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**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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|-------------|--|-----------------|
| In re: | | Case No.: |
| Debtor(s) . | | Chapter: |
| Plaintiff, | | Adv. Proc. No.: |
| v. | | |
| Defendant. | | |

STIPULATION TO EXTEND DEADLINES

Debtor/Plaintiff _____ commenced this proceeding on _____. Plaintiff seeks a judgment declaring student loans owed to the United States Department of Education ("DOE") dischargeable under 11 U.S.C. § 523(a)(8). On November 17, 2022, the United States Department of Justice("DOJ"), in

1 coordination with DOE, promulgated guidance with respect to
2 proceedings brought pursuant to 11 U.S.C. § 523(a) (8) (the Guidance”).

3 In order to accommodate the Guidance and the processes
4 contemplated thereby, the parties hereby stipulate and agree as
5 follows:

6 1. The Guidance applies to this adversary proceeding;

7 2. This action constitutes one in which this court may enter
8 final orders and judgment, and the parties consent to this court's
9 exercise of jurisdiction and entry of final orders or judgment;

10 3. The deadline by which DOE must answer or otherwise respond
11 to Plaintiff's complaint is hereby extended by 120 days, to

12 _____;

13 4. The scheduling conference set pursuant to the court's order
14 of _____ (Dkt. _____) is hereby continued to

15 _____ at _____;

16 5. The parties shall calculate the deadlines set forth in
17 Civil Rules¹ **26(a)(1)(C)** (exchange initial disclosures), **26(f)(1)**
18 (conduct discovery conference), and **26(f)(2)** (file discovery plan),
19 which apply in this proceeding pursuant to Bankruptcy Rule 7026, from
20 the date of the continued scheduling conference; **and**

21 6. The need to afford the parties time to comply with the
22 Guidance constitutes good cause for delaying the issuance of a
23 scheduling order beyond the deadline set forth in Civil Rule
24 _____

25 _____
26 ¹ Unless otherwise indicated, all citations to a "Bankruptcy Rule" shall refer to
27 one of the Federal Rules of Bankruptcy Procedure and all citations to a "Civil
28 Rule" shall refer to one of the Federal Rules of Civil Procedure.

1 16(b) (2), which applies in this proceeding pursuant to Bankruptcy
2 Rule 7016.

3 The parties respectfully request that the foregoing stipulation
4 be approved and made an order of this court.

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10 Assistant United States Attorney for DOE
11 Counsel for the United States Department of Education

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Court Service List

[None]

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