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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:
ORDER EXTENDING CERTAIN
DEADLINES.

SECOND AMENDED GENERAL ORDER
40

WHEREAS this court issued its Amended General Order 40 on April 9, 2020 in response to the COVID-19 pandemic and its impact on the ability of the United States Trustee, the panel Chapter 7 trustees, and the standing Chapter 12 and 13 trustees (collectively, the “Trustees”) to conduct 341(a) meeting of creditors, and

WHEREAS since the signing of the Amended General Order 40 the Trustees have successfully implemented processes allowing them to conduct section 341(a) meetings of creditors by phone and by video, which processes nullify the need for certain extensions of time granted under Amended General Order 40, it is hereby **ORDERED** that:

1. This second Amended General Order 40 applies to all bankruptcy cases that are filed **before** May 1, 2020 **and** in which the date for the Initial Meeting of Creditors is scheduled **on or after** March 17, 2020. In these cases, the following deadlines under the Federal Rules of

Bankruptcy Procedure are extended to 120 days after the date of the Initial Meeting of Creditors:

a. The deadline under Federal Rule of Bankruptcy Procedure 1017(e) for the United States Trustee to file a motion to dismiss for abuse.

b. The deadline under Federal Rule of Bankruptcy Procedure 4004(a) for objections to the debtor’s discharge.

1 c. The deadline under Federal Rule of Bankruptcy Procedure 4007(c) for filing a
2 complaint as to the dischargeability of certain debts under 11 U.S.C. § 523(c).

3 d. The deadline under Federal Rule of Bankruptcy Procedure 4008(a) for filing a
4 reaffirmation agreement.

5 e. The deadline under Federal Rule of Bankruptcy Procedure 1007(c) for
6 Chapter 7 debtors to file the statement required under Federal Rule of Bankruptcy Procedure
7 1007(b)(7).

8 2. If the Initial Meeting of Creditors in a Chapter 13 case is continued by the Chapter 13
9 trustee due to restrictions arising from the COVID-19 pandemic, the deadline under 11 U.S.C. §
10 1308(a) for a Chapter 13 debtor to file pre-petition tax returns is extended to the day before the date
11 of the continued meeting of creditors. If there is no such continued meeting of creditors, the
12 deadline is unchanged.

13 3. If the Initial Meeting of Creditors is continued due to restrictions arising from the
14 COVID-19 pandemic in a case where a trustee or debtor is required, under Federal Rule of
15 Bankruptcy Procedure 2015.3(b), to file a financial report regarding each entity that is not a publicly
16 traded corporation or a debtor in a bankruptcy case and in which the estate holds a substantial or
17 controlling interest, the deadline for filing such a financial report is extended to seven days before
18 the date of the continued meeting of creditors. If there is no such continued meeting of creditors, the
19 deadline is unchanged.

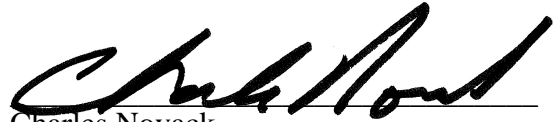
20 4. If the Initial Meeting of Creditors in an individual Chapter 7 or Chapter 13 case is
21 continued due to restrictions arising from the COVID-19 pandemic, the deadline under 11 U.S.C. §
22 521(e) for the debtor to provide to the trustee (and any requesting creditor) a copy of the Federal
23 income tax return or tax transcript for the most recent tax year ending immediately before the
24 commencement of the case and for which a Federal income tax return was filed, is extended to seven
25 days before the date of the continued meeting of creditors. If there is no such continued meeting of
26 creditors, the deadline is unchanged.

27 5. This Second Amended General Order does not prejudice or alter any interested party's
28 right to apply for an extension of time regarding any of the above deadlines.

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6. This Second Amended General Order replaces in full Amended General Order 40 executed on April 9, 2020.

SO ORDERED this 1st day of May 2020.



Charles Novack
Chief Bankruptcy Judge

* * *END OF ORDER* * *