

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

GENERAL ORDER
02-06

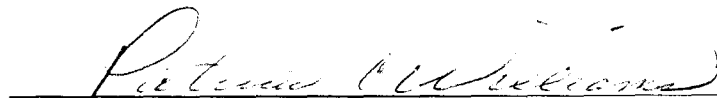
)
)
)
)
)
)

AMENDMENTS TO LOCAL
RULES 3018-1(e), and 3022-1

Local Bankruptcy Rules 3018-1(e) - Chapter 11 Plan Confirmation, and 3022-1 - Final Decree in Chapter 11 Reorganization Case, have been adopted, for the United States Bankruptcy Court for the Eastern District of Washington pursuant to that certain General Order of the United States District Court for the Eastern District of Washington dated March 6, 1996, FRBP 8018, and 9029, FRCP 83 and USC 2171.

Changes to Rules 3018-1(e), and 3022-1, shall be effective November 1, 2006 and shall govern all pending matters, except to the extent, in the opinion of the Court that their application in a case pending on November 1, 2006 would not be feasible or would work an injustice, in which event the procedure set forth in the former shall apply.

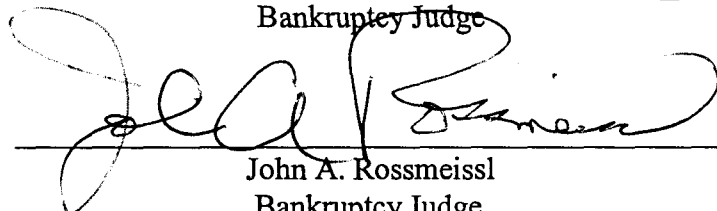
Dated this 24TH day of October 2006



Patricia C. Williams
Chief Bankruptcy Judge



Frank L. Kurtz
Bankruptcy Judge



John A. Rossmeissl
Bankruptcy Judge

Rule 3018 - 1

Chapter 11 Plan Confirmation

(e) Acceptance or Rejection of Plan

a) Ballots accepting or rejecting the plan shall be filed ~~within the time set by the Court~~ with the plan proponent, unless otherwise ordered by the court.

(2) The ~~Clerk~~ proponent shall certify to the Court the results of balloting, unless otherwise ordered by the court .

(3) The ballots shall be delivered to the Clerk upon confirmation of the plan unless otherwise ordered by the court.

Note: The computer program previously used by the court in counting ballots is a DOS based program that has become unreliable and unsupportable. It is maintained on a separate computer from those used on the Court's network. This court is one of very few if any that routinely counts ballots.

LBR 3022-1

Final Decree in Chapter 11 Reorganization Case

(a) Final Decree and Closing of Cases

(1) Final Account Filed

Twenty (20) days following the filing of the final account, the final decree may ~~will~~ be entered and case shall be closed unless a motion is filed requesting that the final decree not be so entered.

(2) Final Account Not Filed

If a final account has not been filed within one hundred eighty (180) days following the confirmation of the plan, a final decree may be entered and the case closed unless a party in interest has filed a written objection. The notice of the confirmation of the plan shall include notice that the final decree will be entered and the case closed without a final account unless an objection is filed within one hundred eighty (180) days following confirmation.

(3) Exception Where Debtor is an Individual

Notwithstanding paragraph (1) and (2) above, cases where the debtor is an individual shall not be closed until a discharge has been granted, denied, or waived to or by the debtor.

Note: It is proposed to change the mandatory “will” to the discretionary “may” is more reflective of the actual policy. There are times when, even though no one has objected to the entry of the final decree, the case in fact is not fully administered, such as open motions concerning case related items, such as fee requests or claims issues, or the granting of a discharge in a case where the debtor is an individual.

Related Provisions

FRBP 3022 Final Decree in Chapter 11 Reorganization Case

11 USC 1141 Effect of Confirmation