

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

FILED January 11, 2019

In re:)	
)	
TEMPORARY ORDER STAYING)	BANKRUPTCY GENERAL
ADVERSARY PROCEEDINGS)	ORDER NO. 192
INVOLVING THE UNITED STATES)	
AS A DEFENDANT)	
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On January 9, 2019, the United States District Court for the Southern District of California issued General Order No. 688, which noted the challenges faced by the United States Attorney’s Office given the current lapse in appropriations and temporarily stayed civil cases where the United States or an agency, corporation, officer, or employee of the United States (collectively, the “United States”) is a defendant unless otherwise ordered by the assigned judge. It also extended all deadlines, due dates, or cut-off dates for a period of time commensurate with the duration of the lapse in appropriations.

For the reasons outlined in General Order No. 688, the United States Bankruptcy Court for the Southern District of California sua sponte will grant similar relief as to any pending adversary proceedings.

Therefore,

1. To preserve the status quo until restoration of funding, all adversary proceedings filed in the United States Bankruptcy Court for the Southern District of California wherein the United States or an agency, corporation, officer or employee, deemed or otherwise, of the United States is a defendant are stayed unless otherwise ordered by the assigned bankruptcy judge. All deadlines, due dates or cut-off dates in such cases are extended for a period of time commensurate with the duration of the lapse in appropriations.
2. Adversary proceeding hearings involving the United States or an agency, corporation, officer, or employee, deemed or otherwise, of the United States as a defendant will be reset at a time after the lapse in appropriations.
3. This Order does not alter, vacate or stay any obligation of individuals to pay amounts previously lawfully determined to be owed to the United States or to an agency or office of the United States.
4. This Order does not prohibit, in any manner, the ability of parties to commence adversary proceedings against the United States. However, the cases or matters

commenced while there is a lapse in appropriations will be immediately stayed, pending restoration of appropriations. All deadlines, response dates, due dates or cut-off dates in such cases will be extended for a period of time commensurate with the duration of the lapse in appropriations.

5. The Court will enter additional instructions and guidance, as appropriate, once Congress restores appropriations.

6. This Order does not impact the obligations of the United States to timely and appropriately participate in bankruptcy cases and contested matters as a creditor or interested party. And in particular, it does not limit the obligations of the Office of the United States Trustee in cases and contested matters pending before the Court. The Court will consider relief in matters other than adversary proceedings pursuant to matter specific motions or a future motion from the Office of the United States Attorney or the Office of the United States Trustee that request additional global relief.

IT IS SO ORDERED.

DATED: January 11, 2019

s/ Laura S. Taylor

Laura S. Taylor, Chief Judge
United States Bankruptcy Court

s/ Margaret M. Mann

Margaret M. Mann, Judge
United States Bankruptcy Court

s/ Louise DeCarl Adler

Louise DeCarl Adler, Judge
United States Bankruptcy Court

s/ Christopher B. Latham

Christopher B. Latham, Judge
United States Bankruptcy Court