

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

**Enlargement of Certain Time Periods,
Extension of Certain Deadlines and
Resetting of Certain § 341 Meetings
in Pending and Future Bankruptcy Cases
Due to the Exigent Circumstances
Created by the COVID-19 Pandemic**

**Misc. Proceeding
20-00101**

ORDER

On March 13, 2020, the U.S. District Court for the District of Vermont entered General Order # 84, and on March 17, 2020, this Court entered Standing Order # 20-09, to implement the guidance and recommendations of the Center for Disease Control, during the COVID-19 pandemic, and set forth restrictions on entry into the United States Courthouses in the District of Vermont, limit Court operations, and convert in-person hearings to telephonic hearings. Similarly on March 16, 2020, the United States Trustee for Region 2 announced the postponement of all meetings of creditors under 11 U.S.C. § 341 scheduled through April 10, 2020.

On March 24, 2020, the U.S. Trustee filed a Motion (doc. # 1 in this miscellaneous proceeding) asking this Court to enter an Order enlarging certain time periods, extending certain deadlines and permitting him to reset §341 meetings of creditors in certain cases, in response to the burdens and exigent circumstances caused by COVID-19.

THE COURT FINDS the U.S. Trustee has set forth sufficient cause for the relief he seeks, and it is in the best interest of debtors, trustees, creditors, and parties in interest to grant that relief, in cases particularly impacted by the circumstances of the COVID-19 pandemic.

Therefore, in the exercise of this Court's authority under 11 U.S.C. § 105 and Federal Rule of Bankruptcy Procedure 1001, **IT IS HEREBY ORDERED:**

1. This Order applies to all cases in which the date first set for the § 341 meeting of creditors is on or after March 16, 2020.
2. The following deadlines under the Federal Rules of Bankruptcy Procedure are extended in all cases in which the § 341 meeting is continued by the Office of the United States Trustee or by order of this Court to 60 days after the date for the rescheduled § 341 meeting, provided that if the § 341 meeting is further continued by the Office of the United States Trustee or Order of this Court, the 60-day period shall run from the newest rescheduled § 341 meeting date provided that latter 341 meeting is set for a date prior to May 1, 2020:

- a. The deadline under Rule 1007 for debtors in a Chapter 7 case to file the statement required under Rule 1007(b)(7).
 - b. The deadline under Rule 1017(e) for the United States Trustee to file a motion to dismiss for abuse.
 - c. The deadline under Rule 4004(a) for the filing of objections to the debtor's discharge under 11 U.S.C. § 727.
 - d. The deadline under Rule 4007(c) for filing complaints to determine the dischargeability of certain debts under 11 U.S.C. § 523(c).
 - e. The deadline under Rule 4008(a) for filing a reaffirmation agreement.
3. The deadline under 11 U.S.C. § 1308(a) for Chapter 13 debtors to file prepetition tax returns is extended to the day before the rescheduled § 341 meeting, provided that if the § 341 meeting is further continued by the Office of the United State Trustee or order of this Court, the deadline is extended to the day before the newest rescheduled § 341 meeting date.
 4. The deadline under Rule 2015.3(b) for the trustee or debtor in possession to file a financial report regarding each entity that is not a publicly traded corporation or a debtor in a bankruptcy case and in which the estate holds a substantial or controlling interest is extended to seven days before the rescheduled § 341 meeting, provided that if the § 341 meeting is further continued by the Office of the United State Trustee or order of this Court, the deadline is extended to the day before the newest rescheduled § 341 meeting date.
 5. The deadlines under Rule 2003(c) for holding § 341 meetings are extended as follows:
 - (a) in a chapter 7 liquidation or a chapter 11 reorganization case, the deadline for the initial meeting of creditors shall be extended from 60 days after the order for relief to 112 days after the order for relief;
 - (b) in a chapter 12 case, the deadline for the initial meeting of creditors shall be extended from 35 days after the order for relief to 60 days after the order for relief; and
 - (c) in a chapter 13 case, the deadline for the initial meeting of creditors shall be extended from 50 days after the order for relief to 60 days after the order for relief;or to such other date this Court sets, based on a motion filed in a particular case.
 6. This is a temporary order. It will expire on the earlier of (a) the entry of further Order of this Court; or (b) May 1, 2020, the date by which the Court expects the Office of the United States Trustee to resume scheduling and holding § 341 meetings pursuant to the timeframes set forth in Rule 2003(a); or continued, for cause shown.

7. The Court will consider requests for similar relief in any other case in which the movant can demonstrate exigent circumstances based on COVID-19.

SO ORDERED.

March 24, 2020
Burlington, Vermont



Colleen A. Brown
Chief United States Bankruptcy Judge
District of Vermont