

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

**MOTION FOR A STAY OF PROCEEDINGS IN ALL BANKRUPTCY CASES
WHERE THE UNITED STATES ATTORNEY IS COUNSEL OF RECORD AND
WHERE THE UNITED STATES OF AMERICA IS A PARTY IN INTEREST
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of proceedings in all cases in which the United States Attorney is counsel of record and/or the United States of America is a party in interest in light of the lapse of appropriations.

1. At the end of the day on September 30, 2013, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for most Executive agencies, including the United States Attorney's office as well as most of the agencies and agents that it represents. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the Civil Division of the United States Attorney's office are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore request a stay of all proceedings in bankruptcy cases in which the United States Attorney is counsel of record and/or the United States of America is a party in interest until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all

current deadlines in affected cases be extended commensurate with the duration of the lapse in appropriations.

Therefore, although the United States Attorney greatly regrets any disruption caused to the Court and the other litigants, the Government hereby moves for this stay until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted,

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