

IN THE UNITED STATES BANKRUPTCY COURT SEP 16 2008  
SOUTHERN DISTRICT OF TEXAS

Michael N. Milby, Clerk

By Deputy Clerk 

In re: §  
Extensions of Time §

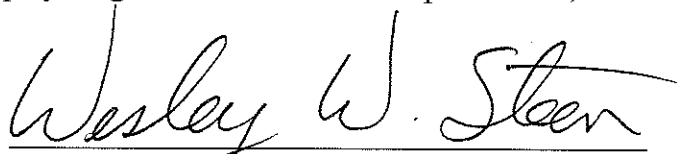
GENERAL ORDER  
2008- 01

EMERGENCY GENERAL ORDER RELATED TO HURRICANE IKE

Hurricane Ike has caused the Houston and Galveston courthouses to close for extensive periods, has made the courthouses inaccessible to some (possibly for periods extending beyond the dates when the courthouse was closed), has required the Court to reset numerous hearings, and has interrupted the ordinary course of business such as adequate protection and other payments. This order is issued pursuant to § 105 and the inherent power of the Court in the interest of justice to address those problems.

- 1 With respect to any deadline that involves "the filing of a paper in court", the deadline is extended by authority of Rule 9006(a) of the Federal Rules of Bankruptcy Procedure. Parties in interest are referred to that rule for the details.
- 2 With respect to deadlines not covered by Rule 9006 or extensions beyond those provided in Rule 9006(a) (whether the deadline is established by law, rule, or court order):
  - a) Parties are expected to comply with deadlines if they are able. If not able to comply with a deadline, the party must comply as soon as able.
  - b) If any deadline has automatic consequences (such as dismissal or termination of a stay) a party may file a motion seeking an extension of the deadline. In ruling on the motion to extend or in ruling on the consequences of failure to comply with the deadline (if no motion to extend has been filed) the Court will consider all the facts and circumstances and will grant relief, (if the Court has authority to grant relief), if the party has exercised reasonable diligence and has complied as soon as reasonably possible.
- 3 In certain instances, § 362 of the Bankruptcy Code provides for the termination of the automatic stay 30 days after the filing of certain motions unless an order is issued to the contrary. With respect to any such matter for which a hearing was continued on account of Hurricane Ike (or for which no hearing has been set because of Hurricane Ike) the automatic stay remains in force pending further order of the Court. Any party seeking relief from this provision must seek emergency relief.

Adopted unanimously by the Bankruptcy Judges of this District on September 15, 2008.

  
WESLEY STEEN  
CHIEF JUDGE