

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE:

ALL MATTERS IN THE UNITED  
STATES BANKRUPTCY COURT FOR  
THE DISTRICT OF NEBRASKA  
DURING GOVERNMENT SHUTDOWN

ADMINISTRATIVE ORDER 2019-01

**ORDER EXTENDING GOVERNMENT PROOF OF CLAIM BAR DATE**

After due consideration of a Motion filed by the United States Attorney for the District of Nebraska (“Motion”), the Court makes the following findings:

1. At the end of the day on December 21, 2018, the appropriations act that funded many of the Departments of the United States of America expired and appropriations lapsed.
2. The lapse in funding resulted in the furloughing of numerous federal employees, and those employees are prohibited from working, even on a voluntary basis, except in the limited emergency circumstances set forth in 31 U.S.C. § 1342.
3. The Court further finds that it is presently unknown when funding will be restored by the U.S. Congress.
4. Some of the furloughed employees’ duties include preparation and filing of proofs of claim on behalf of the United States of America (“USA”).
5. The Court further finds that the USA, and its Departments and agencies, is a unitary creditor for purposes of bankruptcy. *In re Turner*, 84 F.3d 1294 (10th Cir. 1996) (USA is a unitary creditor for setoff purposes). In light of the foregoing findings, it is

ORDERED that the governmental proof of claim bar date is extended, in all cases, as to the USA, including, without limitation, all its Departments and agencies (such as the U.S. Internal Revenue Service, the U.S. Small Business Administration, the U.S. Department of Agriculture, etc.) until twenty-eight (28) days after the restoration of funding to the USA and the return of its furloughed employees to work in the federal government (“Funding Restoration”); and,

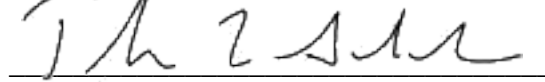
FURTHER ORDERED that any motion by the USA for an extension of any deadline (whether or not the deadline has already passed) in any reaffirmation matter, plan confirmation, adversary proceeding or contested matter, to which it is a party, will be liberally granted when the presiding judge determines that the interests of other parties will not be materially adversely affected; and,

FURTHER ORDERED that the United States Attorney for the District of Nebraska shall notify the Court, in a written filing, the date on which such governmental funding and employment activity have resumed (“Restoration Notice”); and,

FURTHER ORDERED that twenty-eight (28) days after the filing of the Restoration Notice, the limited extension of the governmental claims bar date shall terminate and no longer be in effect.

DATED: January 22, 2019

BY THE COURT:

A handwritten signature in dark ink, appearing to read 'Th L Saladino', written over a horizontal line.

Thomas L. Saladino, Chief Judge