

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA**

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In re:

Case No.  
Chapter 11

\_\_\_\_\_  
Debtor /

**ORDER CONVERTING CASE UNDER CHAPTER 11 TO CASE  
UNDER CHAPTER 7**

- ( ) The debtor in possession has filed a motion to convert this case to a case under chapter 7 pursuant to 11 U.S.C. § 1112(a). Since the case was not commenced as an involuntary case under chapter 11, nor has the case been converted to a case under chapter 11 other than on the debtor's request, the court finds that the debtor is entitled to be a debtor under chapter 7.
- ( ) A party in interest other than the debtor has filed a motion in accordance with 11 U.S.C. § 1112(b), seeking to convert the case to a case under chapter 7 of the Bankruptcy Code. The court finds, after notice and hearing, that the motion should be granted.

It is **ORDERED** that:

1. This chapter 11 case is converted to a case under chapter 7.
2. If applicable, the debtor shall immediately remit to the clerk of court the \$15.00 trustee surcharge fee prescribed by the Judicial Conference of the United States (if not previously paid by the debtor). Failure to pay this fee will result in dismissal of this case.
3. The debtor or the chapter 11 trustee, shall:
  - a. Forthwith turn over to the chapter 7 trustee all records and property of the estate under its custody and control as required by Bankruptcy Rule 1019(4);
  - b. Within 30 days of the date of this order, file an accounting of all receipts and distributions made. A copy of this report must be served on the U.S. trustee; and
  - c. File, within 15 days of the date of this order, a schedule of unpaid debts incurred after the commencement of the chapter 11 case as required by

Bankruptcy Rule 1019(5) and a supplemental matrix and certification in the format required by and Local Rule 1019-1(B). The debtor or debtor's attorney is required to provide notice to those creditors pursuant to Local Rule 1019-1(B). Failure to comply may also result in sanctions being imposed by the court. Debts not listed or noticed timely will not be discharged. A copy of this schedule shall be served on the chapter 7 trustee.

4. The debtor shall:
  - a. File, within 15 days of the date of this order, the statements and schedules required by Bankruptcy Rule 1019(1)(A) and Bankruptcy Rule 1007(c) and in accordance with Local Rule 1019-1(B), if such documents have not already been filed; and
  - b. File, if the debtor is an individual, within 30 days of the date of this order, a statement of intention with respect to retention or surrender of property securing consumer debts, as required by 11 U.S.C. § 521(2)(A) and Bankruptcy Rule 1019(1)(B), and conforming to Official Form 8.
5. Pursuant to Local Rule 2016-1(C)(2), the debtor's attorney, any examiner or trustee appointed by the court, or any other professional person employed under 11 U.S.C. § 327 or 1103 shall, file within 90 days after the date of the post-conversion meeting, an application for compensation for outstanding fees and expenses incurred during the chapter 11 administration including an application justifying retention of any retainer received which has not been approved by a prior award. Any retainers received which are not approved will be subject to turnover to the chapter 7 trustee. The attorney for the debtor in possession, or the chapter 11 trustee (if one was appointed) shall notify all such professionals of this deadline by serving them with a copy of this order.
6. The debtor shall provide notice to affected parties of the deadline set pursuant to Local Rule 1019-1(F)(1) for filing by a nongovernmental unit a request for payment of an administrative expense (including, as permitted by Local Rule 3001-1(B) a proof of claim alleging a section 503 claim).
7. If this case is being converted after the confirmation of a plan, the debtor, within 30 days of the date of this order, shall file:

- a. A schedule of all property not listed in the final report and account of the debtor in possession or chapter 11 trustee which was acquired after the commencement of the chapter 11 case but before the entry of this conversion order;
- b. A schedule of unpaid debts (and a supplemental matrix as described in paragraph 3(c)) not listed in the final report and account of the debtor in possession or chapter 11 trustee, which were incurred after the commencement of the chapter 11 case but before the entry of this conversion order, as required by Bankruptcy Rule 1019(5) and provide notice of the claims deadline as required by Bankruptcy Rule 1019(6) and Local Rule 1019-1(B) and (F); and
- c. A schedule of executory contracts and unexpired leases entered into or assumed after the commencement of the chapter 11 case, but before the entry of this conversion order.

**ORDERED** in the Southern District of Florida on \_\_\_\_\_.

\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE

Copies to:  
Debtor  
Attorney for Debtor  
U.S. trustee  
Chapter 11 Trustee (if applicable)