

FILED

March 30, 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)

General Order 20-02

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

10 **IT IS ORDERED** that:

11 1. This General Order applies to all bankruptcy cases in which the date first set for the
12 Initial Meeting of Creditors is scheduled on or after March 16, 2020, and the Initial 341 Meeting
13 has been continued by the U.S. Trustee to a later date (“Continued Initial 341 Meeting”) due to
14 COVID-19 travel and event restrictions, and General Order 612.

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

19 a. The deadline under Federal Rule of Bankruptcy Procedure² 1007 for
20 debtors in a Chapter 7 case to file the statement required under Rule 1007(b)(7).

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

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

25
26 ¹ 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 ² Unless otherwise specified, reference in this General Order to “Rule” or “Rules” is to
the Federal Rules of Bankruptcy Procedure.

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

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

4 3. The deadline set in 11 U.S.C. § 1308(a) for Chapter 13 debtors to file prepetition
5 tax returns is extended to the day before the Continued Initial 341 Meeting, whether it is the first
6 announced continued date or an announced subsequent continued date, when the Continued Initial
7 § 341 meeting is actually first conducted with the debtor(s) present.

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

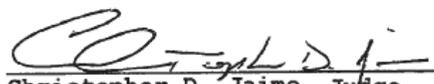
14
15 Dated: March 30, 2020

16 
17 _____
18 Ronald H. Sargis
19 Chief Bankruptcy Judge

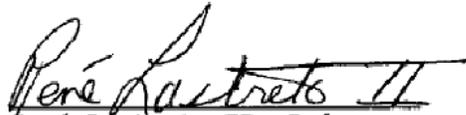
Dated: Mar 27, 2020

20 
21 _____
22 Fredrick E. Clement
23 United States Bankruptcy Judge

24
25 Dated: March 30, 2020

26 
27 _____
28 Christopher D. Jaime, Judge
United States Bankruptcy Court

Dated: Mar 27, 2020



René Lastreto II, Judge
United States Bankruptcy Court