

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**NOTICE TO THE BAR and PUBLIC
CONCERNING NEW AND REVISED FORMS**

Please be advised that the Board of Judges for the United States Bankruptcy Court for the District of New Jersey has approved the following new and revised forms. They will become effective September 1, 2010, and are designated as “Recommended Local Forms” unless otherwise noted. The Chapter 11 forms have been approved to address several case management issues relevant to small business cases.

CHAPTER 13

- [Chapter 13 Plan and Motions \(Mandatory\)](#)
- [Notice of Final Cure Payment](#)
- [Statement in Response to Notice of Final Cure Payment](#)

CHAPTER 11

- [Chapter 11 Small Business Scheduling Order](#)
- [Application For Entry of an Order Conditionally Approving Disclosure Statement, Fixing Time For Filing Acceptances or Rejections of the Plan, and Fixing the Time For Filing Objections to the Disclosure Statement and to Confirmation of the Plan, Combined With Notice Thereof and of the Hearing on Final Approval of the Disclosure Statement and the Hearing on Confirmation of the Plan](#)
- [Order Conditionally Approving Disclosure Statement, Fixing Time For Filing Objections to the Disclosure Statement and to the Confirmation of the Plan, Combined With Notice Thereof and of the Hearing on Final Approval of the Disclosure Statement and the Hearing on Confirmation of the Plan](#)
- [Order Finally Approving Disclosure Statement and Confirming Plan](#)

Dated: August 18, 2010

James J. Waldron, Clerk

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re: Case No.:
(Debtor(s)) Judge:
Chapter: 13

Chapter 13 Plan and Motions

- Original, Modified/Notice Required, Discharge Sought, Motions Included, Modified/No Notice Required, No Discharge Sought

Date:

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. It contains an important supplement to Part 4 regarding secured claims. The supplement sets out filing requirements for proofs of claim for secured claims, and requirements regarding claims secured by a security interest in the debtor's principal residence, including notice of payment changes and notice of fees, expenses and charges incurred in connection with the claim after the bankruptcy case was filed. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.

YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM

Part 1: Payment and Length of Plan
a. The Debtor shall pay \$_____ per _____ to the Chapter 13 Trustee, starting on _____ for approximately _____ months.
b. The Debtor shall make plan payments to the Trustee from the following sources:
Future Earnings
Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- Sale of real property

Description:

Proposed date for completion: _____

- Refinance of real property:

Description:

Proposed date for completion: _____

- Loan modification with respect to mortgage encumbering property

Description:

Proposed date for completion: _____

- d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ [creditor].

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the Debtor(s) outside of the Plan, pre-confirmation to: _____ [creditor].

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid

Part 4: Secured Claims

Please see the supplement to this section containing information regarding secured claims. It is located at the end of the plan.

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to Be Paid in Full Through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$ _____ to be distributed *pro rata*

_____ Not less than _____ percent

_____ Pro rata distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, **except** the following, which are **assumed**:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served.

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan being confirmed pursuant to the terms as set forth in the plan.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate Property of the Estate shall revert in the Debtor:

_____ Upon Confirmation

_____ Upon Discharge

b. Payment Notices Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) _____
- 3) _____
- 4) _____

d. Post-petition claims The Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____

Explain below **why** the Plan is being modified.

Explain below **how** the Plan is being modified.

Are Schedules I and J being filed simultaneously with this modified Plan? Yes No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date _____

Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date _____

Debtor

Date _____

Joint Debtor

SUPPLEMENTAL PROVISIONS OF CHAPTER 13 PLAN & MOTIONS

4. SECURED CLAIMS

1. Additional Requirements; Sanctions for Failure to Comply

(a) Itemized Statement of Interest Fees and Expenses. If, in addition to its principal amount, a claim includes interest, fees, expenses or other charges incurred before the petition was filed, an itemized statement of the interest, fees, expenses, or charges shall be filed with the proof of claim. The claim may also include charges pursuant to D.N.J. LBR 2016-1(j)(3).

(b) Statement of Cure Amount. A statement of the amount necessary to cure any default as of the date of the petition and any charges permitted under D.N.J. LB 2016- 1(j)(3) shall be filed with the proof of claim.

(c) Escrow Account. If a security interest is claimed in property that is the debtor's principal residence, and if an escrow account has been established in connection with the claim, an escrow account statement prepared as of the date the petition was filed and in a form consistent with applicable nonbankruptcy law shall be filed with the attachment to the proof of claim.

(d) Failure to Provide Supporting Information. If the holder of a claim fails to provide any information required by subdivisions (a), (b) and (c) above, the court may, after notice and hearing, take either or both of the following actions:

- i. preclude the holder from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless, or
- ii. Award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure.

2. Notice Relating to Claims Secured by Security Interest in the Debtor's Principal Residence

(a) Notice of Payment Change. If a claim secured by a security interest in the debtor's principal residence is provided for under the debtor's plan pursuant to § 1322(b)(5) of the Code, the holder of the claim shall file and serve on the debtor, debtor's counsel, and the trustee a notice of any change in the payment amount, including any change that results from an interest rate or escrow account adjustment, no later than 21 days before a payment at a new amount is due.

(b) Form and Content. The Local Form designated as *Notice of Payment Change* may be filed and served. The notice shall not be subject to Rule 3001(f).

(c) Notice of Fees, Expenses and Charges. If a claim secured by a security interest in the debtor's principal residence is provided for under the debtor's plan pursuant to § 1322(b)(5) of the Code, the holder of the claim shall file and serve on the debtor, debtor's counsel, and the trustee the Local Form designated as *Notice of Fees, Expenses and Charges* itemizing all fees, expenses, or charges, incurred in connection with the claim (i) after the bankruptcy case was filed, and (ii) that the holder asserts are recoverable against the debtor or against the debtor's principal residence. The notice shall be served within 180 days after the date on which such fees, expenses, or charges are incurred.

(d) Determination of Fees, Expenses and Charges. On motion of the debtor or trustee filed within one year after service of the notice required by subdivision (c) above, the court shall, after notice and hearing, determine whether payment of the fees, expenses, or charges is required by the underlying agreement and applicable nonbankruptcy law to cure the default or maintain payments in accordance with § 1322(b)(5) of the Code.

(e) Response to Notice of Fees, Expenses and Charges. If the debtor does not object to the Notice of Fees, Expenses and Charges, or if the debtor's objection is overruled, the debtor shall either 1) pay all post petition amounts included in the Notice of Fees, Expenses and Charges; 2) enter into an agreed order allowing the claim (to be paid by the Trustee); or 3) take no action and the amounts claimed shall be deemed allowed, but will not be paid by the Trustee and will not be deemed to have been paid upon closure or conversion of the case.

(f) Application of Payments. The holder of a claim secured by a security interest in the debtor's principal residence shall apply payments from the Trustee to arrears being cured and payments from the debtor to maintain post-petition monthly payments.

(g) Notice of Final Cure Payment. Within 30 days of the debtor completing all payments under the plan, the trustee shall file and serve upon the holder of the claim, the debtor, and debtor's counsel a Local Form, *Notice of Final Cure Payment* stating that the debtor has paid in full the amount required to cure any default on the claim. The notice shall also inform the holder of its obligation to file and serve a response under subdivision (h). If the debtor contends that final cure payment has been made and all plan payments have been completed, and the trustee does not timely file and serve the notice required by this subdivision, the debtor may file and serve the Notice.

(h) Response to Notice of Final Cure Payment. Within 21 days after service of the notice under subdivision (g), the holder shall file and serve on the debtor, debtor's counsel, and the trustee a Local Form, *Statement in Response to Notice of Cure Payment* indicating whether (1) it agrees that the debtor has paid in full the amount required to cure the default on the claim, and (2) the debtor is otherwise current on all payments consistent with § 1322(b)(5) of the Code. The statement shall itemize the required cure or postpetition amounts, if any, that the holder contends remain unpaid as of the date of the statement. The Statement shall not be subject to Rule 3001(f).

(i) Determination of Final Cure Payment. On motion of the debtor or trustee filed within 21 days after service of the statement under subdivision (h) above, the court shall, after notice and hearing, determine whether the debtor has cured the default and paid all required postpetition amounts.

(j) Order Deeming Mortgage Current. If the holder of the secured claim fails to respond to the Trustee's Notice of Final Cure Payment given pursuant to subdivision (g) above, the debtor may submit a proposed order which deems the mortgage current. The proposed order shall be served on the holder of the secured claim and the trustee. The parties served with the order shall have 7 days to file and serve an objection. A hearing may be conducted on the objection in the court's discretion.

(k) Failure to Notify. If the holder of a claim fails to provide information required by subdivision (a), (c), or (h) above, the court may, after notice and hearing, take either or both of the following actions:

i. preclude the holder from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless, or

ii. award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure.

**United States Bankruptcy Court
District of New Jersey**

In Re: _____

Case No.: _____

Chapter: 13

Judge: _____

Notice of Final Cure Payment

Part 1: Claim Information

a. Name of holder (or servicer) of claim secured by a security interest in the debtor's principal residence: _____

b. Proof of Claim number on court's registry: _____

c. Trustee's claim number (if any): _____

Part 2: Trustee Certification

I, _____, the chapter 13 trustee, hereby certify that all payments required to be paid through the chapter 13 plan for the benefit of the secured creditor named above, including pre-petition arrears and all other amounts due to be paid to the secured creditor through the Chapter 13 Plan which arose post-petition, have been paid in full to the secured creditor. I further certify that on _____ a copy of this notice was served on the debtor(s), debtor's attorney (if any) and the secured creditor at the addresses noted below.

Part 3: Signature

Signature

Date: _____

Part 4: Service

Notice Mailed to:

Debtor(s) (address): _____

Debtor(s)' Counsel:

Via CM/ECF

Via email (email address): _____

Via US Mail (address): _____

Creditor (or creditor's counsel):

Via CM/ECF

Via email (email address): _____

Via US Mail (address): _____

This Notice of Final Cure Payment informs the holder of the claim of its obligation to file and serve a Response under the Court's General Order Adopting Supplemental Chapter 13 Plan Provisions as revised September 1, 2010. See Instructions at paragraph(1).

Part 5: Instructions

1. Response to Notice of Final Cure Payment. Within 21 days after service of the *Notice of Final Cure Payment*, the holder of a claim secured by a security interest in the debtor's principal residence shall file and serve on the debtor, debtor's counsel and trustee, Local Form, *Statement In Response to Notice of Final Cure Payment*, indicating whether (1) it agrees that the debtor has paid in full the amount required to cure the default, and (2) the debtor is otherwise current on all payments consistent with § 1322(b)(5) of the Code. The Statement shall itemize any required cure or post-petition amounts, if any, that the holder contends remain unpaid as of the date of the statement.

2. Determination of Final Cure and Payment. On motion of the debtor or trustee filed within 21 days after service of the Statement given pursuant to paragraph (1) above, the court shall, after notice and hearing, determine whether the debtor has cured the default and paid all required pre and post-petition amounts.

3. Order Deeming Mortgage Current. If the holder of a claim fails to respond to the *Notice of Final Cure Payment*, the debtor may submit a proposed order deeming the mortgage current. The proposed order shall be served on the holder of the secured claim and the trustee. All parties served with such an order shall have 7 days to file and serve an objection. A hearing may be conducted on the objection at the Court's discretion.

4. Failure to Notify. In addition to the relief accorded pursuant to paragraph (3) above, if the holder of a claim fails to provide information required by paragraph (1) above, the court may, after notice and hearing, take either or both of the following actions:

i. preclude the holder from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless; or

ii. award other appropriate relief including reasonable expenses and attorney's fees caused by the failure.

**United States Bankruptcy Court
District of New Jersey**

In Re: _____

Case No.: _____

Chapter: 13

Judge: _____

Statement in Response to Notice of Final Cure Payment

Part 1: Pre-Petition Arrears

Creditor agrees or does not agree that the debtor(s) has paid in full the amount required to cure the pre-petition default to be paid through the Chapter 13 Plan.

If creditor disagrees:

Amount due to cure pre-petition arrears: \$ _____

Attach an itemized account of any required pre-petition amounts that the secured creditor contends remain unpaid as of the date of the *Notice of Final Cure Payment*.

Part 2: Post-petition Arrears

Outside the plan: Creditor agrees or does not agree that the debtor(s) has paid all post-petition amounts due to be paid outside the Chapter 13 Plan directly to the secured creditor.

If the creditor disagrees:

Amount due to cure post-petition arrears due outside the plan: \$ _____

Attach an itemized account of any required post-petition amounts that the secured creditor contends remain unpaid as of the date of the *Notice of Final Cure Payment*, using the form *Certification Re Post-Petition Payment History (Note and Mortgage)*.

Inside the plan: Creditor agrees or does not agree that the debtor(s) has paid all post-petition amounts due to be paid through the Chapter 13 Plan.

If the creditor disagrees:

Amount due to cure post-petition arrears due inside the plan: \$ _____

Attach an itemized account of any required post-petition amounts that the secured creditor contends remain unpaid as of the date of the *Notice of Final Cure Payment*, citing court orders or *Notices of Fees, Expenses and Charges* issued during the case.

Part 3: Sign Here

The person completing this Statement must sign it. Print your name and other identifying information.

Check the appropriate box.

I am the creditor.

I am the creditor's authorized agent.
(Attach a copy of power of attorney, if any.)

I certify under penalty of perjury that the foregoing is true and correct.

Signature

Date: _____

Print: _____
Name

Title

Company

Address

Phone

Email

Part 4: Service

Notice Mailed to:

Debtor(s) (address): _____

Debtor(s)' Counsel:

Via CM/ECF

Via email (email address): _____

Via US Mail (address): _____

Trustee:

Via CM/ECF

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

Case No.: _____

Chapter: 11 (Small Business)

Hearing Date: _____

Judge: _____

CHAPTER 11 SMALL BUSINESS SCHEDULING ORDER

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

.....

This matter having been opened to the Court upon the filing of a Chapter 11 Small Business Case on _____; it is hereby

ORDERED, and notice is hereby given, that:

1. A status conference is scheduled for _____ (45-60 days after the Order for Relief), 20____ at _____ in the United States Bankruptcy Court, _____, Courtroom No. _____.
 - A. The Debtor is directed to notify all parties-in-interest, including all secured creditors, creditors' committee members and the United States Trustee.
 - B. All parties interested in this case are requested to attend.
 - C. The purpose of the status conference will be to discuss case management issues and special problems that may be anticipated.
 - D. The fact that the filing is incomplete at the time of the status conference will not serve as a reason to adjourn the hearing.
2. The Debtor's exclusive right to file a Plan expires on _____ (180 days after the Order for Relief), unless the time period is extended pursuant to 11 U.S.C. § 1121(e)(3).
3. The Plan and Disclosure Statement (if any), shall be filed by _____ (300 days after the Order for Relief), unless the time period is extended pursuant to 11 U.S.C. § 1121(e)(3).
4. Along with the filing of a Plan and a Disclosure Statement, the plan proponent shall file Local Form, *Application For Entry of an Order Conditionally Approving Disclosure Statement, Fixing Time For Filing Acceptances or Rejections of the Plan, and Fixing the Time For Filing Objections to the Disclosure Statement and to the Confirmation of the Plan, Combined With Notice Thereof and of the Hearing on Final Approval of the Disclosure Statement and the Hearing on Confirmation of the Plan* (a copy of which is attached hereto) requesting the Court to enter an Order pursuant to 11 U.S.C. § 1125(f):

- (a) that the Plan itself provides adequate information and that a separate disclosure statement is not necessary; or
 - (b) approving the Disclosure Statement submitted on standard forms; or
 - (c) conditionally approving the Plan and Disclosure Statement and scheduling a combined hearing for final approval of the Disclosure Statement and confirmation of the Plan.
5. The Debtor must file periodic financial reports pursuant to 11 U.S.C. § 308 and perform the duties required under 11 U.S.C. § 1116.
6. The following related National and Local Forms can be found on the Court’s web site, www.njb.uscourts.gov:
- Plan of Reorganization in Small Business Case Under Chapter 11 (Official Form B25A)
 - Disclosure Statement in Small Business Case Under Chapter 11 (Official Form B25B)
 - Order Conditionally Approving Disclosure Statement, etc. (Local Form)
 - Order Finally Approving Disclosure Statement and Confirming Plan (Local Form)
7. Additional provisions: _____
- _____
- _____
- _____
- _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

In Re:

Case No.: _____

Chapter: 11 (Small Business)

Judge: _____

**APPLICATION FOR ENTRY OF AN ORDER CONDITIONALLY
APPROVING DISCLOSURE STATEMENT, FIXING TIME FOR FILING
ACCEPTANCES OR REJECTIONS OF THE PLAN, AND FIXING THE TIME
FOR FILING OBJECTIONS TO THE DISCLOSURE STATEMENT AND TO
THE CONFIRMATION OF THE PLAN, COMBINED WITH NOTICE THEREOF
AND OF THE HEARING ON FINAL APPROVAL OF THE DISCLOSURE
STATEMENT AND THE HEARING ON CONFIRMATION OF THE PLAN**

I, _____, counsel for _____, the Plan Proponent, has on this date filed a Chapter 11 Small Business Disclosure Statement and/or Plan for the Court's consideration. Pursuant to 11 U.S.C. Section 1125(f), it is hereby requested that the Court enter an Order:

- that the Plan itself provides adequate information and that a separate disclosure statement is not necessary;
- approving the Disclosure Statement submitted on standard forms;
- conditionally approving the Disclosure Statement and scheduling a combined hearing for final approval of the Disclosure Statement and confirmation of the Plan.

DATE: _____

Attorney for Plan Proponent

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

In Re:

Case No.: _____

Chapter: 11 (Small Business)

Judge: _____

**ORDER CONDITIONALLY APPROVING DISCLOSURE STATEMENT, FIXING
TIME FOR FILING ACCEPTANCES OR REJECTIONS OF THE PLAN, AND FIXING
THE TIME FOR FILING OBJECTIONS TO THE DISCLOSURE STATEMENT AND TO
THE CONFIRMATION OF THE PLAN, COMBINED WITH NOTICE THEREOF AND
OF THE HEARING ON FINAL APPROVAL OF THE DISCLOSURE STATEMENT
AND THE HEARING ON CONFIRMATION OF THE PLAN**

The relief set forth on the following page is hereby **ORDERED**.

This matter having been opened to the Court by _____, Plan Proponent, through counsel, _____, upon the filing of a Small Business Plan and Small Business Disclosure Statement dated _____ under Chapter 11 of the United States Bankruptcy Code; it is

ORDERED, and notice is hereby given, that:

- A. The Disclosure Statement dated _____ and filed by the Debtor is conditionally approved.
- B. Within two (2) days after the entry of this Order, the Plan, the Disclosure Statement and a ballot conforming to Official Form 14 shall be mailed to creditors, equity security holders, and other parties in interest, and shall be transmitted to the United States Trustee.
- C. _____ is fixed as the last day for filing and serving written objections to the Disclosure Statement and confirmation of the Plan.
- D. _____ is fixed as the last day for filing written acceptances or rejections of the Plan under D.N.J. LBR 3018-2.
- E. A hearing shall be held on _____ at _____ (a date within 45 days of the filing of the Plan) for final approval of the Disclosure Statement (if a written objection has been timely filed) and for confirmation of the Plan before the Honorable _____, United States Bankruptcy Court, District of New Jersey, _____, in Courtroom _____.

new.9/1/10

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

In Re:

Case No.: _____

Chapter: 11 (Small Business)

Judge: _____

ORDER FINALLY APPROVING DISCLOSURE STATEMENT AND CONFIRMING PLAN

The relief set forth on the following page is hereby **ORDERED**.

The plan under chapter 11 of the Bankruptcy Code filed by _____,
on _____ having been transmitted to creditors and equity security holders
together with a copy of the disclosure statement conditionally approved by court on
_____; and

It having been determined after notice and a hearing that the requirements for final
approval of the disclosure statement have been satisfied, and it having been determined after a
hearing on notice that the requirements for confirmation of the plan under 11 U.S.C. § 1129 have
been satisfied; it is hereby

ORDERED that:

- The disclosure statement filed by _____
on _____ is finally approved, and

- The plan (or Plan including Disclosure Statement) filed by
_____, on _____,
is confirmed.