



such a contingency, and with the intent to avoid any default or prejudice to the United States occasioned by a lapse in funding, *sua sponte* enters this Order to take effect immediately upon any such future lapse. Therefore, effective on the date of any future lapse in appropriations for the Department of Justice and the United States Attorney's Office, and continuing for the entire duration of the lapse, the Court hereby ORDERS as follows:

1. Any deadlines that are pending, or may become pending, during the lapse in appropriations for the United States, its agencies, officers, or employees to respond, reply, or object to complaints, motions, responses to motions, discovery papers, or briefs<sup>2</sup> in any civil litigation, as defined below, are suspended during the lapse in appropriations.

2. Any deadlines suspended by this Order shall be extended to the later of (a) twenty-one (21) days after the President signs into law an appropriations bill or continuing resolution funding the Department of Justice and the United States Attorney's Office; or (b) the date of the original deadline.

3. The United States Attorney's Office shall alert the Court as soon as practicable if the lapse in appropriations does not affect the prosecution and defense of civil litigation, as defined below.

4. Litigants in any civil litigation, as defined below, are invited to file any necessary motions to modify trial dates or deadlines that are impacted by the lapse in appropriations but not otherwise addressed by this Order.

5. Any litigant affected by this Order may seek relief from this Order by motion. The Court may, in any case, vary the effect or operation of this Order by a separate ruling.

---

<sup>2</sup> The suspended deadlines would include, but not be limited to, applicable deadlines set forth in Fed. R. Civ. P. 12, 15, 33, 34, 36, 45, 81; Supplement Rules for Social Security Actions under 42 U.S.C. § 405(g); and Local Rule 7.1.

6. This Order does not affect habeas corpus cases pending or filed under Chapter 153 of Title 28.

7. This Order does not affect rights to or deadlines concerning appeal from any decision of this Court, which will continue to operate and issue orders in the normal course.

8. This Order shall not affect civil forfeiture cases or proceedings relating to the collection of outstanding judgment debts because those matters are handled by Assistant United States Attorneys in the Criminal Division of the United States Attorney's Office.

9. This Order does not apply to motions for temporary restraining orders and injunctive relief. This Order also does not apply to cases pending in the United States Bankruptcy Court for the Eastern District of Tennessee. This Order does, however, apply to all bankruptcy cases where the reference has been withdrawn.


10. This Order does not alter, vacate, or stay any obligation of individuals to pay amounts previously lawfully determined to be owed to the United States or to an agency or office of the United States.

11. This Order does not prohibit, in any manner, the ability of the parties to file claims or commence actions against the United States. However, all response deadlines in such cases shall be suspended in accordance with this Order.

12. "Civil litigation" shall include all pending non-criminal cases in which the United States, its agencies, its officers, or its employees (whether in their individual or official capacity and whether current or former employees) is in any way a named party and entitled, by statute or rule, to representation by the United States Attorney's Office or the Department of Justice and any non-criminal cases in which the United States Attorney's Office or the Department of Justice is counsel of record. This includes, without limitation, all pending Social

Security cases and all cases seeking monetary or equitable relief in which the United States is involved as a civil litigant.

**SO ORDERED.**

---

**TRAVIS R. MCDONOUGH**  
**CHIEF UNITED STATES DISTRICT JUDGE**