

Local Bankruptcy Form 3017-1.1

Order re: Small Business Plan and Disclosure Statement and Notice of Deadlines

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**

In re:

Debtor.

Bankruptcy Case No. _____

Chapter 11

**ORDER RE: SMALL BUSINESS PLAN AND DISCLOSURE STATEMENT
AND NOTICE OF DEADLINES**

The debtor is a “small business debtor” as that term is defined in 11 U.S.C. § 101(51D). Pursuant to 11 U.S.C. § 1125(f)(3)(A), the debtor requested the Court to conditionally approve the disclosure statement dated _____ [month/day/year], with respect to the debtor’s plan. The Court has reviewed the plan and disclosure statement and has preliminarily determined the disclosure statement contains adequate information. Therefore, it is

ORDERED, and notice is hereby given, that:

- (1) The disclosure statement filed by _____ [name] is conditionally approved, subject to final approval after notice and a hearing.
- (2) On or before _____ [month/day/year], debtor’s attorney must file with the Court and serve the plan, disclosure statement, a copy of this order and a suitable ballot for accepting or rejecting the plan on all creditors, equity security holders, and other parties in interest as provided in Fed. R. Bankr. P. 3017(d),
- (3) On or before _____ [month/day/year], debtor’s attorney must file a certificate of service of the plan, disclosure statement, order, and ballot with the Court.
- (4) _____ [month/day/year], is fixed as the last day for filing written acceptances or rejections of the plan referred to above.
- (5) _____ [month/day/year], is fixed as the last day for filing and serving in accordance with Fed. R. Bankr. P. 3017(a) and L.B.R. 3017-1(b), written objections to the disclosure statement. If no objections to or requests to modify the disclosure statement are filed within the time fixed, the conditional approval of the disclosure statement may become final. Any objections to or requests to modify the disclosure statement will be considered at the commencement of the confirmation hearing held pursuant to 11 U.S.C. § 1128(a) and Fed. R. Bankr. P. 3020(b).
- (6) _____ [month/day/year], is fixed as the last day for filing and serving written objections to confirmation of the plan pursuant to Fed. R. Bankr. P. 3020(b)(1).
- (7) On or before _____ [month/day/year], debtor’s attorney must prepare and file with this Court, a summary report on the ballots. The report must reflect the name of the creditor by class as designated in the plan, the acceptance, rejection, or if no vote

cast by the creditor, the amount of each creditor's claim or amount of each creditor's vote. The report must be summarized by each class of creditor established in the plan and must indicate if the number of acceptances obtained were by the holders of two-thirds in amount and more than one-half in number of claims in each class voting on the plan. The report must also identify and respond to any timely-filed objections to confirmation. A copy of the report must be served on the United States Trustee, each member of the Unsecured Creditors' Committee and counsel for the Unsecured Creditors' Committee, and any party objecting to confirmation of the plan or to the disclosure. The original report as filed with the Clerk of the Court must have a certificate of service reflecting proper service on the parties as indicated.

- (8) The hearing on confirmation of the plan and to consider final approval of the disclosure statement has been set for _____ **[month/day/year]**, at _____ **[time]** at the U.S. Bankruptcy Court, U.S. Custom House, 721 19th Street, Courtroom _____ **[letter]**, Fifth Floor, Denver, Colorado 80202.

Witnesses and Exhibits:

_____ **[Insert specific instructions here or refer parties to L.B.R. 9070-1].**

DATED _____

BY THE COURT:

United States Bankruptcy Judge