

Rule 3018 - 1

Chapter 11 Plan Confirmation

(a) Notice of Filing Disclosure Statement and Plan

The party filing a disclosure statement and proposed plan shall give twenty five (25) days notice in the prescribed form to the Master Mailing List in accordance with LBR 2002-1 of the opportunity to object to the disclosure statement and provide a copy of the disclosure statement and proposed plan to those entities required by FRBP 3017.

(b) Notice of Approval of Disclosure Statement and Opportunity to Object to Proposed Plan

The proponent of a plan, where the disclosure statement has been approved by the court, shall give twenty five (25) days notice to the Master Mailing List in accordance with LBR 2002-1 of the opportunity to object to the confirmation of the plan along with a copy of the following items:

- (1) Notice of Approval of Disclosure Statement and Matters Relating to Confirmation of Plan in the prescribed local form;
- (2) Approved Disclosure Statement;
- (3) Proposed plan;
- (4) Ballot for Accepting or Rejecting Plan of Reorganization in the prescribed local form;
- (5) List Classifying Claims in the prescribed local form.

(c) Notice of Conditionally Approved ~~at of~~ Disclosure Statement or Combined Plan and Disclosure Statement and Opportunity to Object to Proposed Plan in Small Business Case

The proponent of a plan in the case of a small business debtor ~~where the debtor has elected to be treated as a small business and where the court has conditionally approved the disclosure statement, or approved a combined plan and disclosure statement,~~ shall give twenty five (25) days notice to the Master Mailing List in accordance with LBR 2002-1 of the opportunity to object to the disclosure statement or confirmation of the plan along with a copy of the following items:

- (1) Notice of Conditional Approval of Disclosure Statement and Matters relating to Confirmation of Plan in the prescribed local form;
- (2) Conditionally Approved Disclosure Statement;
- (3) Proposed Plan
- (4) Ballot for Accepting or Rejecting Plan of Reorganization in the prescribed local form.
- (5) List Classifying Claims in the prescribed local form.

Note: These proposed changes are to bring the language into line with changes to the Code.

(d) Modification of Plan Before or After Confirmation

- (1) Before Acceptance and Confirmation

Sub-section (a) of this rule shall apply where the proponent modifies the disclosure statement or the proposed plan prior to acceptance of the proposed plan, unless otherwise ordered by the court.

- (2) After Acceptance but before Confirmation

If proponent seeks an order determining that modification to a plan does not have any adverse affect pursuant to FRBP 3019, the proponent shall give twenty (20) days notice to trustee, UST, any committee appointed or if non appointed, then to the list of 20 largest creditors required by FRBP 1007(d), debtor and debtor's attorney.

- (3) If the effect of a modification to the proposed plan so requires, an amended List Classifying Claims shall be filed.

- (4) After Confirmation

The proponent of a modification to a confirmed plan pursuant to 11 USC 1127(e) shall give all notices related to the request for modification.

(e) Acceptance or Rejection of Plan

- (1) Ballots accepting or rejecting the plan shall be filed with the Court, unless otherwise ordered by the court.
- (2) The proponent, or other entity as the court may direct, shall certify to the Court the results of balloting, as prescribed by the appropriate local form.

Related Provisions

FRBP 2002	Notices
FRBP 3016	Filing Plan and Disclosure Statement
FRBP 3017	Disclosure Hearing
FRBP 3017.1	Disclosure Statement in Small Business Case
FRBP 3018	Acceptance or Rejection of Plan
FRBP 3019	Modification to Plan
FRBP 3020	Confirmation of Plan
11 USC 101(51C)	Small Business Defined
11 USC 1121	Who May File a Plan
11 USC 1125	Postpetition Disclosure and Solicitation
11 USC 1126	Acceptance of Plan
11 USC 1127	Modification of Plan
11 USC 1128	Confirmation Hearing
11 USC 1129	Confirmation of Plan