UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF WISCONSIN

GENERAL ORDER 21-2: AUTHORIZATION TO FILE SUPPLEMENTAL CLAIMS RELATED TO FORBEARANCE AMOUNTS

Section 4022 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act or Act) allows certain borrowers of Federally backed mortgage loans, as there defined, to request forbearance on their mortgage loan for up to 180 days, subject to possible extension for an additional 180-day period.

Section 4023 of the Act permits certain borrowers with Federally backed multifamily mortgage loans to request a forbearance for up to three 30-day periods.

If a debtor receives forbearance, including during any CARES Act covered period, with respect to an allowed secured claim provided for by the debtor's plan of reorganization, whether confirmed or unconfirmed, the creditor who holds that claim may file a supplemental claim for all amounts that would have otherwise come due during the forbearance period stated in the notice, even if the creditor is not an "eligible creditor" for purposes of 11 U.S.C. §501(f)(1)(B). Unless the court orders otherwise, the trustee must pay the supplemental claim in the manner provided by the debtor's confirmed plan for payment of arrearages on the mortgage-loan claim to which the supplemental claim relates.

This General Order supersedes General Order 20-4 beginning on the date on which this order is signed.

IT IS SO ORDERED.

Dated: March 3, 2021

BY THE COURT:

Chief United States Bankruptcy Judge

Beth E. Hanan

United States Bankruptcy Judge

Katherine M. Perhach

United States Bankruptcy Judge