

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: CERTAIN MATTERS PENDING
BEFORE THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA RELATIVE TO THE
LAPSE OF APPROPRIATIONS OF
DECEMBER 21, 2018

Misc. No. 18-mc-1248

Chief Judge Mark R. Hornak

ORDER

AND NOW this 26th day of December, 2018, for good cause shown, and as a consequence of the lapse of certain appropriations for the operations of the United States Department of Justice and of the resulting suspension of civil litigation operations of such Department,

IT IS HEREBY ORDERED that the Omnibus Motion of the United States for a Stay of Miscellaneous Civil Actions in Light of the Lapse of Appropriation filed this date is GRANTED on the terms set forth herein, as follows:

1. Except as set forth herein, all civil actions on the docket of this Court in which the United States or an agency or officer thereof (hereinafter "United States") is a party, and in which the interests of the United States are represented by the United States Attorney for this District or the United States Department of Justice, as counsel of record, are hereby STAYED pending further Order of this Court. This Order applies to any such civil action currently filed upon the docket of this Court, or which is filed during the pendency of the STAY effected by this Order;
2. For purposes of this Order, such civil actions do not include any matter pending in the Bankruptcy Court for this District (which may enter such Orders in these regards as it

deems appropriate), civil actions seeking relief pursuant to 28 U.S.C. §2255, or those collection or other civil actions in which the interests of the United States are represented by non-federal, retained counsel;

3. All filing, response or other case administration deadlines in the civil actions stayed by virtue of this Order are held in abeyance without prejudice pending further Order of this Court. This Order does not vacate any trial date set by an Order entered prior to the date of this Order. Any such trial date shall be adjusted by the presiding judicial officer as may be necessary to serve the ends of justice. All other deadlines held in abeyance by the entry of this Order shall be deemed extended by the number of days consumed by this STAY. Counsel for the United States shall promptly upon the vacation of the STAY effected by this Order file such proposed amended scheduling or other orders as are necessary or appropriate to reflect the adjustment of such dates;
4. The Clerk of this Court is directed to promptly post a copy of this Order on the Court's website and disseminate it to all registered CM/ECF users in this District for public information, and to promptly transmit a copy hereof to each judicial officer of this District, and to each other judicial officer assigned any civil cases on this Court's docket. The United States Attorney for this District shall cause notice of the entry of this Order, and a copy thereof, to be served upon the opposing party (but only if such opposing party is not a CM/ECF user or not represented by a CM/ECF user) in each case stayed by this Order, in reasonably prompt due course, and to reasonably promptly thereafter provide to the undersigned a listing of each such affected civil action;
5. The entry of this Order, the STAY effected by it, and the holding in abeyance of any

filing, response or case administration deadlines implemented by it, shall be without prejudice to the substantive or other rights of any party. This Order may be modified or vacated, generally or as to any particular civil action, for good cause shown, by further Order of the undersigned upon the Motion of any party, any person with a legally cognizable interest, or by the undersigned *sua sponte*, with notice;

6. This STAY shall continue in full force and effect until vacated or modified by further Order of the undersigned. The United States Attorney for this District shall immediately notify the undersigned in writing upon the cessation in the lapse of appropriations that triggered the filing of above-referenced Motion, or of the resumption of the operations of that office and/or the Department of Justice such that the necessity for the STAY effected by this Order has concluded or otherwise abated, in whole or in part. At such time, this Court will enter an Order vacating or modifying the STAY as is just and proper.
7. Unless the STAY directed by this Order has been previously vacated, the United States Attorney for this District shall file a status report with the undersigned (and upon the docket at the above Miscellaneous Case Number) on or before January 16, 2019 as to the status of the appropriations matters relied upon in his making the Motion now before the Court, and as to the then-current necessity for the continuance of the STAY.



Mark R. Hornak
Chief United States District Judge