

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA, *et al.*

Plaintiffs,

v.

US AIRWAYS GROUP, INC.

and

AMR CORPORATION,

Defendants.

Civil Action No. 1:13-cv-01236-CKK

**MOTION FOR A STAY OF LITIGATION
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of the proceedings in the above-captioned case.

1. At the end of the day on September 30, 2013, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees are generally prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. This is creating difficulties for the Department to perform the functions necessary to support its litigation efforts and, accordingly, the Department’s policy is to seek a stay in all pending civil litigation.

3. Undersigned counsel therefore respectfully requests a stay of all proceedings in this case until Congress has restored appropriations to the Department. If this motion for a stay is granted,

undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The United States requests that, at that point, all current deadlines for the parties be extended day-for-day with the duration of the lapse in appropriations. If the Court denies the request, the government will comply with the Court's order, which would constitute express legal authorization for the activity to continue.

4. Counsel for the United States has consulted with counsel for Defendants, who advise that they object to this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the United States hereby moves for a stay of all proceedings in this case until funding is restored and Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Counsel for the United States will attend today's status conference.

Respectfully submitted,

/s/ _____
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