

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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In re:)
)
Acceptance and Filing of Documents)
on October 15 and 16, 2005)
_____)

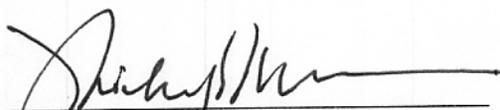
Special Order 05-01

- I. On April 20, 2005, the President signed into law S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act (P.L. No. 109-8, 199 Stat. 23). Section 1501 of the Act sets forth the general effective date as 180 days following enactment, which is Monday, October 17, 2005.
- II. Prior to October 17, 2005, debtors may continue to file bankruptcy petitions and other documents under the current Bankruptcy Code.
- III. Federal Rule of Bankruptcy Procedure (FRBP) 5001(a) provides that “The courts shall be deemed always open for the purpose of filing any pleading or other paper...”, but in recognition of the impracticality of requiring clerks’ offices to always be open, directs that the clerk’s office “...shall be open during business hours on all days except Saturdays, Sundays and the legal holidays listed in FRBP 9006(a).”
- IV. Under normal circumstances, unless special arrangements are made with either a judge or the clerk of the court to file documents during non-business hours, documents submitted for filing on a non-court day, i.e. Saturday, Sunday, or holiday, are deemed filed as of the beginning of business on the next court day.
- V. Given the substantial changes in the bankruptcy laws occurring on October 17th, numerous attorneys have requested that the clerk’s office accept filings on October 15th, a Saturday, and October 16th, a Sunday, in order to preserve and protect the rights of their clients.

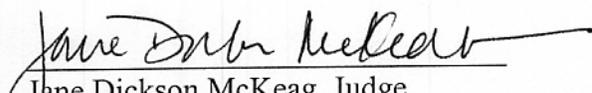
1 GOOD CAUSE APPEARING, all petitions and other documents stamped and simultaneously
2 deposited in the Court's Drop Box (Sacramento only) or submitted for filing via the electronic filing
3 (e-Filing) system on October 15th and 16th shall, if otherwise acceptable for filing pursuant to the
4 Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure, and Local Rules of this
5 Court, be deemed filed as of the date and time reflected on the "Received at Drop Box" stamp, or
6 if submitted via the e-Filing system, as of the date and time stated on the Electronic Confirmation
7 of Submission sent by the Court.

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9 IT IS SO ORDERED.

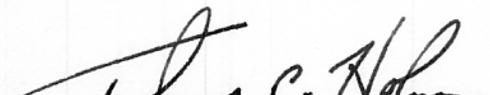
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11 DATED: July 11, 2005

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14 Michael S. McManus, Chief Judge


Christopher M. Klein, Judge

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16 
17 Jane Dickson McKeag, Judge


Whitney Rimel, Judge

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20 Thomas C. Holman, Judge


W. Richard Lee, Judge