



UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
OFFICE OF THE CLERK

**NOTICE CONCERNING DOCUMENTS
SUBMITTED FOR FILING OCTOBER 15-16, 2005
AND SCHEDULED SYSTEMS DOWNTIME**

October 12, 2005

Under normal circumstances, unless special arrangements are made with either a judge or the clerk of 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 the next court day. Given the substantial changes in the bankruptcy laws occurring on Monday, October 17, 2005, the Court has ordered that an exception to this general rule be made for petitions and other documents stamped and simultaneously deposited in the Sacramento Division Drop Box, or submitted for filing via the electronic filing system on Saturday, October 15th and Sunday, October 16th. Pursuant to Special Order 05-01, petitions and other documents submitted for filing using the Sacramento Division Drop Box or the electronic filing system on these days shall, if otherwise acceptable for filing, be deemed filed as of the date and time reflected on the "Received at Drop Box" stamp, or if submitted via the e-Filing system, as of the date and time stated on the Electronic Confirmation of Submission sent by the Court.

Please note that the Court's e-Filing system will be shut down at 12:00 a.m. on Monday, October 17, 2005 and will remain unavailable until the upgrade of the Court's case management system (CM) to version 2.7 is completed and fully tested. All e-Filers will be notified by e-mail when the system is back on-line. Version 2.7 will incorporate changes resulting from the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. PACER will be available until the actual installation of version 2.7 begins. Because all cases and proceedings filed prior to October 17 must be opened in CM before version 2.7 is installed, PACER will not be shut down until some time on Monday, October 17, 2005.

The Clerk's Office will be open as usual and paper documents will be accepted for filing on Monday, October 17, 2005. However, further processing of these documents may be delayed until after version 2.7 has been installed. Additionally, you will not be able to access electronic case information or imaged documents from the Clerk's Office public lobby computer terminals while PACER is down.

When planning their document submissions, e-Filers should keep in mind that response times on the Court's e-Filing system are determined by traffic and congestion. The submission of large files and use of the system by a large number of e-Filers may overload the system, causing delays or system failure. Because the filing party's responsibility to comply with filing deadlines is not altered by technical failures, e-Filers are strongly encouraged to e-File their documents well in advance of the 12:00 a.m. shutdown time on October 17, 2005.

Installation of version 2.7 is expected to be completed, and the e-Filing system and PACER are expected to be brought back on-line, late Monday, October 17, 2005. Please monitor the Court's website (www.caeb.uscourts.gov) on October 17, 2005, for the status of the e-Filing system and PACER.

Questions concerning court operations during system downtime should be directed to the appropriate division manager.