

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
ORDER CLARIFYING EFFECT OF) General Order 13-0005
DISTRICT COURT'S ORDER)
REGARDING CIVIL ACTIONS IN)
WHICH THE UNITED STATES AND)
ITS AGENCIES ARE PARTIES)

ORDER

On October 7, 2013, Chief United States District Judge Richard L. Young entered an order numbered 1:13-MC-120-RLY and titled "Order Regarding Civil Cases in Which the United States, its Agencies, Officers, and Employees are Parties" ("the District Court Order"). The District Court Order is available on that Court's website, and has been added to the docket in bankruptcy matters where an Assistant or Special Assistant U.S. Attorney (collectively, "AUSA") has appeared.

This Court, after consultation with Chief Judge Young, now clarifies the impact of the District Court Order in bankruptcy cases:

1. For bankruptcy cases, the presence of a federal government agency on the list of creditors or the appearance of an AUSA in the case will not delay the conduct of the meeting of creditors pursuant to 11 U.S.C. §341. When the stay imposed by the District Court Order is no longer in effect, any AUSA may request that the United States Trustee, or her delegates, conduct a special meeting of creditors pursuant to Fed.R.Bankr.P. 2003(f) or an examination under Rule 2004(a).

2. While all deadlines for objections or other action are tolled by the District Court Order for any case in which an AUSA has appeared, the Court will continue to consider and resolve matters in those cases which do not impact the interests of the federal government agency for which the AUSA appeared. However, the Court will entertain motions for relief from any order or judgment entered in those cases if the AUSA later determines that the order or judgment affects the agency's rights or interests.

3. Cases in which a federal government agency is listed on the schedules but for which an AUSA has not appeared will be considered and resolved by the Court pursuant to normal procedures. However, the Court will entertain motions for relief from any order or judgment in those cases if an AUSA later appears and determines that the order or judgment affects the agency's rights or interests.

4. Adversary proceedings and contested matters against a federal government agency may be commenced, but will be stayed from further action until the

District Court Order is no longer in effect, unless the plaintiff/movant asks for relief from the District Court Order using the procedures set forth in that Order.

5. Any Bankruptcy Judge may make further clarifications to the District Court Order, but only after notice to the United States Attorney as required by the District Court Order.

October 10, 2013



JAMES K. COACHYS
CHIEF BANKRUPTCY JUDGE