

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA**

In re:

**ADMINISTRATIVE ORDER #127 ON CANCELLING IN-PERSON PHYSICAL
APPEARANCES FOR ATHENS HEARINGS MARCH 24 – 26
DURING 2020 PANDEMIC**

Due to the National, State and Local states of emergency relating to the COVID-19 virus,

IT IS HEREBY ORDERED that no in-person physical hearings will be held in Bankruptcy Court for Athens, Georgia during the period March 24 through March 26, 2020.

IT IS FURTHER ORDER that the hearings scheduled for that time will be handled as follows:

1. The pretrial hearing in Bailey v U.S. Dept. of Housing, Adversary Proceeding # 20-3001 and the motion for relief from stay hearing (Docket # 42, Georgia Resort Mortgage Co.) in NJN Enterprise Eagle View, LLC, case # 19-30869, will be rescheduled by separate order.
2. All other hearings on March 24 and March 25, 2020, will occur solely by telephonic hearing at their regularly scheduled date and time as provided for below.
3. Prior to a hearing, a party may advise the Court's Courtroom Deputy, Ms. Rhonda Thomas, that the matter has been continued by agreement of all parties involved, that the matter has been withdrawn, or that the matter has been resolved and that a consent order will be subsequently submitted. Those matters will be removed from the calendar and the parties excused from the telephonic hearing.
4. For the motion for relief from stay calendar, prior to the hearing, a party may advise Ms. Thomas that the moving attorney has been advised by debtor's attorney that there is no opposition to the granting of the motion, and that the trustee in the case has either advised that he or she does not oppose the relief or that the trustee has filed a "No Asset" report. Those matters will be removed and the parties excused.
5. For motions not addressed pursuant to subparagraphs 3 and 4, the hearing will proceed by telephonic hearing as hereinafter provided.
6. As for matters on the "Final Disposition Calendar," unless an order consistent with

the parties' prior announcement to the Court is submitted to the Court prior to the scheduled hearing, the parties will appear at the telephonic hearing at the regularly scheduled date and time and advise the Court of the status of the matter.

7. All motions to dismiss and Chapter 13 confirmation hearings will be heard by telephonic hearing at the regularly scheduled date and time unless all disputes in a particular matter are resolved prior thereto. If all disputes in a matter are resolved, the Court will receive announcements by the attorney for the Chapter 13 trustee at the telephonic hearing and all other parties in that matter are excused.

8. For all disputed matters heard by telephonic hearing, on matters presented on stipulated facts and legal argument, the Court will enter decisions, either at the conclusion of the hearing on a particular matter or after taking the matter under advisement. However, matters involving disputed facts will be continued to a later date, to be set based on evolving COVID-19 related conditions.

9. Because of the nature of scheduling telephonic hearings involving multiple parties, hearings will begin promptly at the scheduled time. Therefore, unlike as occurs at normal "mass" calendars, parties will not be able to wait until the time of the hearing to begin resolution negotiations. Accordingly, the Court strongly urges that all parties begin negotiations with opposing parties at the earliest possible time.

10. The Court reminds all parties that pursuant to Federal Rule of Bankruptcy Procedure (FRBP) 9014(c), FRBP 7055 applies to contested matters. Accordingly, if the respondent does not attend a telephonic hearing, the Court may presume that the motion is not opposed and grant relief if the movant is so entitled under the law.

11. Contacts with Ms. Rhonda Thomas shall be by telephone at 478-749-6813 or via email at rhonda_thomas@gamb.uscourts.gov.


12. Telephonic hearing call-in Instructions:

Call-in number: 1-877-336-1839

Access code: 7930011

Security code: No security code will be required

13. Parties are instructed to call into the telephonic hearing at least five minutes prior to the scheduled hearing time to resolve any connection issues.


JAMES P. SMITH, Chief Judge
United States Bankruptcy Court
Middle District of Georgia