

2013 SEP 27 10:09 AM  
DISTRICT OF COLORADO

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO  
THE HONORABLE CHIEF JUDGE HOWARD R. TALLMAN**

-2 PM 2:09  
U.S. BANKRUPTCY COURT  
DISTRICT OF COLORADO

In the Matter of the United States Trustee's )  
Motion for Omnibus Order Staying )  
Deadlines in Light of Lapse of ) ADMINISTRATIVE ORDER OF  
Appropriations. ) THE CHIEF JUDGE 2013-3  
)  
)

---

**ORDER ON UNITED STATES TRUSTEE'S  
MOTION FOR OMNIBUS ORDER AND EXTENDING CERTAIN DEADLINES  
IN LIGHT OF LAPSE OF APPROPRIATIONS**

---

The matter before the Court is the United States Trustee's Motion For Omnibus Order Staying Deadlines In Light of Lapse of Appropriations. In his Motion, the United States Trustee ("UST") requests a stay of all deadlines applicable to the UST in all bankruptcy cases and adversary proceedings during the cessation of the UST's ordinary operations. In support of his request, the UST states, and the Court finds, as follows:

1. At the end of the day on September 30, 2013, appropriations to the Department of Justice lapsed. The UST is a Justice Department official. 28 U.S.C. § 581. The UST and his staff are compensated for the performance of their duties from appropriations.
2. Absent an appropriation, Department of Justice attorneys and staff, including the UST's staff, are prohibited from working, even on a voluntary basis, "except for emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.
3. The entry of an omnibus order will alleviate the use of Court resources that would otherwise occur were the UST to file a separate motion in each pertinent bankruptcy case and adversary matter and separate orders were to enter on each motion.

For good cause shown, the Court GRANTS the UST's Motion subject to revision and further order of the Bankruptcy Court in any specific case *sua sponte*, or on application of the UST or any party in interest, including to consider whether the exception for emergencies involving the safety of human life or the protection of property applies as contemplated by 31 U.S.C. § 1342, and

HEREBY ORDERS that, pursuant to 11 U.S.C. § 105, and to the extent not inconsistent with the specific time deadlines provided for in Title 11, the deadlines for the UST to respond to the applications or motions on the list of matters identified below shall be extended in all bankruptcy cases pending or filed during the cessation of ordinary operations during the lapse in appropriations until seven (7) calendar days after UST's staff attorneys are permitted to resume their usual civil litigation functions.

CHAPTER 11 CASES:

- (1) Objections to claims of exemption (11 U.S.C. § 522);
- (2) Objections to discharge pursuant to 11 U.S.C. § 727(a);
- (3) Objections to 11 U.S.C. § 327 motions to employ when notice of such motions are mailed with a L.B.R. 9013-1 Notice;
- (4) Objections to applications for compensation (11 U.S.C. §§ 330, and 331);
- (5) In cases in which no committee of unsecured creditors is appointed, objections to motions or applications made pursuant to 11 U.S.C. §§ 363, 364 and 365;
- (6) Response to Requests for Final Decrees;
- (7) Contested Matters in which the UST is a moving or objecting party;
- (8) In cases in which no committee of unsecured creditors is appointed, objections to disclosure statements and confirmation of a plan; and
- (9) Motions seeking the Court's reconsideration of an order converting a case.

CHAPTER 7 CASES:

- (1) Objections to claims of exemption (11 U.S.C. § 522);
- (2) Objections to discharge pursuant to 11 U.S.C. § 727(a);
- (3) Objections to fee applications under sections 327, 328, 330 and 331;
- (4) Trustee's Applications to Employ when notice of such motions are mailed with a L.B.R. 9013-1 Notice;
- (5) Motions to dismiss or convert under section 707(b);
- (6) Contested matters in which the UST is a moving or objecting party; and
- (7) Motions seeking the Court's reconsideration of an order converting a case.

THE COURT FURTHER ORDERS that the UST shall notify the Clerk of this Court as soon as practicable after Congress has appropriated funds to the Department of Justice that UST staff attorneys are permitted to resume their usual civil litigation functions.

October \_\_, 2013

BY THE COURT:

A handwritten signature in black ink, reading "Howard R. Tallman". The signature is written in a cursive, flowing style. The first name "Howard" is written in a larger, more prominent script, and "R. Tallman" follows in a similar but slightly smaller script. The signature is positioned above a horizontal line.

Howard R. Tallman,  
Chief Bankruptcy Judge