



UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SAN FERNANDO VALLEY DIVISION

In re:

CERTAIN MATTERS PENDING  
BEFORE THE BANKRUPTCY COURT  
FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

MISC. NO. 1:19-mp-00101-MT

All Chapters

HON. MAUREEN A. TIGHE  
Chief U.S. Bankruptcy Judge

ORDER GRANTING THE UNITED STATES'  
OMNIBUS MOTION FOR ENLARGEMENT OF  
DEADLINES AND A STAY OF PROCEEDINGS  
IN WHICH THE UNITED STATES  
GOVERNMENT IS A PARTY IN LIGHT OF  
LAPSE OF APPROPRIATIONS

After due consideration of a Motion filed by the United States Attorney for the Central District of California ("Motion"), the Court makes the following findings:

1. At the end of the day on December 21, 2018, the appropriations act that funded many of the Departments of the United States of America expired and appropriations lapsed.

2. The lapse in funding resulted in the furloughing of numerous federal employees, and those employees are prohibited from working, even on a voluntary basis, except in the limited emergency circumstances set forth in 31 U.S.C. § 1342.

3. It is presently unknown when funding will be restored by the U.S. Congress.

1           4.       Some of the furloughed employees' duties include preparation and filing of proofs of  
2 claim on behalf of the United States of America.

3           5.       Some of the furloughed employees' duties include decisions concerning the United  
4 States filing answers to contested matters and adversary proceedings.

5           6.       The United States, and its Departments and agencies, is a unitary creditor for purposes of  
6 bankruptcy. For the purposes of defining whether the United States is a party as used in this Order, it is  
7 a party whenever it has filed a pleading or other notice of appearance in the bankruptcy case or  
8 adversary proceeding.

9           In light of the foregoing findings and to the extent authorized under the Bankruptcy Code; the  
10 Federal Rules of Bankruptcy Procedure; or the Local Bankruptcy Rules,

11           IT IS HEREBY ORDERED that the Motion is GRANTED in part, as follows:

12           ORDERED that the United States Attorney for the Central District of California shall notify the  
13 Court, in a written filing, within five (5) business days of the date on which governmental funding of  
14 the Department of Justice has resumed ("Restoration Notice"); and,

15           ORDERED that the governmental proof of claim bar date is extended, in all cases, as to the  
16 United States, including, without limitation, all its Departments and agencies (such as the Internal  
17 Revenue Service, the Small Business Administration, the Department of Agriculture, etc.) until twenty-  
18 eight (28) days after the filing of the Restoration Notice; and,

19           ORDERED that requests to continue hearings on Chapter 11 and 13 plan confirmation for cases  
20 in which the United States is a creditor shall be liberally granted upon the request of any party,  
21 including the Chapter 13 Trustee, when the presiding judge determines that such continuance will not  
22 adversely affect the interests of other parties in the particular case; and,

23           ORDERED that the United States shall be allowed twenty-one (21) days after the filing of the  
24 Restoration Notice to file any objection to confirmation of any Chapter 13 plan that has been continued  
25 by the presiding judge during the lapse in appropriations; and,

26           ORDERED that the United States shall follow the orders of the particular judge presiding over  
27 the case in filing any pleading in any Chapter 11 case; and,  
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1 ORDERED that the United States is granted an extension of any deadline in all adversary  
2 proceedings and contested matters, to which it is a party, until twenty-eight (28) days after the filing of  
3 the Restoration Notice; and,

4 ORDERED that a stay is granted of all hearings, trials, and other proceedings to which the  
5 United States is a party, unless the Court orders otherwise; and,

6 ORDERED that this order shall not change the provisions of any previous order that has been  
7 entered affecting the United States absent further order by the presiding judge; and,

8 ORDERED that the United States is granted an enlargement of the deadline to file an appeal  
9 under Fed. R. Bankr. P. 8002(d)(1)(A), until twenty-one (21) days after the filing of the Restoration  
10 Notice; and,

11 ORDERED that twenty-eight (28) days after the filing of the Restoration Notice, the limited  
12 extension of the governmental claims bar date, and the deadline extension and stay in adversary  
13 proceedings and contested matters shall all terminate and no longer be in effect.

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23 Date: January 23, 2019

  
24 Maureen A. Tighe  
25 United States Bankruptcy Judge  
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