

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



In re Stay of Certain Civil Cases Pending
the Restoration of Department of Justice Funding

GENERAL ORDER

Upon the application of the United States Attorney for the Western District of New York, due to the lapse of funding to the United States Department of Justice, and to manage the Court's docket, IT IS HEREBY ORDERED that, absent other direction or Court order:

1. All civil cases (other than civil forfeiture and bankruptcy cases) in which the United States Attorney's Office for the WDNY has appeared as counsel of record for the United States, its agencies, and/or its employees are stayed until the business day after the President signs into law a budget appropriation that restores Department of Justice funding;
2. All deadlines, including scheduling order deadlines and seal deadlines in *qui tam* cases, in all civil cases (other than civil forfeiture and bankruptcy cases) in which the United States Attorney's Office for the WDNY has appeared as counsel of record for the United States, its agencies, and/or its employees are tolled during the government shutdown and extended thereafter for a period of time equal to the number of days between January 7, 2019 and the date the President signs into law a budget appropriation that restores Department of Justice funding;
3. All Social Security cases in which the United States Attorney's Office for the WDNY has appeared as counsel of record for the Commissioner of Social Security are stayed until the business day after the President signs into law a budget appropriation that restores Department of Justice funding; and
4. The United States Attorney's Office must notify the Court immediately upon the restoration of Department of Justice funding.

The Court may renew or modify this Order depending on developments in the stay period. Any litigant affected by this Order may seek relief from it by motion. The Court may, in any particular case, vary the Order's effect or operation by a separate ruling.

The Court will distribute this Order by: (1) electronic service to all registered CM/ECF users; (2) first-class mail to unregistered civil litigants, including *pro se* litigants and attorneys pending *pro hac vice* admission; and (3) posting it on the Court's public website.

IT IS SO ORDERED.

Dated: January 7, 2019
Rochester, New York

HON. FRANK P. GERACI, JR.
Chief Judge
United States District Court