

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In Re:)
)
Third Amended Order Governing)
The Conduct of Hearings Due to)
Coronavirus Disease 2019 (COVID-19))
)

**THIRD AMENDED ORDER GOVERNING THE CONDUCT OF
HEARINGS DUE TO CORONAVIRUS DISEASE 2019 (COVID-19)**

WHEREAS, on March 13, 2020, in response to the threat of Coronavirus Disease 2019 (COVID-19), the Court entered its Interim Order re Cessation of Hand Deliveries (“Hand Deliveries Order”). Pursuant to the Hand Deliveries Order, among other things, the Court prohibited the hand delivery of documents to the Bankruptcy Court and modified certain Local Rules and Chambers’ Procedures to provide for electronic delivery of documents.

WHEREAS, on March 16, 2020, the Bankruptcy Court entered its General Order (“General Order”) governing the conduct of all hearings, status conferences, trials and any other matters scheduled to be held in open court (“Court Hearings”). Pursuant to the General Order, among other things, all Court Hearings that are not time sensitive were continued to a date to be determined on or after April 15, 2020, and Court Hearings were limited to being held (i) telephonically, or (ii) by a combination of telephonically and video conference.

WHEREAS, on March 31, 2020, the Bankruptcy Court entered its Amended Order Governing the Conduct of Hearings due to Coronavirus Disease 2019 (COVID-19) (the “Amended Order”). Pursuant to the Amended Order, among other things, all Court Hearings that are not time sensitive were continued to a date to be determined by the presiding judge on or after May 1, 2020, and Court Hearings were limited to being held (i) telephonically, or (ii) by a combination of telephonically and video conference.

WHEREAS, on April 20, 2020, the Bankruptcy Court entered its Second Amended Order Governing the Conduct of Hearings due to Coronavirus Disease 2019 (COVID-19) (the “Second Amended Order”). Pursuant to the Second Amended Order, among other things, all Court Hearings that are not time sensitive were continued to a date to be determined by the presiding judge on or after May 18, 2020, and Court Hearings were

limited to being held (i) telephonically, or (ii) by a combination of telephonically and video conference.

WHEREAS, the Bankruptcy Court finds that it is advisable to amend its previous orders.

NOW, THEREFORE, it is hereby ORDERED as follows:

1. This Order supersedes and replaces the General Order issued March 16, 2020, the Amended Order issued March 31, 2020, and the Second Amended Order issued April 20, 2020.
2. This Order is effective immediately.
3. The Hand Deliveries Order remains in effect, provided, however, that any judge is authorized, but not directed, to annul or to modify any of the provisions of the Hand Deliveries Order, on a case by case basis, solely as it applies to said judge.
4. The continuation of non-time sensitive matters under the Second Amended Order is terminated, effective May 18, 2020.
5. At the discretion of the presiding judge, on a case by case basis, Court Hearings that are held prior to June 1, 2020 shall be held (i) telephonically, or (ii) by a combination of telephonically and video conference.
6. The manner of submitting evidence in Court Hearings held prior to June 1, 2020 shall be determined, on a case by case basis, by the presiding judge.
7. Local Rule 9029-3(b)(iii) is hereby amended on an interim basis as follows:

Status Information. For each motion, the agenda shall provide whether the matter is going forward, whether a continuance is requested (and any opposition to the continuance, if known), whether any or all of the objections have been resolved and any other pertinent status information, including whether the presentation of live witness(es) is expected, and, if so, the identity and location of the witness(es), and which party is presenting the witness(es). Counsel responsible for submitting the agenda shall consult with other parties in interest to identify all witnesses that will be presented.

8. The Bankruptcy Court will continue to monitor the situation and will amend this Order from time to time as appropriate.



Christopher S. Sontchi
Chief United States Bankruptcy Judge

Dated: May 11, 2020