

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO**

IN RE

**ORDER VACATING GENERAL ORDER
34-1 (ADOPTION OF INTERIM
BANKRUPTCY RULES)**

GENERAL ORDER NO. 34-4

General Order 34-1, entered on January 6, 2020, adopted Interim Bankruptcy Rules 1007, 1020, 2009, 2012, 2015, 3010, 3011, 3014, 3016, 3017.1, 3017.2, 3018, and 3019 to facilitate uniform implementation of the changes mandated by the Small Business Reorganization Act of 2019. Interim Bankruptcy Rule 1020 was subsequently amended to facilitate the implementation of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”), changing the definition of “debtor” for determining eligibility to proceed under subchapter V of chapter 11 through March 27, 2022. The Court adopted the amended Interim Bankruptcy Rule 1020 by General Order 34-2. Subsequent to March 27, 2022, the Bankruptcy Threshold Adjustment and Technical Correction Act (“BTATC Act”) reinstated the definition of “debtor” under the CARES Act. The reinstated definition was implemented by amended Interim Bankruptcy Rule 1020, which this Court adopted by General Order 34-3 “while the BTATC Act subchapter V limit is in effect.” See General Order 34-3.¹

On December 1, 2022, the Federal Rules of Bankruptcy Procedure were amended to include, among others, Rules 1007, 1020, 2009, 2012, 2015, 3010, 3011, 3014, 3016, 3017.1, 3017.2, 3018, 3019. The foregoing amendments supersede and replace the Interim Bankruptcy Rules that this Court adopted in General Order 34-1. Accordingly, General Order 34-1 is **VACATED**.

¹ The subchapter V debt limit in the BTATC Act sunsets two years after the date of enactment of the BTATC Act on June 21, 2022.

However, the BTATC Act subchapter V limit remains in effect. Therefore, General Order 34-3 remains effective.

IT IS SO ORDERED.

Dated: December 12, 2022

FOR THE COURT

A handwritten signature in blue ink that reads "John E. Hoffman, Jr." The signature is written in a cursive style with a large, sweeping initial 'J'.

Chief Judge John E. Hoffman, Jr.
United States Bankruptcy Court
Southern District of Ohio