

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN THE MATTER OF

ORDER OF REFERENCE TO
BANKRUPTCY JUDGES

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§

GENERAL ORDER 2021-5

GENERAL ORDER OF REFERENCE

1. Bankruptcy cases and proceedings under title 11 of the United States Code or arising in or related to a case under title 11 of the United States Code are automatically referred to the Bankruptcy Judges of this District, EXCEPT:

A. Civil actions pending in the United States District Court for the Eastern District of Louisiana before a related bankruptcy petition is filed. With respect to those cases:

(1) The automatic stay imposed by 11 U.S.C. § 362(a) applies until it is modified by an Order; and

(2) The presiding District Judge may refer those to the Bankruptcy Judges *sua sponte* or upon motion of a party.

B. In accordance with 28 U.S.C. § 157(b)(5), all personal injury tort and wrongful death claims arising in or related to a case under title 11 of the United States Code pending in the District Court shall be tried in, or as determined by the District Court shall not be referred by this Order.

C. Civil actions, bankruptcy cases, and proceedings specifically withdrawn from the general reference to the Bankruptcy Judges.

D. Appeals from the Bankruptcy Court.

2. Bankruptcy Judges may exercise the full authority allowed them by law as to all bankruptcy cases and proceedings referred to them.

3. Cases or proceedings related to a bankruptcy may be removed only from state court to the District Court pursuant to 28 U.S.C. § 1452.

4. If a Bankruptcy Judge or District Judge determines that entry of a Final Order or Judgment by a Bankruptcy Judge would not be consistent with Article III of the United States Constitution in a particular proceeding referred under this Order and determines that proceeding to be a “core” matter under 28 U.S.C. § 157(b)(2), the bankruptcy judge shall, unless otherwise

ordered by the District Court, hear the proceeding and submit proposed findings of fact and conclusions of law to the District Court. The District Court may treat any Order of the Bankruptcy Court as proposed findings of fact and conclusions of law if the District Court concludes that the Bankruptcy Judge could not have entered a Final Order or Judgment consistent with Article III of the United States Constitution.

5. This Order supersedes this Court's Order dated April 11, 1990.

IT IS SO ORDERED.

New Orleans, Louisiana, this 22nd day of April, 2021.

FOR THE COURT:



NANNETTE JOLIVETTE BROWN
CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA