

Signed: March 17, 2020

Paul M. Black United States Bankruptcy Judge

## UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF VIRGINIA

IN RE:

ORDER PERTAINING TO SCHEDULED HEARINGS BEFORE THE HONORABLE PAUL M. BLACK FOR THE PERIOD MARCH 17, 2020 THROUGH AND INCLUDING MARCH 31, 2020 Standing Order No. 20-2

## **ORDER**

On March 16, 2020, the United States District Court for the Western District of Virginia entered Standing Order No. 2020-5 regarding Court Operations Under the Exigent Circumstances Created by COVID -19. In furtherance of that Order, unless otherwise ordered in a specific case or proceeding, Judge Black hereby ORDERS as follows:

- 1. The Court is <u>not</u> altering hearing dates at this time, except as noted below.
- All hearings scheduled on Judge Black's calendars will be conducted telephonically only. <u>The court cannot accommodate personal appearances at this time</u>.
- Counsel or unrepresented parties who would like to appear at a hearing must do so by telephone. Instructions for appearing by telephone should be directed to Judge Black's courtroom deputy, Sabrina Lee, at 540-795-6224.

- 4. If you cannot appear by telephone but still want to appear at a hearing, contact the courtroom deputy above. If you do not reach her, leave a message. The Court will assess whether your matter should be rescheduled to a date after March 31, 2020, when we hope to resume court proceedings in person. You will be notified of any later hearing date.
- 5. Parties may continue matters that are set for hearing to future hearing dates. Contact the courtroom deputy above for future hearing dates.
- 6. The Court will not hold in-person evidentiary hearings during this time, and these may be rescheduled on a case-by-case basis. In emergency circumstances or for other time-sensitive matters, the Court will attempt to utilize video conferencing if available and if necessary, all on a case-by-case basis.
- Chapter 13 Confirmation Orders will be entered upon trustee recommendation if all objections are resolved and the Court determines the plan complies with the requirements for confirmation.
- 8. Timely filed motions to extend the automatic stay pursuant to 11 U.S.C. §362(c)(3)(B) are granted through and including the first date set for confirmation of the debtor's Chapter 13 plan, at which time a further hearing will be held or order entered as circumstances may warrant.
- 9. Initial hearings on motions for relief from stay shall be treated as a preliminary hearing pursuant to 11 U.S.C. §362(e). A telephonic hearing will be conducted initially, with a final hearing set after March 31, 2020. The stay will remain in effect through and including final hearing date, absent further order of the Court. Unless otherwise ordered by the Court, parties are expected to continue to comply with the Court's pre-hearing order.

- The Court expects all counsel to make a good faith, and timely, effort to resolve contested matters in advance of any hearing dates, including Motions for Relief from Stay, and Trustee's Objections to Confirmation and Motions to Dismiss in Chapter 13 cases.
- 11. Questions pertaining to the conduct of meetings of creditors pursuant to 11 U.S.C.§341(a) should be directed to the Office of the United States Trustee.
- 12. All pre-trial conferences shall be conducted by telephone. Contact the courtroom deputy above for call-in information.
- The Clerk's Offices at all locations are operating with reduced staffing but are observing posted business hours.
- The Court will continue to monitor the COVID-19 public health emergency and will amend this order as appropriate.

IT IS SO ORDERED.

\*\*End of Order\*\*