be generated and issued by the clerk's office during the next business day (excluding weekends and holidays). You can then simply pull up the summons from the docket and print as many copies as you need. If you have enabled the e-mail notification feature in your ECF password account, you will receive an e-mail notice when the summons is created and is on the docket.

The court-generated summons will be directed to the defendant you input first. If you require that a summons be directed to each defendant, you will need to prepare those summons' on paper and submit to the court for issuance.

If you have filed a third-party complaint, please do not use this entry to request a third-party summons. At this time, a third-party summons cannot be issued electronically, you will need to submit it on paper for issuance by the clerk.

25. Replacement or Alias Summons. You may also request that a replacement/alias summons be generated and issued by the court. To request entry of a replacement/alias summons, make the entry on the adversary docket called **Request to Issue Replacement/Alias Summon**, located in the **Complaint & Summons** category on the **Adversary Events Menu**. No document is needed for this filing. The summons will be issued by the clerk's office during the next business day (excluding weekends and holidays). You may then print as many copies as needed for service from the adversary docket. If you have enabled the e-mail notification feature in your ECF password account, you will receive an e-mail notice when the summons is created and is on the docket. If you prefer, you may prepare and submit a replacement/alias summons on paper for issuance by the clerk's office.
26. Affidavits of Service of Summons and Complaint. For summons' generated by the clerk that are located on the ECF docket, it is not necessary to attach a copy of that summons to your affidavit of service.