

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS**

AMENDED GENERAL ORDER 19-1

**EXTENSION OF DEADLINES FOR ACTIONS BY
DEPARTMENTS OR AGENCIES OF THE UNITED STATES OF AMERICA
DURING PENDENCY OF LAPSE IN APPROPRIATIONS**

In recognition that, on December 21, 2018, the appropriations lapsed for certain departments and agencies of the United States Government resulting in the severe curtailment, if not the actual cessation, of operations within such departments and agencies including, but not limited to, the Office of the United States Trustee for the Eastern District of Texas, the Office of the United States Attorney for the Eastern District of Texas, the Internal Revenue Service, the Rural Housing Agency, and the Small Business Administration, thereby rendering such departments and agencies temporarily incapable of meeting pending deadlines in contested matters and adversary proceedings in bankruptcy cases, and, because, despite the enactment of a three-week temporary reprieve from the lapse in appropriations on January 25, 2019, there is no certainty whatsoever that there will be a restoration of appropriations for such departments and agencies for the remainder of this fiscal year, the Court finds just cause to amend General Order 19-1 as follows:

IT IS THEREFORE ORDERED that, pursuant to the authority granted to this Court under the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and/or the Local Rules of Bankruptcy Procedure:

- (1) Subject to the further Order of the Court, all adversary proceedings or contested matters in which a department or agency of the United States is a party are hereby **STAYED** until the first business day following the expiration of 30 calendar days after the date upon which the President of the United States signs into law a bill that restores appropriations to the department and agencies of the United States, including the Office of the United States Trustee for the Eastern District of Texas and the United States Attorney for the Eastern District of Texas for the remainder of fiscal year 2019 (the "Amended Funding Restoration Date");
- (2) Subject to the further Order of the Court and the provisions of subparagraph (3) listed below, any and all deadlines imposed by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of Bankruptcy Procedure, or by a separate Order of this Court, that requires action to be taken by a department or agency of the United States, including actions by

the Office of the United States Trustee for the Eastern District of Texas, or the Office of the United States Attorney for the Eastern District of Texas on behalf of any such department or agency of the United States, are hereby **EXTENDED**, *nunc pro tunc as of December 21, 2018*, to the first business date following the expiration of 30 calendar days after the Amended Funding Restoration Date; and

- (3) Subject to the further order of the Court, all bar dates for the filing of proofs of claim or motions for the payment of administrative expenses in bankruptcy cases are hereby **TOLLED**, *nunc pro tunc as of December 21, 2018*, as to any department or agency of the United States until the Funding Restoration Date and such bar dates are correspondingly **EXTENDED** thereafter, *nunc pro tunc as of December 21, 2018*, for any department or agency of the United States for a period of days equivalent to the number of calendar days between December 22, 2018 and the Amended Funding Restoration Date.

IT IS FURTHER ORDERED that, notwithstanding any provisions of the stay or the extensions granted hereunder, the provisions of this Amended General Order shall not preclude nor invalidate any action voluntarily taken by a department or agency of the United States in any matter before this Court during the term of any reprieve from the lapse in appropriations for fiscal year 2019.

This General Order shall remain in effect pending the further order of the Court.

Executed and entered on behalf of all divisions of the Court.

Signed on 01/28/2019

A handwritten signature in cursive script, appearing to read "Bill Parker", is written over a horizontal line.

THE HONORABLE BILL PARKER
CHIEF UNITED STATES BANKRUPTCY JUDGE