

Rule 3020-1 [Proposed Amended]

CHAPTER 11 – CONFIRMATION

(a) ***Amendments to the Plan.*** Amendments to the plan shall be filed with the Court either as a single integrated amended plan or incorporated in the order of confirmation.

(b) ***Objections to Confirmation.*** Unless otherwise ordered by the Court, any objections to confirmation in a Chapter 11 case shall be filed and served seven days before the date of the hearing on confirmation. The objection shall be served upon the debtor, the debtor's attorney, the trustee or examiner (if any), the proponent of the plan (if not the debtor), counsel for any official committee, and the United States Trustee.

(c) ***Confirmation Order.*** The debtor shall be responsible for preparing the order of confirmation and submitting it to the Court for signature. The order shall be submitted to the Court within 14 days after the hearing on confirmation. The debtor shall serve a copy of the conformed order together with copies of the confirmed plan to all creditors, the United States Trustee, those persons on the Local Rule 1007-2 Parties in Interest List, and other parties as may be designated by the Court and file a proof of such service in accordance with the provisions of Local Rule 7005-1 within 14 days of the entry of the order of confirmation on the docket.

(d) ***Post Confirmation Status Conference.*** The order of confirmation shall include notice of the first scheduled post confirmation status conference and shall indicate the form of Post Confirmation Avoidance Proceeding Recovery Report, available on the Court's website, www.flmb.uscourts.gov, to be filed in connection with post confirmation status conferences conducted in the case.

(e) ***Deadline for Filing Adversary Proceedings and Objections to Claims.*** Unless otherwise ordered by the Court, the debtor shall file any adversary proceedings or contested matters contemplated by the Chapter 11 plan of reorganization and file any objections to claims no later than 30 days after the entry of an order of confirmation.

Notes of Advisory Committee

2014 Amendment

This amendment adds new section (a), requiring that plan modifications and amendments be filed in a single integrated plan or be incorporated in the order of confirmation. The purpose of this amendment is to clarify the terms of the plan as confirmed. The amendment also adds new section (d), requiring that the order of confirmation include notice of the first scheduled post confirmation status conference and the filing of post confirmation avoidance proceeding recovery reports.

This amendment is effective July 1, 2014.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment was effective on April 15, 1997.

Paragraph (a) of this rule was formerly Local Rule 3.05(a). Paragraph (b) of this rule was formerly Local Rule 3.06(b). Paragraph (c) of this rule was formerly Local Rule 3.06(a). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

Local Rule 3.06(a) has been amended to include the requirement that the debtor file any adversary proceedings or contested matters contemplated by the plan of reorganization no later than thirty (30) days after the entry of an order of confirmation.

Local Rule 3.06(c) has been amended to include contested matters and adversary proceedings within the matters which must be concluded before entry of a final decree.

Local Rule 3.06(d) has been added to make clear the requirement that a debtor who desires to convert a Chapter 11 case after confirmation of a plan of reorganization may do so only on motion and hearing with notice to all creditors and parties in interest. This is consistent with Bankruptcy Code § 1112(a)(1) which precludes the debtor from converting a case from Chapter 11 to Chapter 7 as a matter of right if the debtor is not a debtor in possession, Fed. R. Bankr. P. 9013 which requires that a request for an order be made by motion, and Fed. R. Bankr. P. 2002(a)(5) which requires that parties in interest receive twenty days' notice of a hearing on conversion of a case to another chapter. It is not intended that this Local Rule create any substantive rights not otherwise available under existing law.

These amendments were effective February 15, 1995.

Acme Corporation Chapter 11, Case No. 8-08-BK-00001-MGW
Post Confirmation Avoidance Proceeding Recovery Report as of [Date of Status Conference]

Plan Fund as of [Date of Status Conference]

<u>Plan Fund Since [Confirmation Date]</u>		<u>Plan Fund Since [Date of Last Status Conf.]</u>	
Beginning Balance on Confirmation Date	\$ -	Balance @ Last Status Conference	\$ -
Deposits Post-Confirmation to Date ¹	\$ -	Deposits Since last Status Conference	\$ -
Disbursements Post-Confirmation to Date	\$ -	Disbursements Since last Status Conference	\$ -
Current Plan Fund Balance:	\$ -	Current Plan Fund Balance:	\$ -

Sources and Uses of Cash since Confirmation

Sources	Uses
Actual	
<u>Receipts</u>	<u>Disbursements</u>
<u>Actual Conf. Date to Last Status Conf.</u>	<u>Actual Conf. Date to Last Status Conf.</u>
Asset Sales	\$ -
Avoidance Action Recoveries	\$ -
Account collection	\$ -
Subtotal:	\$ -
<u>Actual Since Last Status Conf.</u>	<u>Actual Since Last Status Conf.</u>
Asset Sales	\$ -
Avoidance Action Recoveries	\$ -
Account collection	\$ -
Subtotal:	\$ -
Total Conf. Date to Present:	\$ -

Anticipated

Receipts	Disbursements
Asset Sales	\$ -
Avoidance Action Recoveries	\$ -
Account collection	\$ -
Total:	\$ -
	Smith & Jones, P.A. Fees March 08 (est.) \$ - Smith & Jones, P.A. Fees April 08 (est.) \$ - Disbursing Agent Fees (est.) \$ - CPA Fees (est.) \$ - Total: \$ -

Post Confirmation Avoidance Action and Claims Objections Update as of [Date of Status Conf].

Avoidance Action Recoveries Status	Fees & Costs -- Avoidance Actions
Avoidance Action Cash Receipts	\$ -
Settled But Unpaid	\$ -
Unpaid Judgments	\$ -
Pending Amounts in Litigation	\$ -
Total:	\$ -
<u>Claims Objections (Unsecured)</u>	<u>Fees & Costs -- Claims Objections</u>
Total Filed and Scheduled Claims	\$ -
Current Total Allowed Claims	\$ -
Current Total Disallowed Claims	\$ -
Current Total Unresolved Claims	\$ -
	Attorneys Fees Conf. Date to Status Conf. \$ - Special Counsel Fees Conf. Date to Status Conf. \$ - [Other Expenses] \$ - Total: \$ -

Recap of Post-Confirmation Plan Fund Activity

Collection & Claims Activities--Conf. Date to Present	Fees & Costs of Plan Fund Activities
Recoveries from Avoidance Actions	\$ -
Potential Avoidance Action Recoveries	\$ -
Recoveries from Collection/Liq. of Assets	\$ -
Anticipated Recoveries from Asset Col./Liq.	\$ -
Total Actual and Potential Recoveries:	\$ -
Tot. Allowed Cls. less Disallowed Cls.:	\$ -
Current Est. % Dist. to Un. Creditors:	0%
	Fees & Costs Avoidance Actions \$ - Fees & Costs Claim Objections \$ - Fees & Costs Plan Trustee \$ - Other Attorneys Fees & Costs \$ - Other Professional Fees & Costs \$ - Other Plan Fund Expenses \$ - Total Fees & Expenses to Date: \$ -

Footnotes:

¹ Attached as Exhibit A is a detailed listing of all receipts and disbursements.

Acme Corporation Chapter 11, Case No. 8-08-BK-00001-MGW
Post Confirmation Avoidance & Claim Litigation Report as of [Date of Status Conference]

<u>Avoidance Action Recovery Status</u>		<u>Fees & Exps. -- Avoidance Actions</u>	
Avoidance Action Cash Receipts	\$ -	Attorneys Fees & Exps. Paid Since Conf. Date	\$ -
Settled But Unpaid	\$ -	Attorneys Fees & Exps. Accrued But Unpaid	\$ -
Unpaid Judgments	\$ -	[Other Expenses]	\$ -
Pending Amounts in Litigation	\$ -	[Other Expenses]	\$ -
Total:	\$ -	Total:	\$ -
<u>Claims Objections (Unsecured)</u>		<u>Fees & Costs -- Claims Objections</u>	
Total Filed and Scheduled Claims	\$ -	Attorneys Fees Conf. Date to Status Conf.	\$ -
Current Total Allowed Claims	\$ -	Special Counsel Fees Conf. Date to Status Conf.	\$ -
Current Total Disallowed Claims	\$ -	[Other Expenses]	\$ -
Current Total Unresolved Claims (Obj. Pending)	\$ -	Total:	\$ -
Recap of Post-Confirmation Recoveries & Professional Fees			
<u>Collection & Claims Activities--Conf. Date to Present</u>		<u>Fees & Exps. Avoidance Actions & Claim Obj.</u>	
Recoveries from Avoidance Actions	\$ -	Fees & Exps. Avoidance Actions	\$ -
Potential Avoidance Action Recoveries	\$ -	Fees & Exps. Claim Objections	\$ -
Total Actual and Potential Recoveries:	\$ -	Total Fees & Expenses to Date:	\$ -
Tot. Filed & Schedules Cls. less Disallowed Cls.:	\$ -		
Current Est. % Dist. to Un. Creditors:			