

SO ORDERED




THOMAS J. CATLIOTA
U.S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

In re: *
COVID-19 PANDEMIC PROCEDURES * Miscellaneous Proceeding No.
* 20-90006
* * * * *

**ADMINISTRATIVE ORDER 20-09 SETTING DEADLINES
FOR CERTAIN MOTIONS AND APPLICATIONS**

The COVID-19 pandemic has led this Court and the United States District Court for the District of Maryland (the “District Court”) to issue Standing Orders and Administrative Orders setting and extending filing deadlines. This Order establishes that the deadlines for filing objections or responses to the motions and applications described below, filed after April 15, 2020, revert back to the deadlines that are determined under the Bankruptcy Code or Bankruptcy Rules¹ without regard to any COVID-19 related Standing Orders or Administrative Orders. On March 20, 2020, the District Court issued Standing Order 2020-05, *Court Operations Under the Exigent Circumstances Created by COVID-19*, Misc. No. 00-308, (“SO 2020-05”). SO 2020-05 provides:

¹ As used herein, “Bankruptcy Rules” means the Federal Rules of Bankruptcy Procedure or Local Bankruptcy Rules.

All filing deadlines now set to fall between March 16, 2020, and April 24, 2020, are EXTENDED by forty-two (42) days, unless the presiding judge in an individual case sets a different date by an order issued after the date of this Order.

SO 2020-05 at 2. This Court provided guidance on the application of the filing deadline extensions in SO 2020-05 in a Memorandum dated March 26, 2020 (the “Memorandum”).²

Then, on April 10, 2020, the District Court issued Standing Order 2020-07, *Court Operations Under the Exigent Circumstances Created by COVID-19*, Misc. No. 20-146 (“SO 2020-07”). SO 2020-07 supersedes SO 2020-05, and provides:

All filing deadlines, in all cases, originally set to fall between March 16, 2020, and June 5, 2020, are EXTENDED by eighty-four (84) days, unless 1) the presiding judge in an individual case sets a different date by an order issued after the date of this Order; or 2) a new date is established by an administrative order of the Bankruptcy Court issued after the date of this Order.

SO 2020-07 at 2-3.

The Court determines there is an urgent need to allow reasonable progress under the circumstances of the COVID-19 pandemic on bankruptcy case matters considered to be significant. Therefore, the Court allows the deadlines to object or respond to certain motions and applications, described below, to revert back to the deadlines that applied prior to the entry of, and without regard to, SO 2020-05 and subsequent Standing Orders and Administrative Orders. This Order should not be construed as prohibiting any party from filing a motion to further shorten time to object to any motion or application addressed below, to shorten time to object to any other filing,³ or to seek emergency relief on any matter on an expedited basis.

² Memorandum Addressing the Continuation of Hearings and the Extension of Filing Deadlines in Standing Order 2020-05 of the United States District Court for the District of Maryland, *COVID-19 Pandemic Procedures* (Misc. No. 20-90006).

³ The Court’s website contains links to suggested forms for filing motions to shorten time to respond to a filing or to set an expedited hearing, and a proposed order to file with the motion.
<https://www.mdb.uscourts.gov/sites/default/files/MotionToShortenTime.docx>;
<https://www.mdb.uscourts.gov/sites/default/files/OrderOnMotionToShortenTime.docx>

This Order addresses only filing deadlines. Hearings are postponed in accordance with SO 2020-07, unless the presiding judge has or will set a specific hearing date. *See* SO 2020-07

2. Counsel or an unrepresented party may file a motion to set a hearing in any case. In accordance with prior guidance, parties should consider the use of affidavits and declarations to facilitate the resolution of disputed matters.

Now, therefore, it is by the United States Bankruptcy Court for the District of Maryland, hereby

ORDERED, that the deadline to file an objection or response to a motion or application described below (a “Motion or Application”) that is **filed after April 15, 2020**, shall be the deadline that would have been established under the Bankruptcy Code or the Bankruptcy Rules as if the particular Motion or Application were filed before the entry of SO 2020-05, and as if SO 2020-05 and subsequent Standing Orders and Administrative Orders did not apply:

- Applications to retain attorneys and other professionals filed pursuant to 11 U.S.C. § 327 and Fed. R. Bankr. P. 2014;
- Applications for professional compensation filed pursuant to 11 U.S.C. §§ 328, 330, Fed. R. Bankr. P. 2002(a)(6), 2016, and L. Bankr. R. 2016-1;
- Applications for administrative claims filed pursuant to 11 U.S.C. § 503, Fed. R. Bankr. P. 3007, 3008 and L. Bankr. R. 2070-1;
- Motions to redeem filed pursuant to 11 U.S.C. § 722 and Fed. R. Bankr. P. 6008;
- Trustee’s Final Report in Chapter 7 case filed pursuant to 11 U.S.C. § 704(a)(9) and Fed. R. Bankr. P. 2015;
- Motion to approve compromise or settlement filed pursuant to Fed. R. Bankr. P. 2002(a)(3), 9019 and L. Bankr. R. 9019-1;
- Chapter 12 plans filed pursuant to 11 U.S.C. § 1221, Fed. R. Bankr. P. 2002(a)(8) 3015(f);

- Motion to modify a Chapter 12 or 13 plan filed pursuant to 11 U.S.C. §§ 1229, 1329, Fed. R. Bankr. P. 2002(a)(5), 3015(h) and L. Bankr. R. 3015-4;
- Motions to incur debt or purchase real estate or a vehicle filed pursuant to 11 U.S.C. §§ 363, 364, Fed. R. Bankr. P. 4001(c), and L. Bankr. R. 4001-4;
- Motions to determine value, avoid a lien, or set interest rate filed pursuant to 11 U.S.C. §§ 506, 522(f), 1325, Fed. R. Bankr. P. 3012, 4003(d) and L. Bankr. R. 3012-1, 3012-2, 4003-2;
- Debtor-in-possession financing motions filed pursuant to 11 U.S.C. § 364, Fed. R. Bankr. P. 4001(c), and L. Bankr. R. 4001-5;
- Objections to Chapter 11 disclosure statements filed pursuant to Fed. R. Bankr. P. 2002(b), (and if the disclosure statement is approved, the presiding judge will enter an order addressing filing plan objections and other matters, and setting a hearing on confirmation);
- Motions to extend time to file a motion to dismiss case under 11 U.S.C. § 707(b); and it is further

ORDERED, for any Motion or Application that is **filed after April 15, 2020**, the filing attorney shall highlight the objection deadline established by operation of this Order in any required notice and shall cite to this Order as the authority for the deadline; if no separate notice is required to be served with the Motion or Application, the filing attorney shall highlight in the Motion or Application the objection deadline established by operation of this Order, and shall cite to this Administrative Order as the authority for the objection deadline; and it is further

ORDERED, for any Motion or Application **filed on or before April 15, 2020**, the extension of the filing deadline in SO 2020-07 does not apply, and the filing deadline established by SO 2020-05, as if it had not been superseded by SO 2020-07, continues to govern unless the presiding judge has set a different filing deadline; and it is further

ORDERED, if a timely objection is filed to a Motion or Application, the Court will set a hearing as appropriate; and it is further

ORDERED, that the filing deadlines set by SO 2020-07 continue to apply for any matter that is not a Motion or Application.

END OF ORDER