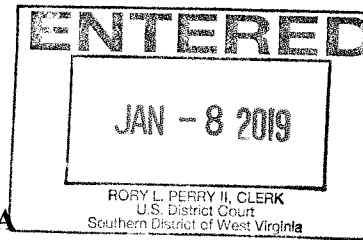


**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**



IN RE PETITION FOR A GENERAL ORDER HOLDING CIVIL MATTERS IN ABEYANCE  
IN WHICH THE UNITED STATES IS A PARTY DUE TO LAPSE OF CONGRESSIONAL  
APPROPRIATIONS FUNDING THE DEPARTMENT OF JUSTICE AND THE UNITED  
STATES ATTORNEY'S OFFICE,

Misc. No. 2:18-mc-00196

**GENERAL ORDER HOLDING CIVIL MATTERS IN ABEYANCE**

This matter is before the Court due to the lapse of congressional appropriations funding the federal government, including the Department of Justice and the United States Attorney's Office. Absent an appropriation, the United States represents that certain Department of Justice attorneys and employees of the federal government are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342. Therefore, the lapse in appropriations requires a reduction in the workforce of the United States Attorney's Office and other federal agencies, particularly with respect to prosecution and defense of civil cases. The Court, in response, entered a General Order (Document 2) on December 26, 2018, which stayed all civil litigation involving as a party the United States of America, its agencies, its officers or employees (whether in their individual or official capacity and whether current or former employees), and/or any other party represented by the Department of Justice or the United States Attorney's Office for a period of fourteen (14) days from the date of the entry of that General Order. The Court finds that counsel for the United States, through no fault of the affected attorneys, remain unavailable to work on the cases impacted by this Order. Therefore, the Court hereby renews that General Order entered on December 26, 2018, for a period of fourteen (14) additional days from the date of entry of this General Order.


The United States is further directed to notify this Court as soon as practicable once the lapse in appropriations requiring a reduction in the workforce of the United States Attorney's Office and other federal agencies, particularly with respect to prosecution and defense of civil cases, has been restored.

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

The General Order (Document 2) entered on December 26, 2018, and this renewal of that General Order shall not apply to the cases exempted by Judge Goodwin of this Court pursuant to his order entered on January 2, 2019, or to any other order entered by any judge of this Court which may have lifted, partially lifted, or modified the General Order of December 26, 2018, with respect to any civil case in which the United States of America, its agencies, its officers or employees (whether in their individual or official capacity and whether current or former employees), and/or any other party is being represented by the Department of Justice or the United States Attorney's Office.

The Court shall distribute this General Order 1) by electronic service to all registered CM/ECF users; and 2) by posting the General Order on the Court's public website.

ENTERED: This 8th day of January, 2019.

  
IRENE C. BERGER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF WEST VIRGINIA