

IN THE SUPREME COURT OF THE UNITED STATES

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No. 18-938

RITZEN GROUP, INC., PETITIONER

v.

JACKSON MASONRY, LLC

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ON WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

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MOTION OF THE UNITED STATES FOR LEAVE TO  
PARTICIPATE IN ORAL ARGUMENT AS AMICUS CURIAE  
AND FOR DIVIDED ARGUMENT

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Pursuant to Rules 28.4 and 28.7 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully moves that the United States be granted leave to participate in the oral argument in this case and that the United States be allowed ten minutes of argument time. On October 11, 2019, the United States filed a brief as amicus curiae supporting respondent. Respondent has agreed to an allocation of ten minutes of its argument time to the United States and therefore consents to this motion.

This case presents the question whether the denial of relief from the automatic stay in bankruptcy constitutes a final, appealable order under 28 U.S.C. 158(a)(1). The United States has a substantial interest in the resolution of that question. United States Trustees are charged with supervising the administration of bankruptcy cases, see 28 U.S.C. 581-589a, and “may raise and may appear and be heard on any issue in any case or proceeding under” the Bankruptcy Code, 11 U.S.C. 307. The United States also is the Nation’s largest creditor. The United States often seeks to recover debts from persons who have filed for bankruptcy, and it often files motions for relief from the automatic stay.

The United States has participated in oral argument as amicus curiae in previous cases involving interpretation of the Bankruptcy Code and the bankruptcy-appeals statutes. E.g., Mission Product Holdings, Inc. v. Tempnology, Inc., 139 S. Ct. 1652 (2019) (No. 17-1657); Lamar, Archer & Cofrin, LLP v. Appling, 138 S. Ct. 1752 (2018) (No. 16-1215); United States Bank Nat’l Ass’n v. Village at Lakeridge, LLC, 138 S. Ct. 960 (2018) (No. 15-1509); Czyzewski v. Jevic Holding Corp., 137 S. Ct. 973 (2017) (No. 15-649); Husky Int’l Electronics, Inc. v. Ritz, 136 S. Ct. 1581 (2016) (No. 15-145); Baker Botts, L.L.P. v. ASARCO, LLC, 135 S. Ct. 2158 (2015) (No. 14-103); Bullard v. Blue Hills Bank, 135 S. Ct. 1686 (2015) (No. 14-116). Oral presentation of the views of the United States is therefore likely to be of material assistance to the Court.

Respectfully submitted.

NOEL J. FRANCISCO  
Solicitor General  
Counsel of Record

OCTOBER 2019