

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

**Exception to Standing Order 20-7 and
Bankruptcy Court Operations Under the
Exigent Circumstances Created by the
Outbreak of Coronavirus Disease 2019
(COVID-19) for the Richmond Division
Only**

Richmond General Order 20-5

**ORDER CONCERNING EXCEPTION TO STANDING ORDER 20-7 AND
BANKRUPTCY COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES
CREATED BY THE OUTBREAK OF CORONAVIRUS DISEASE 2019 (COVID-19)
FOR THE RICHMOND DIVISION ONLY**

Richmond Division General Order 20-2, entered on March 20, 2020, implemented the Protocol in Response to Public Health Emergency (the “Protocol”) on an interim emergency basis effective March 23, 2020 through and including April 30, 2020. By Richmond Division General Order 20-4, the Protocol was extended through and including May 31, 2020. The Protocol provides that it may be amended by further Standing Order. In light of the foregoing, it is

ORDERED that the amendments to the Protocol, as reflected on the following, are hereby **ADOPTED** on an interim emergency basis beginning on May 31, 2020, and continuing until further notice; and it is further

ORDERED that the Clerk of the Court shall post this Standing Order on the Court's website and distribute a copy to all registered CM/ECF users by email.

ENTERED: May 29, 2020

/s/ Kevin R. Huennekens
KEVIN R. HUENNEKENS
United States Bankruptcy Judge

/s/ Keith L. Phillips
KEITH L. PHILLIPS
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PROTOCOL IN RESPONSE TO PUBLIC HEALTH EMERGENCY

Effective May 31, 2020, and Continuing Until Further Notice

This protocol (the “Protocol”) applies in all bankruptcy cases and proceedings during the period beginning on May 31, 2020, and continuing until further notice (the “Protocol Period”) pending in the Richmond Division. During the Protocol Period, to the extent of any inconsistency between this Protocol, the Local Bankruptcy Rules, and any applicable scheduling order, this Protocol shall govern. Except as modified herein, applicable bankruptcy and non-bankruptcy law, including but not limited to Title 11 of the United States Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules, shall remain in full force and effect. While this Protocol is intended to minimize the number of hearings held and in-person attendance at any required hearings, the due process rights and appellate rights of all parties-in-interest must be protected.

1. **Obligations of Parties and Counsel.** Parties and counsel are responsible for becoming familiar with this Protocol and monitoring the Court’s website and the dockets of their cases. Counsel must make reasonable efforts to communicate with clients prior to any scheduled hearing and must specifically advise the client not to attend said hearing.
2. **Continuance of Hearings by the Court.** Hearings may be scheduled or rescheduled by the Court in its discretion, in which case parties shall be notified by the Clerk by such method as is reasonable under the circumstances.
3. **Continuance of Hearings by the Parties.** All matters, including final evidentiary hearings and trials, may be continued for cause upon consent motion and order. Cause will be construed liberally. Routine matters set on Wednesdays (for Judge Phillips, before 9:30AM and for Judge Huennekens, before 11:30AM) may be continued by agreement of the parties by telephone call to the courtroom deputies.
4. **Modified Procedures for Specific Types of Motions Pending During the Protocol Period.** During the Protocol Period, unless a hearing is specifically requested or an objection is timely filed, the Court may cancel any scheduled hearing on the following matters, and, instead, rule on the pleadings after expiration of any requisite notice period in accordance with Local Bankruptcy Rule 9013-1(L):
 - a. **Reaffirmation Agreements:** The Court will not conduct hearings on reaffirmation agreements that would impose an undue hardship on the debtors or their dependents. If no response is filed by the counterparty to the agreement within fourteen (14) days of the date of filing of the reaffirmation agreements and if the debtor(s) file a certification that they have complied with 11 U.S.C. §§ 521(a)(6) and 362(h) and request entry of a *Husain* order, the Court will issue orders not approving such agreements, but finding that the debtors have complied

with 11 U.S.C. §§ 521(a)(6) and 362(h). See *In re Husain*, 364 B.R. 211 (Bankr. E.D. Va. 2007); *In re Isom*, Case No. 07-31469, 2007 WL 2110318 (Bankr. E.D. Va. July 27, 2007).

- b. ***Motions to Extend the Automatic Stay Pursuant to 11 U.S.C. § 362(c)(3) and Impose the Automatic Stay Pursuant to 11 U.S.C. § 362(c)(4):*** During the Protocol Period, contemporaneously with any motion to extend or impose the automatic stay, the debtor(s) must file an affidavit(s) substantiating such motion. Upon expiration of the notice period, if no objections are timely filed and the debtor(s) has timely filed an affidavit(s), the debtor(s) may submit a proposed order granting a motion to extend the automatic stay or motion to impose stay. The order may provide that the stay is extended nunc pro tunc to the date the notice period expired. If no affidavit is timely submitted, the debtor(s) may submit a bridge order extending or imposing the stay pending a subsequent hearing.
- c. ***Motions to Approve Loan Modification:*** Upon expiration of the notice period, the Court will issue an order conditionally approving a loan modification agreement and scheduling a final hearing. In order for a loan modification to be approved on a final basis, the movant must submit a fully executed copy of the underlying loan agreement(s) and a proposed order.
- d. ***Applications to Approve Compensation:*** Upon expiration of the notice period, the movant may submit proposed orders approving applications to approve compensation. In Chapter 13 cases, such orders must be endorsed by the Chapter 13 trustee. For all other chapters, the proposed order must be endorsed by the United States trustee.
- e. ***Motions to Continue/Extend Deadlines:*** For motions to continue or extend any deadlines to which all necessary parties have consented, no negative notice period is required and the parties may submit a consent order contemporaneously with the filing of the consent motion. For any other motion to continue or extend deadlines, unless expedited relief is requested, the movant must provide three (3) days' negative notice. Upon expiration of the notice period, the movant may submit an order granting the motion.
- f. ***Pre-trial Conferences:*** If all necessary parties are in agreement, in advance of any scheduled pre-trial conference, parties may contact the appropriate courtroom deputy to schedule a trial date. If the parties can select a mutually agreeable trial date and there is no other need to hold a pre-trial conference, the Court may enter a pre-trial order without convening the pre-trial conference.
- g. ***Motions for Relief from the Automatic Stay and Relief from the Co-Debtor Stay Subject to Standing Order 10-2:*** Upon expiration of the requisite notice period, in the absence of any response, the movant may submit proposed orders in compliance with Form B of Standing Order 10-2. Notwithstanding the foregoing,

in Chapter 7 cases, if the Chapter 7 trustee has not abandoned the subject real or personal property, the proposed order must be endorsed by the Chapter 7 trustee.

5. **Remote Hearings.** All counsel are encouraged to make liberal use of the Court's negative notice procedures. Unless otherwise ordered by the Court, all hearings during the Protocol Period must be conducted remotely.
 - a. **Hearings to be Conducted by Teleconference.** Unless ordered otherwise, by default, all hearings during the Protocol Period shall be treated as non-evidentiary hearings and will be conducted using CourtSolutions. Instructions for telephonic appearances in Richmond are available [here](#).
 - b. **Hearings to be Conducted by Video Conference.** All evidentiary hearings must be conducted by video conference using Zoom for Government. Any other hearing may be conducted by video conference upon request of the parties or in the discretion of the hearing judge. The procedures set forth on [Exhibit B](#) hereto apply to all hearings to be conducted by video conference.
6. **Evidence.** Parties are strongly encouraged to submit stipulations of fact in advance of any hearing, which stipulations should be electronically filed on CM/ECF. Notwithstanding anything to the contrary in the Local Bankruptcy Rules or scheduling order, all documentary evidence must be electronically filed in advance of the hearing in accordance with any applicable scheduling order. If no scheduling order has been entered in this matter or the scheduling order would not otherwise require the documentary evidence be filed electronically, the documentary evidence must be filed no later than twenty-four (24) hours prior to the hearing. Counsel should contact the Clerk's Office for instructions on how to provide any documentary evidence that is not in a suitable format to be filed electronically on CM/ECF.
7. **Hearing Judge.** During the Protocol Period, hearings may be held by the judge assigned to the case, or by any other bankruptcy judge.
8. **Requests for Expedited Hearings and/or to Shorten Time.** Notwithstanding anything to the contrary herein, all requests for expedited hearings and/or to shorten time must be made in accordance with the Local Bankruptcy Rules. In addition, counsel must send an email to the appropriate emergency contact, as detailed on [Exhibit A](#) hereto.
9. **Time Sensitive Orders or Other Court Action.** Any time-sensitive request not otherwise provided by paragraph 8 hereof should be directed to the appropriate emergency contact, as detailed on [Exhibit A](#) hereto.
10. **Deadlines.** Unless otherwise modified by order of the Court, all deadlines remain in full force in effect. The Court will consider any timely request to modify/toll deadlines, which should be made by appropriate motion and order. For avoidance of doubt, for matters and cases not previously excepted from the provisions of Standing Order 20-7, any deadline that fell during the period beginning on March 18, 2020, and ending on

March 23, 2020, is hereby **EXTENDED THROUGH AND INCLUDING MARCH 23, 2020**. This extension shall not apply to matters and cases previously excepted by Court Order from the provisions of Standing Order 20-7. Notwithstanding the foregoing, nothing herein shall prejudice the rights of any party to seek an extension of time or to request other relief.

11. This Protocol may be amended by further Standing Order, which shall be published on the Court's website and distributed by email to all CM/ECF users. Each Judge may vary this Protocol on a case-by-case basis in his or her discretion.

EXHIBIT A
EMERGENCY CONTACT INFORMATION

Hon. Kevin R. Huennekens	EDVABK-Emergency-Judge_Huennekens@vaeb.uscourts.gov
Hon. Keith L. Phillips	EDVABK-Emergency-Judge_Phillips@vaeb.uscourts.gov

EXHIBIT B

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA

INSTRUCTIONS FOR REMOTE WITNESS TESTIMONY USING ZOOM FOR GOVERNMENT

The following procedures shall apply unless otherwise modified by subsequent order of this Court upon request by a party:

1. All participants on a video conference are expected to conduct themselves as if the hearing / trial were taking place in the courtroom. As such, participants must conduct themselves with the same level of decorum, courtesy, professionalism, and civility as they would at an in-person hearing / trial.

2. To schedule a hearing or trial to be conducted by video conference, the parties should contact the hearing judge's courtroom deputy at the time of scheduling. For hearings and trials previously scheduled that the parties wish to have conducted by video conference, the parties should contact the hearing judge's courtroom deputy as soon as practicable and, in any event, no later than five (5) business days prior to the previously scheduled hearing or trial.

3. The parties will then receive a registration link. All participants must separately register for the video conference no later than two (2) business days prior to the scheduled hearing/trial. The registrations must be true, complete, and accurate. Persons that register will receive separate email notification on whether their registration has been approved or denied. In the event that registration is approved, the confirmation email will include the link to the video conference.

4. All active participants at the evidentiary hearing / trial (including witnesses) must enable video and audio.

5. Any attendee, including active participants, must mute their audio when they are not speaking. If an attendee fails to mute their audio when they are not speaking, the Court may mute their audio for them.

6. Any attendee wishing to address the Court must utilize the “hand raise” feature.

7. The parties may direct that any witness appear via Zoom for Government and may issue subpoenas to such effect, but such party must ensure that such witness (a) has the ability to appear via Zoom for Government; (b) can provide sufficient documentation to the Court to verify his or her identity with the Court prior to their testimony; and (c) may provide testimony in a separate room from any other potential witnesses in this matter and free of outside influence (both in-person and through other technological means).

8. If no scheduling order has been entered in this matter or the scheduling order would not otherwise require a list of witnesses be filed electronically, each party intending to call witnesses must file a witness list no later than twenty-four (24) hours prior to the hearing.

9. If a party presents documentary evidence to a witness, that party bears the burden of ensuring that the witness has been provided a copy of such documentary evidence or has access to such documentary evidence.

10. If a party wishes to utilize the “Screen Share” feature, the party must make such request to the hearing judge’s courtroom deputy no later than two (2) business days’ prior to the hearing.

11. The parties will troubleshoot any problems with technology in advance of the hearing.

12. **The participants are expected to test their equipment to ensure that video/audio components are properly functioning prior to the hearing / trial and be**

prepared to proceed at the scheduled time. Problems stemming from the failure to make appropriate arrangements prior to the hearing / trial, or to adhere to this Protocol, may result in, inter alia, (i) the cancellation of the hearing / trial; (ii) the exclusion of an attorney, party or witness from testifying or participating at the hearing / trial; (iii) the termination of any participant's audio and / or video connection to the hearing / trial; and (iv) the imposition of sanctions. Requests to deviate from these procedures, for cause, must be submitted to the Court and opposing parties no later than two (2) business days prior to the hearing / trial. The Court reserves the discretion to deviate from these procedures in the interest of justice and judicial economy.

EXHIBIT 1
BLACKLINE OF PROTOCOL

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PROTOCOL IN RESPONSE TO PUBLIC HEALTH EMERGENCY

Effective ~~March 23~~ May 31, 2020, ~~through April 30, 2020~~ and Continuing Until Further Notice

This protocol (the “Protocol”) applies in all bankruptcy cases and proceedings during the period ~~of March 23~~ beginning on May 31, 2020, ~~through April 30, 2020~~ and continuing until further notice (the “Protocol Period”) pending in the Richmond Division. During the Protocol Period, to the extent of any inconsistency between this Protocol, the Local Bankruptcy Rules, and any applicable scheduling order, this Protocol shall govern. Except as modified herein, applicable bankruptcy and non-bankruptcy law, including but not limited to Title 11 of the United States Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules, shall remain in full force and effect. While this Protocol is intended to minimize the number of hearings held and in-person attendance at any required hearings, the due process rights and appellate rights of all parties-in-interest must be protected.

1. **Obligations of Parties and Counsel.** Parties and counsel are responsible for becoming familiar with this Protocol and monitoring the Court’s website and the dockets of their cases. Counsel must make reasonable efforts to communicate with clients prior to any scheduled hearing and must specifically advise the client not to attend said hearing.
2. **Continuance of Hearings by the Court.** Hearings may be scheduled or rescheduled by the Court in its discretion, in which case parties shall be notified by the Clerk by such method as is reasonable under the circumstances.
3. **Continuance of Hearings by the Parties.** All matters, including final evidentiary hearings and trials, may be continued for cause upon consent motion and order. Cause will be construed liberally. Routine matters set on Wednesdays (for Judge Phillips, before 9:30AM and for Judge Huennekens, before 11:30AM) may be continued by agreement of the parties by telephone call to the courtroom deputies.
4. **Modified Procedures for Specific Types of Motions Pending During the Protocol Period.** ~~Unless~~ During the Protocol Period, unless a hearing is specifically requested or an objection is timely filed, ~~during the Protocol Period,~~ the Court ~~will not conduct hearings~~ may cancel any scheduled hearing on the following matters, ~~but~~ and, instead, ~~will~~ rule on the pleadings after expiration of any requisite notice period in accordance with Local Bankruptcy Rule 9013-1(L):
 - a. **Reaffirmation Agreements:** The Court will not conduct hearings on reaffirmation agreements that would impose an undue hardship on the debtors or their dependents. If no response is filed by the counterparty to the agreement within fourteen (14) days of the date of filing of the reaffirmation agreements and if the debtor(s) file a certification that they have complied with 11 U.S.C. §§ 521(a)(6) and 362(h) and request entry of a *Husain* order, the Court will issue

orders not approving such agreements, but finding that the debtors have complied with 11 U.S.C. §§ 521(a)(6) and 362(h). See *In re Husain*, 364 B.R. 211 (Bankr. E.D. Va. 2007); *In re Isom*, Case No. 07-31469, 2007 WL 2110318 (Bankr. E.D. Va. July 27, 2007).

- b. ***Motions to Extend the Automatic Stay Pursuant to 11 U.S.C. § 362(c)(3) and Impose the Automatic Stay Pursuant to 11 U.S.C. § 362(c)(4):*** During the Protocol Period, contemporaneously with any motion to extend or impose the automatic stay, the debtor(s) must file an affidavit(s) substantiating such motion. Upon expiration of the notice period, if no objections are timely filed and the debtor(s) has timely filed an affidavit(s), the debtor(s) may submit a proposed order granting a motion to extend the automatic stay or motion to impose stay. The order may provide that the stay is extended nunc pro tunc to the date the notice period expired. If no affidavit is timely submitted, the debtor(s) may submit a bridge order extending or imposing the stay pending a subsequent hearing.
- c. ***Motions to Approve Loan Modification:*** Upon expiration of the ~~negative~~-notice period, the Court will issue an order conditionally approving a loan modification agreement and scheduling a final hearing. In order for a loan modification to be approved on a final basis, the movant must submit a fully executed copy of the underlying loan agreement(s) and a proposed order.
- d. ***Applications to Approve Compensation:*** Upon expiration of the ~~negative~~ notice period, the movant may submit proposed orders approving applications to approve compensation. In Chapter 13 cases, such orders must be endorsed by the Chapter 13 trustee. For all other chapters, the proposed order must be endorsed by the United States trustee.
- e. ***Motions to Continue/Extend Deadlines:*** For motions to continue or extend any deadlines to which all necessary parties have consented, no negative notice period is required and the parties may submit a consent order contemporaneously with the filing of the consent motion. For any other motion to continue or extend deadlines, unless expedited relief is requested, the movant must provide three (3) days' negative notice. Upon expiration of the notice period, the movant may submit an order granting the motion.
- f. ***Pre-trial Conferences:*** If all necessary parties are in agreement, in advance of any scheduled pre-trial conference, parties may contact the appropriate courtroom deputy to schedule a trial date. If the parties can select a mutually agreeable trial date and there is no other need to hold a pre-trial conference, the Court may enter a pre-trial order without convening the pre-trial conference.
- g. ***Motions for Relief from the Automatic Stay and Relief from the Co-Debtor Stay Subject to Standing Order 10-2:*** Upon expiration of the requisite ~~negative~~-notice period, in the absence of any response, the movant may submit proposed orders in

compliance with Form B of Standing Order 10-2. Notwithstanding the foregoing, in Chapter 7 cases, if the Chapter 7 trustee has not abandoned the subject real or personal property, the proposed order must be endorsed by the Chapter 7 trustee.

5. **Remote Hearings.** All counsel are encouraged to make liberal use of the Court's negative notice procedures. Unless otherwise ordered by the Court, all hearings during the Protocol Period must be conducted remotely ~~by teleconference.~~
 - a. **Hearings to be Conducted by Teleconference.** Unless ordered otherwise, by default, all hearings during the Protocol Period shall be treated as non-evidentiary hearings and will be conducted using CourtSolutions. Instructions for telephonic appearances in Richmond are available [here](#).
 - ~~b. **Hearings Non-Evidentiary.** All counsel are encouraged to make liberal use of the Court's negative notice procedures. All self-scheduled hearings during the Protocol Period shall be treated as non-~~**Conducted by Video Conference.** All evidentiary hearings. To schedule an evidentiary must be conducted by video conference using Zoom for Government. Any other hearing, the may be conducted by video conference upon request of the parties must contactor in the discretion of the hearing judge's courtroom deputy. judge. Evidence. Unless otherwise ordered by the Court, any hearing requiring witness testimony shall be continued. The parties must contact the hearing judge's courtroom deputy procedures set forth on Exhibit B hereto apply to reschedule such all hearings to be conducted by video conference.
6. **Evidence.** Parties are strongly encouraged to submit stipulations of fact in advance of any hearing, which stipulations should be electronically filed on CM/ECF. Notwithstanding anything to the contrary in the Local Bankruptcy Rules or scheduling order, all documentary evidence must be ~~filed electronically on CM/ECF no later than 24 hours filed~~ in accordance with any applicable scheduling order. If no scheduling order has been entered in this matter or the scheduling order would not otherwise require the documentary evidence be filed electronically, the documentary evidence must be filed no later than twenty-four (24) hours prior to the hearing. Counsel should contact the Clerk's Office for instructions on how to provide any documentary evidence that is not in a suitable format to be filed electronically on CM/ECF.
7. **Hearing Judge.** During the Protocol Period, hearings may be held by the judge assigned to the case, or by any other bankruptcy judge.
8. **Requests for Expedited Hearings and/or to Shorten Time.** Notwithstanding anything to the contrary herein, all requests for expedited hearings and/or to shorten time must be made in accordance with the Local Bankruptcy Rules. In addition, counsel must send an email to the appropriate emergency contact, as detailed on [Exhibit A](#) hereto.

9. **Time Sensitive Orders or Other Court Action.** Any time-sensitive request not otherwise provided by paragraph 98 hereof should be directed to the appropriate emergency contact, as detailed on Exhibit A hereto.
10. **Deadlines.** Unless otherwise modified by order of the Court, all deadlines remain in full force in effect. The Court will consider any timely request to modify/toll deadlines, which should be made by appropriate motion and order. For avoidance of doubt, for matters and cases not previously excepted from the provisions of Standing Order 20-7, any deadline that fell during the period beginning on March 18, 2020, and ending on March 23, 2020, is hereby **EXTENDED THROUGH AND INCLUDING MARCH 23, 2020**. This extension shall not apply to matters and cases previously excepted by Court Order from the provisions of Standing Order 20-7. Notwithstanding the foregoing, nothing herein shall prejudice the rights of any party to seek an extension of time or to request other relief.
11. This Protocol may be amended by further Standing Order, which shall be published on the Court's website and distributed by email to all CM/ECF users. Each Judge may vary this Protocol on a case-by-case basis in his or her discretion.

EXHIBIT A
EMERGENCY CONTACT INFORMATION

Hon. Kevin R. Huennekens	EDVABK-Emergency-Judge_Huennekens@vaeb.uscourts.gov
Hon. Keith L. Phillips	EDVABK-Emergency-Judge_Phillips@vaeb.uscourts.gov

EXHIBIT B

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

**INSTRUCTIONS FOR REMOTE WITNESS TESTIMONY
USING ZOOM FOR GOVERNMENT**

The following procedures shall apply unless otherwise modified by subsequent order of this Court upon request by a party:

13. All participants on a video conference are expected to conduct themselves as if the hearing / trial were taking place in the courtroom. As such, participants must conduct themselves with the same level of decorum, courtesy, professionalism, and civility as they would at an in-person hearing / trial.

14. To schedule a hearing or trial to be conducted by video conference, the parties should contact the hearing judge's courtroom deputy at the time of scheduling. For hearings and trials previously scheduled that the parties wish to have conducted by video conference, the parties should contact the hearing judge's courtroom deputy as soon as practicable and, in any event, no later than five (5) business days prior to the previously scheduled hearing or trial.

15. The parties will then receive a registration link. All participants must separately register for the video conference no later than two (2) business days prior to the scheduled hearing/trial. The registrations must be true, complete, and accurate. Persons that register will receive separate email notification on whether their registration has been approved or denied. In the event that registration is approved, the confirmation email will include the link to the video conference.

16. All active participants at the evidentiary hearing / trial (including witnesses) must enable video and audio.

17. Any attendee, including active participants, must mute their audio when they are not speaking. If an attendee fails to mute their audio when they are not speaking, the Court may mute their audio for them.

18. Any attendee wishing to address the Court must utilize the “hand raise” feature.

19. The parties may direct that any witness appear via Zoom for Government and may issue subpoenas to such effect, but such party must ensure that such witness (a) has the ability to appear via Zoom for Government; (b) can provide sufficient documentation to the Court to verify his or her identity with the Court prior to their testimony; and (c) may provide testimony in a separate room from any other potential witnesses in this matter and free of outside influence (both in-person and through other technological means).

20. If no scheduling order has been entered in this matter or the scheduling order would not otherwise require a list of witnesses be filed electronically, each party intending to call witnesses must file a witness list no later than twenty-four (24) hours prior to the hearing.

21. If a party presents documentary evidence to a witness, that party bears the burden of ensuring that the witness has been provided a copy of such documentary evidence or has access to such documentary evidence.

22. If a party wishes to utilize the “Screen Share” feature, the party must make such request to the hearing judge’s courtroom deputy no later than two (2) business days’ prior to the hearing.

23. The parties will troubleshoot any problems with technology in advance of the hearing.

13:24. The participants are expected to test their equipment to ensure that video/audio components are properly functioning prior to the hearing / trial and be

prepared to proceed at the scheduled time. Problems stemming from the failure to make appropriate arrangements prior to the hearing / trial, or to adhere to this Protocol, may result in, inter alia, (i) the cancellation of the hearing / trial; (ii) the exclusion of an attorney, party or witness from testifying or participating at the hearing / trial; (iii) the termination of any participant's audio and / or video connection to the hearing / trial; and (iv) the imposition of sanctions. Requests to deviate from these procedures, for cause, must be submitted to the Court and opposing parties no later than two (2) business days prior to the hearing / trial. The Court reserves the discretion to deviate from these procedures in the interest of justice and judicial economy