

**FILED**

April 16, 2020

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

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

In re )  
 )  
EXTENSION OF DEADLINES )  
RELATED TO 11 U.S.C. § 341 )  
FIRST MEETINGS OF CREDITORS )  
CONTINUED BY THE U.S. TRUSTEE )  
 )  
 )

Amended General Order 20-02  
(Amended April 16, 2020)

On March 16, 2020, due to concerns with the coronavirus (COVID-19) pandemic, the travel and meeting restrictions ordered by the State of California and local governmental entities, and General Order 612 issued by the District Court restricting access to the Federal Courthouses in this District; the Office of the United States Trustee announced the continuance of all meetings of creditors required under 11 U.S.C. § 341 (“341 Meetings”) scheduled through April 10, 2020. Various Federal Rules of Bankruptcy Procedure impose specific deadlines and dates for action that are computed from the date first set for the Meetings (such date first set referenced in this General Order as the “Initial 341 Meeting”).

Due to the necessity for all Initial 341 Meetings to be continued, the ability of debtors, trustees, the U.S. Trustee, and other parties in interest to timely act within such deadlines is impaired. Though the debtor or parties in interest may request the court extend such deadlines on a case by case basis, due to the large number of Initial 341 Meetings continued due to the restricted access to the Federal Courthouses, it is not only impractical to require individual, piecemeal motions to extend such deadlines filed by debtors and other parties in interest, but such would impose an undue burden on judicial resources, especially in light of the restricted physical

1 access to the Courthouses and the limited ability of court personnel to be present at the court.

2 To address the scheduling and deadline issues, the court adopted General Order 20-02,  
3 providing for extension of specified deadlines and dates by which specified actions must be  
4 completed by Debtors to be computed from the first date the First Meeting of Creditors was  
5 conducted with the debtor present, whether in person or telephonically.

6 Subsequent to the issuance of that General Order, a practical deadline issue was identified  
7 concerning Chapter 13 cases and the deadline for the Chapter 13 trustees and creditors to file  
8 objections to confirmation as provided in Local Bankruptcy Rule 3015-1(c)(4), which is seven  
9 days after the date first set for the Initial 341 Meeting.

10 Additionally, with the extended delays in 341 Meetings, the meeting having to be  
11 conducted telephonically, the restrictions on travel and physical limitations on obtaining  
12 documents and other responses to issues arising at the 341 Meetings, and the need to continue the  
13 341 Meetings as identified above, such continuances would necessitate the filing of precautionary  
14 objections to confirmation because the parties are unable to immediately resolve these issues.  
15 Therefore, an extension of the deadline for filing objections to confirmation of Chapter 13 plans is  
16 appropriate.

17 Therefore, upon consideration of the continuance of all Initial 341 Meetings through at  
18 least April 10, 2020; Federal Rules of Bankruptcy Procedure 1007(c), 1017(e)(1), 2015.3(d),  
19 4004(b), 4007(c) 4008(a), and 9006(b) providing this court the authority to extend specified  
20 deadlines thereunder; Eastern District of California Local Bankruptcy Rule 3015(c)(4); 11 U.S.C.  
21 § 105(a); Federal Rule of Bankruptcy Procedure 9029; the extension of the following dates and  
22 deadlines necessarily required in light of the continuances of the Initial 341 Meetings in response  
23 to the COVID-19 shelter in place directives and orders; General Order 612 issued by the Chief  
24 District Court Judge for the Eastern District of California restricting physical access to the  
25 courthouses in this District; and good cause appearing;

26 **IT IS ORDERED** that:

27 1. This General Order applies to all bankruptcy cases in which the date first set for  
28 the Initial Meeting of Creditors is scheduled on or after March 16, 2020, and the Initial 341

1 Meeting has been continued by the U.S. Trustee to a later date (“Continued Initial 341 Meeting”)  
2 due to COVID-19 travel and event restrictions, and General Order 612.

3       2.       For bankruptcy cases with a Continued Initial 341 Meeting, the following  
4 deadlines set under the Federal Rules of Bankruptcy Procedure are extended to 60 days after the  
5 date the Continued Initial 341 meeting, whether it is the first announced continued date or an  
6 announced subsequent continued date, is actually first conducted with the debtor(s) present:<sup>1</sup>

7           a.       The deadline under Federal Rule of Bankruptcy Procedure<sup>2</sup> 1007 for  
8 debtors in a Chapter 7 case to file the statement required under Rule 1007(b)(7).

9           b.       The deadline under Rule 1017(e) for the United States Trustee to file a  
10 motion to dismiss for abuse.

11          c.       The deadline under Rule 4004(a) for the filing of objections to the debtor’s  
12 discharge under 11 U.S.C. § 727.

13          d.       The deadline under Rule 4007(c) for filing complaints to determine the  
14 dischargeability of certain debts under 11 U.S.C. § 523(c).

15          e.       The deadline under Rule 4008(a) for filing a reaffirmation agreement.

16       3.       The deadline set in Rule 2015.3(b) for the trustee or debtor in possession to file a  
17 financial report regarding each entity that is not a publicly traded corporation or a debtor in a  
18 bankruptcy case and in which the estate holds a substantial or controlling interest is extended to  
19 seven days before the Continued Initial 341 Meeting, whether it is the first announced continued  
20 date or an announced subsequent continued date, when the Continued Initial 341 Meeting is  
21 actually first conducted with the debtor(s) present.

22       4.       The deadline set in 11 U.S.C. § 1308(a) for Chapter 13 debtors to file prepetition  
23 tax returns is extended to the day before the Continued Initial 341 Meeting, whether it is the first  
24 announced continued date or an announced subsequent continued date, when the Continued Initial

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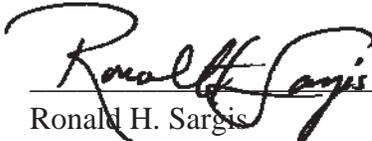
25  
26       <sup>1</sup> The “presence” of the debtor(s) may be physically in person or telephonically, if such  
27 telephonic appearance is permitted by the bankruptcy trustee or order of the court.

28       <sup>2</sup> Unless otherwise specified, reference in this General Order to “Rule” or “Rules” is to  
the Federal Rules of Bankruptcy Procedure.

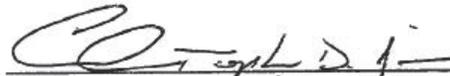
1 § 341 meeting is actually first conducted with the debtor(s) present.

2 5. The deadline in Chapter 13 cases set in Eastern District of California Local  
3 Bankruptcy Rule 3015-1(c)(4) for the filing of objections to confirmation of a proposed Chapter  
4 13 plan timely within fourteen days of the filing of the Chapter 13 petition is extended to seven  
5 (7) days after the 341 Meeting is concluded and not continued to a further date.

6 Dated: April 16, 2020

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10 Ronald H. Sargis  
11 Chief Bankruptcy Judge

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9 \_\_\_\_\_  
10 Fredrick E. Clement  
11 United States Bankruptcy Judge

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14 \_\_\_\_\_  
15 Christopher D. Jaime, Judge  
16 United States Bankruptcy Court

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14 \_\_\_\_\_  
15 René Lastreto II, Judge  
16 United States Bankruptcy Court