

07-BR-011



Judge Raymond  
Lyons/NJB/03/USCOURTS

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cc

Subject deadline for bankruptcy appeals

I can foresee no problems extending the deadline from 10 to 14 days

I am generally in favor of extending the deadline for appeals to 30 days to be consistent with appeal in other civil cases in federal court. Certainly there seems no reason to treat final judgments in adversary proceedings in bankruptcy court any differently than judgments in civil actions in district court. Orders entered within the main case, such as approval of financing under section 364, sale of assets under section 363 or confirmation of a plan under section 1129 may be appropriate for a shorter appeal period if time-sensitive transactions might be delayed until the appeal period had expired. In my experience not everyone is comfortable relying on 363(m), 364(e) or equitable mootness to move ahead with a transaction while the time for appeal is open.

Ray Lyons