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5 **UNITED STATES BANKRUPTCY COURT**
6 **NORTHERN DISTRICT OF CALIFORNIA**

7 In re:

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9 MATTERS PENDING IN THE NORTHERN
DISTRICT OF CALIFORNIA

FIFTH AMENDED GENERAL ORDER 38

10 **IN RE: COVID-19 Public Health Emergency**

11 **WHEREAS** in March 2020, the United States Bankruptcy Court for the Northern
12 District of California (the “Court”) closed its courtrooms and Clerk’s office in response to the
13 COVID-19 pandemic;
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15 **WHEREAS** the Court believes that there is an ongoing need to keep its courtrooms
16 and Clerk’s office closed and does not know when it can safely reopen;

17 **NOW THEREFORE**, the United States Bankruptcy Court for the Northern District of
18 California issues the following Fifth Amended General Order 38, effective March 1, 2021,
19 and **ORDERS** as follows:
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21 1. All Bankruptcy Court locations are closed to the general public, and no court
22 staff will be physically present to assist any attorney, party or other interested person or
23 accept any document for filing at any court location. **This closure will remain in effect**
24 **until otherwise ordered.** ECF Registered Participants must file all documents
25 electronically. All other parties may submit documents for filing by mail, electronically via
26 the court’s website, or in designated drop-box locations. Filing fee payments (no cash) may
27 be submitted electronically, by mail or drop-box. Information regarding electronic
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1 submission of documents, mailing addresses, drop-box location and hours, are available
2 under the “Court Operations during the COVID-19 Outbreak Information about Hearings,
3 Filings, and Operations” banner on the court’s website:

4 <https://www.canb.uscourts.gov/content/page/court-operations-during-covid-19-outbreak>

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6 2. Absent express order of the presiding judge, no in-court trial or evidentiary
7 hearing will be held. If the circumstances warrant, the presiding judge may conduct a trial
8 or evidentiary hearing by video or other authorized means.

9 3. All counsel, parties and other interested persons who intend to appear on a
10 calendared motion or application shall appear telephonically or, at the presiding judge’s
11 discretion, by video. Again, absent express order of the presiding judge, there will be no
12 physical access to any courtroom. Instructions for appearing can be found on each
13 individual judge’s calendar page on the Bankruptcy Court’s website:

14 <https://www.canb.uscourts.gov/calendars/judges>.

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16 Effective March 1, 2021, the Bankruptcy Court will no longer use CourtCall for its
17 hearings. Instead, counsel, parties and other interested persons may appear telephonically
18 via AT&T or Zoom. Instructions for appearing telephonically can be found on each
19 individual judge’s calendar page on the Bankruptcy Court’s website:

20 <https://www.canb.uscourts.gov/calendars/judges>. There will be **NO COST** for these
21 services.

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23 4. **Recordation of any court hearing by any means is strictly prohibited.**

24 Any person recording a court hearing shall be subject to sanctions, including but not limited
25 to the loss of that person’s right to use the above telephonic and video services.

26 5. Until further notice, parties do not need to submit chambers’ copies.
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1 6. Parties may continue matters that are set for hearing to future hearing dates
2 that are consistent with this Order. Available hearing dates are posted on each judge's
3 calendar page. Requests for continuances shall be made in a manner consistent with the
4 presiding judge's requirements.

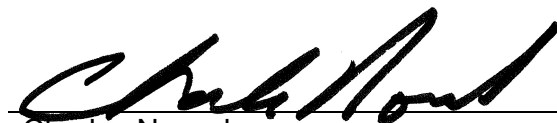
5 7. Unless otherwise ordered by the presiding judge, there is no change to all
6 other scheduling procedures including, but not limited to, applications for injunctive relief,
7 orders shortening time, and hearings on "First Day" Chapter 11 motions.

8 8. Unless otherwise ordered by the presiding judge, all notices of any motion or
9 application filed with the court and served on any party which sets a hearing date for the
10 motion or application must state that the hearing will not be conducted in the presiding
11 judge's courtroom but instead will be conducted by telephone or video, and include the
12 following language: "All interested parties should consult the Bankruptcy Court's website at
13 www.canb.uscourts.gov for information about court operations during the COVID-19
14 pandemic. The Bankruptcy Court's website provides information regarding how to arrange
15 a telephonic or video appearance. If you have any questions regarding how to appear at a
16 court hearing, you may contact the Bankruptcy Court by calling 888-821-7606 or by using
17 the Live Chat feature on the Bankruptcy Court's website."

18 9. This Order supersedes any inconsistent information or direction in any
19 standing order or notice related to the COVID-19 pandemic, and, effective March 1, 2021, it
20 replaces the Fourth Amended General Order 38.

21 **IT IS SO ORDERED.**

22 Dated: February 18, 2021

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Charles Novack
Chief Bankruptcy Judge