

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE**

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In re

**Stay of Civil Proceedings in the United States  
Bankruptcy Court for the Western District of  
Tennessee in the absence of an Appropriation  
Bill or Continuing Resolution by the United  
States Congress**

**Misc. Proc. No. 18-08007**

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**ORDER DENYING UNITED STATES OF AMERICA'S MOTION FOR A STAY OF PROCEEDINGS IN  
ALL CASES IN WHICH THE UNITED STATES ATTORNEY IS COUNSEL OF RECORD AND/OR THE  
UNITED STATES IS A PARTY IN INTEREST**

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It appearing to the Court that on December 26, 2018, the United States of America filed a motion for a stay of proceedings in all cases in which the United States Attorney is counsel of record and/or the United States is a party in interest in the United States Bankruptcy Court for the Western District of Tennessee until such time as the United States Congress has restored appropriations to the United States Department of Justice.

It further appearing to the Court that Judge Jimmy L. Croom was designated by the United States Bankruptcy Court for the Western District of Tennessee to conduct a hearing on said motion and that same was conducted on January 4, 2019. The following individuals appeared at said hearing on behalf of the United States of America: D. Michael Dunavant, United States Attorney for the Western District of Tennessee, Stuart Canale, Assistant United States Attorney, and Victor L. Ivy, Assistant United States Attorney.

It further appearing to the Court upon statements of counsel regarding the lapse in appropriations at the Department of Justice, the United States Attorney has had to scale back his operations. The Court is sympathetic to this situation; however, the Court must balance the rights of the United States of America against those of all other parties in interest, e.g., debtors, creditors, trustees, etc., and to the just and efficient administration of its caseload.

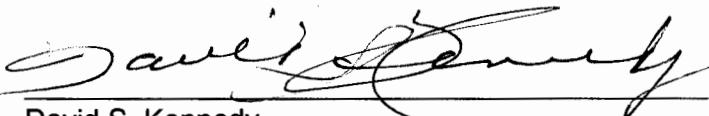
It is **THEREFORE ORDERED** that the United States of America's Motion for a Stay of Proceedings in All Cases in which the United States Attorney is Counsel of Record and/or The United States is a Party in Interest is **DENIED**.

It is **FURTHER ORDERED** that requests on behalf of the United States of America to continue matters shall be liberally granted when the presiding judge determines such continuance will not adversely affect the interests of other parties.

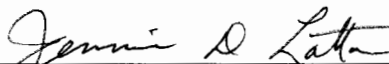
The Clerk of the United States Bankruptcy Court for the Western District of Tennessee is hereby directed to serve a copy of this order on (1) Matthew G. Whitaker, Acting Attorney General of the United States, 950 Pennsylvania Ave NW, Washington DC 20530-0001; (2) D. Michael Dunavant, United States Attorney for the Western District of Tennessee, 167 North Main St., Suite 800, Memphis, TN 38103; and (3) all attorneys registered in the CM/ECF system for this Court. The Clerk is also directed to post a copy of this order on the Court's website.

**IT IS SO ORDERED AND NOTICE IS HEREBY GIVEN:**

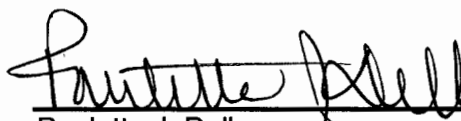
This 10<sup>th</sup> day of January, 2019.



David S. Kennedy  
Chief United States Bankruptcy Judge



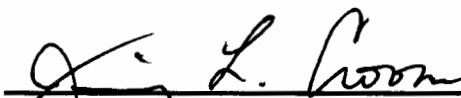
Jennie D. Latta  
United States Bankruptcy Judge



Paulette J. Delk  
United States Bankruptcy Judge



George W. Emerson  
United States Bankruptcy Judge



Jimmy L. Croom  
United States Bankruptcy Judge