



**Wednesday, September 8, 2021.** The dial-in number for telephonic hearings remains **888.684.8852; Access Code: 9318283.** For questions regarding operations of the Court, please call 504.589.7878 or consult the Court's Web site: [www.laeb.uscourts.gov](http://www.laeb.uscourts.gov). Counsel may also monitor the status of individual matters on CM/ECF.

3. Chapter 13 plan payments and related matters:
  - a. Suspension of filing of motions to dismiss: It is customary for the Chapter 13 Trustee to file motion to dismiss Chapter 13 cases if a debtor's payments are in arrears. This practice is suspending for all cases pending in this District until **October 12, 2021**, and may be extended by further Order of this Court
  - b. Payment default. If a debtor is unable to make required Plan payments to the Chapter 13 Trustee because the debtor was substantially and adversely affected by Hurricane Ida, debtors and counsel may draft a request for a suspension of Plan payments directly to the Chapter 13 Trustee and attach documentation evidence supporting that request. The Chapter 13 Trustee is authorized to approve suspensions of Plan payments in three-month increments and shall file into the record a Notice of Suspension of Plan Payments. If the Chapter 13 Trustee denies a request for suspension of Plan payments, debtors and counsel may file, serve, and notice a motion to modify the Plan so that the Court can rule on whether to suspend a debtor's Plan payments.
  - c. Agreed orders conditioning the automatic stay. If an agreed order conditioning the automatic stay contains default provisions mandating that the debtor must make all payments due to a lender or Chapter 13 trustee and failure to make payments is due to Hurricane Ida's substantial and adverse effects on a debtor, the missed payments from August 29, 2021, through October 12, 2021, will constitute a default only if the Court so determines after notice and hearing.
  - d. Debtors who are able to maintain their Plan payments must do so.
4. Insurance proceeds, gifts, grants, in-kind contributions, and other assistance to those affected by Hurricane Ida:
  - a. Receipt of assistance; disclosure. A debtor substantially and adversely affected by Hurricane Ida may receive insurance proceeds, gifts, grants, or in-kind contributions if the debtor has no legal obligation to repay the insurance proceeds, gifts, grants, or in-kind contributions without prior Court approval. If a debtor receives such assistance, the debtor shall include a disclosure setting

forth the type and amount of assistance received with any proposed Plan or Plan modification.

- b. Use of assistance. Insurance proceeds, gifts, grants, or in-kind contributions may be used to replace or repair the debtor's immovable or movable property without further Court order. If there is an additional loss payee, this Court does not affect the debtor's obligation to obtain appropriate approvals, if any, from the additional loss payee, including, without limitation, approval to substitute collateral. If necessary, debtors may seek emergency relief to effectuate any required approvals. If the insurance proceeds will be used to reduce or eliminate secured debt being administered by the Chapter 13 trustee under the Plan, the debtor must file a modified Plan reflecting that use within thirty days of receipt of the proceeds.

5. Loans: Debtors substantially and adversely affected by Hurricane Ida may receive a loan without Court approval only under the following conditions and must disclose the receipt of loan proceeds, the amount and source of the loan proceeds, and the repayment terms of the loan in any proposed Plan or Plan modification:

- a. The proceeds of the loan are to be received from an agency of the United States, the State of Louisiana, or a political subdivision of the State of Louisiana; or
- b. Repayment of the loan is guaranteed by an agency of the United States, the State of Louisiana, or a political subdivision of the State of Louisiana; or
- c. The loan has been approved by the Chapter 13 Trustee under 11 U.S.C. § 1305(c).

6. Inaccessibility of New Orleans' Clerk's Office: Although the Bankruptcy Court is accepting and processing e-filed pro se petitions for bankruptcy relief and filings of petitions and pleadings through CM/ECF, for purposes of Bankruptcy Rule 9006(a)(3) only, the Clerk's Office located at 500 Poydras Street is deemed to be physically inaccessible from August 30, 2021, until further Order of this Court. Self-represented parties are granted an extension of time within which to file papers in person through and including October 12, 2021, pursuant to Bankruptcy Rule 9006(a)(3).

7. Emergency suspension of prescriptive and preemptive periods: Pursuant to General Order No. 21–12 issued by the United States District Court for the Eastern District of Louisiana on September 4, 2021, and the August 31, 2021 Order issued by the Louisiana Supreme Court, all prescriptive and preemptive periods are hereby suspended for thirty days commencing from the Governor’s August 26, 2021 Declaration of State of Emergency.
8. Extension of deadlines in adversary proceedings and contested matters. All deadlines imposed via Scheduling Orders, including discovery deadlines, are hereby extended by thirty days. Chambers will contact parties to reschedule evidentiary hearings and trials.

**IT IS ORDERED.**

New Orleans, Louisiana, this 4th day of September, 2021.



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MEREDITH S. GRABILL  
UNITED STATES BANKRUPTCY JUDGE