

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

**INDIVIDUAL CHAPTER 11 DEBTOR'S
CERTIFICATION REGARDING LIMITATION ON CLAIMED
EXEMPTIONS, INSTRUCTIONAL COURSE CONCERNING PERSONAL
FINANCIAL MANAGEMENT, AND ELIGIBILITY FOR A DISCHARGE**

Any party in interest that objects to granting the debtor a discharge under 11 U.S.C. § 1141(d) must file and serve an objection within 30 days of service of this document. Failure to timely file and serve an objection may result in entry of a discharge without further motion, notice, or hearing.

[Name], the debtor¹ in this chapter 11 case, certifies as follows:

1. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

- _____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000.²
- _____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000,² but there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

2. Completion of instructional course concerning personal financial management described in 11 U.S.C. § 111 (check one):

- _____ a. The debtor is not required to complete the instructional course concerning personal financial management described in 11 U.S.C.

¹ All references to the "debtor" include both debtors in a joint case under 11 U.S.C. § 302.

² Under 11 U.S.C. § 104(a), this amount will next be adjusted as of April 1, 2028, and then every three years thereafter.

§ 111 because the confirmed plan does not provide for the liquidation of all or substantially all of the property of the estate or the debtor is engaging in business after consummation of the plan.

_____ b. The debtor is required to complete the instructional course concerning personal financial management described in 11 U.S.C. § 111 because the confirmed plan provides for the liquidation of all or substantially all of the property of the estate and the debtor does not engage in business after consummation of the plan.

3. Eligibility for a discharge (check one):

_____ a. I am eligible to receive a discharge because (i) all payments under the plan have been completed; (ii) if required by paragraph 2 above, I have filed a certificate of completion of the instructional course concerning personal financial management described in 11 U.S.C. § 111 (unless the course provider filed a certificate of completion of the financial management course on my behalf); (iii) 11 U.S.C. §1141(d)(3) does not apply to me; and (iv) there are no pending objections to discharge and no order denying discharge has been entered in this case.

_____ b. By separate motion, I am seeking entry of a discharge under 11 U.S.C. §1141(d)(5).

_____ c. I am not eligible for and am not seeking a discharge in my case.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

[Under Local Rule 2002-1(b), the debtor's attorney must serve this document on all creditors and must include at the end of this document a certificate of service, as required by Local Rule 9036-2. If the debtor is unrepresented, the Clerk of Court will serve this document on all creditors under Local Rule 2002-1(a)(3).]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 12

**INDIVIDUAL CHAPTER 12
DEBTOR'S CERTIFICATION REGARDING LIMITATION ON
CLAIMED EXEMPTIONS AND DOMESTIC SUPPORT OBLIGATIONS**

Any party in interest that objects to granting the debtor a discharge under 11 U.S.C. § 1228 must file and serve an objection within 30 days of service of this document. Failure to timely file and serve an objection may result in entry of a discharge without further motion, notice, or hearing.

[Name], the debtor¹ in this chapter 12 case, certifies as follows:

1. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

- _____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000.²
- _____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000,² but there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

2. Domestic support obligations (check one):

- _____ a. The debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation, as that term is defined in 11 U.S.C. §101(14A), either before this

¹ All references to the "debtor" include both debtors in a joint case under 11 U.S.C. § 302.

² Under 11 U.S.C. § 104(a), this amount will next be adjusted as of April 1, 2028, and then every three years thereafter.

bankruptcy case was filed or at any time after this bankruptcy case was filed.

_____ b. The debtor is required by a judicial or administrative order, or by statute, to pay a domestic support obligation, as that term is defined in 11 U.S.C. §101(14A). The debtor has paid all amounts payable under such order or such statute that are due on or before the date of the certification (including amounts due before the petition was filed, but only to the extent provided for by the plan).

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

[Under Local Rule 2002-1(b), the debtor's attorney must serve this document on all creditors and must include at the end of this document a certificate of service, as required by Local Rule 9036-2. If the debtor is unrepresented, the Clerk of Court will serve this document on all creditors under Local Rule 2002-1(a)(3).]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

ORDER VACATING DISMISSAL
ORDER AND REINSTATING CHAPTER 7 CASE

This case came before the Court [without a hearing] [for hearing on ____] on the debtor's motion¹ under Fed. R. Bankr. P. 9024 and Fed. R. Civ. P. 60(b) seeking relief from the Court's [date] order dismissing this case.² Upon consideration of the motion[, the arguments at the hearing,] and the record in this case, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This Court's [date] order dismissing³ this case is **VACATED**.
3. This case is **REINSTATED** effective upon entry of this order.

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

4. Under 11 U.S.C. § 362(c)(2)(B), the automatic stay under 11 U.S.C. § 362(a) terminated when this case was dismissed and was not in effect from that moment until entry of this order. Immediately upon entry of this order, the automatic stay under 11 U.S.C. § 362(a) is once again in effect.
5. If not already filed, the debtor must file all documents required by Fed. R. Bankr. P. 1007(b)(1) and (b)(4) within 14 days of entry of this order. Failure to comply with this requirement may result in dismissal of this case without further notice or hearing.
6. § 341 meeting of creditors (check one):
 - _____ a. This case was dismissed before the conclusion of the § 341 meeting of creditors. The Clerk of Court will therefore reschedule – and issue a new notice of the date of – the § 341 meeting of creditors.
 - _____ b. This case was dismissed after the conclusion of the § 341 meeting of creditors. No new § 341 meeting of creditors will be scheduled.
7. Deadline to file proof of claim (check one):
 - _____ a. This case was designated as a “no asset” case under Fed. R. Bankr. P. 2002(e) and Local Rule 3002-1(a), so no deadline to file a proof of claim was set. Upon entry of this order, no new deadline to file a proof of claim will be set. If the trustee later notifies the court that a dividend appears possible, the Clerk of Court will set a deadline to file a proof of claim and give notice to creditors as required by Fed. R. Bankr. P. 3002(c)(5).
 - _____ b. This case was dismissed before the time to file a proof of claim expired. Under Local Rule 3002-1(b)(2), the new deadline to file a proof of claim is **70 days after entry of this order**.
 - _____ c. This case was dismissed after the deadline to file a proof of claim expired. No new deadline to file a proof of claim will be set.
8. Deadline to object to discharge under 11 U.S.C. § 727 (check one):
 - _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 4004-1(a)(1), the new deadline to object to discharge is **60 days after the date of the rescheduled § 341 meeting of creditors**.

- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to object to discharge. Under Local Rule 4004-1(a)(2), the new deadline to object to discharge is **60 days after entry of this order**.
- _____ c. This case was dismissed after expiration of the deadline to object to discharge. No new deadline to object to discharge will be set.
9. Deadline to file a complaint to determine whether a debt is dischargeable under 11 U.S.C. § 523 (check one):
- _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 4007-1(a)(1), the new deadline to file a complaint to determine whether a debt is dischargeable is **60 days after the date of the rescheduled § 341 meeting of creditors**.
- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to file a complaint to determine whether a debt is dischargeable. Under Local Rule 4007-1(a)(2), the new deadline to file a complaint to determine whether a debt is dischargeable is **60 days after entry of this order**.
- _____ c. This case was dismissed after expiration of the deadline to file a complaint to determine whether a debt is dischargeable. No new deadline to file a complaint to determine whether a debt is dischargeable will be set.
10. Deadline to file a motion to dismiss under Fed. R. Bankr. P. 1017(e)(2) or to serve a notice of a hearing on the court's own motion under Fed. R. Bankr. P. 1017(e)(3):
- _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 1017-1(f)(1), the new deadline to file a motion to dismiss under Fed. R. Bankr. P. 1017(e)(2) or to serve a notice of a hearing on the court's own motion under Fed. R. Bankr. P. 1017(e)(3) is **60 days after the date of the rescheduled § 341 meeting of creditors**.
- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to file a motion to dismiss under Fed. R. Bankr. P. 1017(e)(2) or to serve a notice of a hearing on the court's own motion under Fed. R. Bankr. P. 1017(e)(3). Under Local Rule 1017-1(f)(2), the new

deadline to file a motion to dismiss under Fed. R. Bankr. P. 1017(e)(2) or to serve a notice of a hearing on the court's own motion under Fed. R. Bankr. P. 1017(e)(3) is **60 days after entry of this order**.

_____ c. This case was dismissed after expiration of the deadline to file a motion to dismiss under Fed. R. Bankr. P. 1017(e)(2) or to serve a notice of a hearing on the court's own motion under Fed. R. Bankr. P. 1017(e)(3). No new deadline to file a motion to dismiss under Fed. R. Bankr. P. 1017(e)(2) or to serve a notice of a hearing on the court's own motion under Fed. R. Bankr. P. 1017(e)(3) will be set.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on all creditors, all indenture trustees, and the United States trustee, and file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

www.flsb.uscourts.gov

In re:

Case No.

Chapter

Debtor(s) /

**DEBTOR'S NOTICE OF COMPLIANCE WITH REQUIREMENTS
FOR AMENDING CREDITOR INFORMATION**

Pursuant to Bankruptcy Rule 1007(a)(1), the debtor must file with the petition a list containing the name and address of each entity included or to be included in schedules and statements. This notice must accompany any initial post-petition creditor list (filed any day after the Voluntary Petition), amended creditor list, post-petition initial schedules or statements, and amended schedules and statements filed pursuant to Local Rules 1007-1(b), and Bankruptcy Rules 1007, 1009, or 1019. Documents filed without this notice may be stricken. Check the applicable box:

- [] The document filed **adds any post-petition creditor(s)** as reflected in the attached list (include name and address of each creditor being added). I have:
1. remitted the required fee;
 2. provided the court with a supplemental matrix **of only the added creditors** on a CD or memory stick in electronic text format (ASCII or MS-DOS text), or electronically uploaded the added creditors in CM/ECF;
 3. provided notice to affected parties, including service of a copy of this notice and a copy of the §341 or post conversion meeting notice, and filed a certificate of service [see Local Rule 1009-1(b)(1) and (2)]; and
 4. filed an initial or amended schedule(s) and summary of schedules.
- [] The document filed **deletes** a creditor(s) as reflected on the attached list (include name and address of each creditor being deleted). **I have:**
1. remitted the required fee;
 2. provided notice to affected parties and filed a certificate of service [see Local Rule 1009-1(b)(1) and (2)]; and
 3. filed an amended schedule(s) and summary of schedules.
- [] The document filed **corrects** the name and/or address of a creditor(s) on the attached list. **I have:**
1. provided notice to affected parties, including service of a copy of this notice and a copy of the §341 or post conversion meeting notice and filed a certificate of service [see Local Rule 1009-1(b)(1) and (2)]; and
 2. filed an amended schedule(s) and summary of schedules, or other document.
- [] The document filed **corrects** Schedule D or E/F amount(s) or classification(s). **I have:**
1. remitted the required fee;
 2. provided notice to affected parties and filed a certificate of service [see Local Rule 1009-1(b)(1) and (2)]; and
 3. filed an amended schedule(s) and summary of schedules.

[] None of the above apply. The document filed does not require an additional fee, a supplemental creditor list, or notice to any affected parties. It ☐ *does* ☐ *does not* require the filing of an amended schedule and summary of schedules.

I also certify that if filing initial or amended schedules, Official Form 106 “Declaration About an Individual Debtor’s Schedules” or Official Form 202 “Declaration Under Penalty of Perjury for Non-Individual Debtors,” signed by both debtors, is filed as required by Bankruptcy Rules 1007, 1009, or 1019.

Dated: _____

Attorney for Debtor (or Debtor, if pro se)

Joint Debtor (if applicable)

Print Name

Address

Florida Bar Number

Phone Number

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

www.flsb.uscourts.gov

Transcript Request Form

Submit this form to the transcription company by email, fax or postal mail: Attn: _____

Transcriber: _____

Email: _____ Telephone Number: _____ Fax: _____

Case Number: _____ Adversary Number: _____ Judge: _____

Date of Hearing or Trial: _____ Time of Hearing or Trial: _____

Debtor(s) Name: _____

☐ The transcript being requested is included as a designated item for a pending appeal. [Docket Entry #_____]. **(If this box is checked, the requestor must also file this form with the clerk pursuant to Bankruptcy Rule 8009. The transcriber is responsible for notifying the clerk by electronic docket entry of the date the request was received and the date on which the transcriber expects to have the transcript completed (See Bankruptcy Rule 8010). *Transcripts of court proceedings may only be filed with the court by the official court reporter.***

Select Delivery Method:

✓	Rates Effective October 1, 2024	<u>Original</u> [cost per page]	<u>First Copy to Each Party</u> [cost per page]	<u>Each Additional Copy to the Same Party</u> [cost per page]
	<u>30-Day Transcript (Ordinary)</u> A transcript to be delivered within thirty (30) calendar days after receipt of an order.	\$4.40	\$1.10	\$0.75
	<u>14-Day Transcript</u> A transcript to be delivered within fourteen (14) calendar days after receipt of an order.	\$5.10	\$1.10	\$0.75
	<u>7-Day Transcript (Expedited)</u> A transcript to be delivered within seven (7) calendar days after receipt of an order.	\$5.85	\$1.10	\$0.75
	<u>3-Day Transcript</u> A transcript to be delivered within three (3) calendar days after receipt of an order.	\$6.55	\$1.30	\$0.90
	<u>Next-Day Transcript (Daily)</u> A transcript to be delivered on the calendar day following receipt of the order (regardless of whether that calendar day is a weekend or holiday), prior to the normal opening hour of the clerk's office.	\$7.30	\$1.45	\$1.10
	<u>2-Hour Transcript (Hourly)</u> A transcript of proceedings to be delivered within (2) hours from receipt of the order.	\$8.70	\$1.45	\$1.10
	<u>Realtime Transcript</u> A draft unedited transcript produced by a certified Realtime reporter as a byproduct of Realtime to be delivered electronically during proceedings or immediately following receipt of the order.	One feed, ¹ \$3.70 per page; two-to-four feeds, \$2.55 per page; five or more feeds, \$1.80 per page. Orders placed on or before the day of the proceeding will be batched together for purposes of determining the number of feeds; and subsequent orders will be charged at the lowest page rate assessed on the previous orders.		

¹ A realtime "feed" is the electronic data flow from the court reporter to the computer of each person or party ordering and receiving the realtime transcription in the courtroom.

By submitting this request, it is understood that:

- A separate order must be placed for each transcript being requested.
- All transcript requests must be submitted directly to the transcriber. Do not contact the clerk's office regarding the status of a request.
- It is the responsibility of the requestor to verify that the transcript has not already been filed with the court.
- It is the responsibility of the party(ies) to request redaction. See Bankruptcy Rule 5007, and "Guidelines on Electronic Availability of Transcripts and Procedures for Transcript Redaction" (CI-11).
- Any transcript obtained by delivering a CD containing an audio recording of a court proceeding to a transcriber is **NOT** an official transcript, even if transcribed by an approved transcription service.

Print Your
Name:

Mailing Address:

Email Address:

Telephone
No.:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 7 TO CASE UNDER CHAPTER 11**

This case came before the Court for hearing on [date] on the motion under 11 U.S.C. § 706(b) by [movant] to convert this case to a case under chapter 11. Upon consideration of the motion, the argument of counsel, and the record in this case, and for the reasons stated on the record which constitute the decision of the Court, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 7 case is converted to a case under chapter 11.
3. If the debtor is the movant and the debtor has not paid the \$922 conversion fee required by 28 U.S.C. § 1930(a), the debtor must immediately remit this payment to the clerk of court.

4. The chapter 7 trustee must:
 - a. promptly turn over to the debtor in possession, or if a chapter 11 trustee has been appointed, to the chapter 11 trustee, all documents and property of the estate that are in its possession and control; and
 - b. within 30 days of entry of this order, make a final report and file a final account of the administration of the estate with the court and with the United States trustee, as required by 11 U.S.C. §704(a)(9).
5. The debtor must file the following lists, schedules, statements, and other documents, by the following deadlines:

<u>Time to File</u>	<u>Documents Required</u>	<u>Authority</u>
2 days after entry of this order	<i>List of the 20 Largest Unsecured Creditors.</i> List containing the names, addresses, and claims of the creditors that hold the 20 largest unsecured claims, excluding insiders, as prescribed by the appropriate Official Form (Form 104 or 204).	Fed. R. Bankr. P. 1007(d)
3 business days after entry of this order	<i>Case Management Summary.</i> Local form <i>Chapter 11 Case Management Summary</i> , unless the debtor is an individual not engaged in business.	Local Rule 4002-1
14 days after entry of this order	<i>List of Equity Security Holders.</i> List of the debtor's equity security holders by class. The list must show the number and type of interests registered in each holder's name, along with the holder's last known address or place of business.	Fed. R. Bankr. P. 1007(a)(3)
14 days after entry of this order	<i>Current Monthly Income.</i> A statement of current monthly income (Form 122B), unless the debtor has elected application of subchapter V of chapter 11.	Fed. R. Bankr. P. 1007(b)(5)
14 days after entry of this order	<i>Other Previously Unfiled Documents.</i> Any other lists, inventories, schedules, and statements of financial affairs required by Fed. R. Bankr. P. 1007 that were not previously filed.	Fed. R. Bankr. P. 1007(b)(1)
14 days after entry of this order	<i>Designation as a Small Business Debtor.</i> A statement whether the debtor is a small business debtor and, if so, whether the debtor elects to have subchapter V of chapter 11 apply.	Fed. R. Bankr. P. 1020(a)
7 days after small business	<i>Small Business Case Documents.</i> If the debtor is a small business debtor, the debtor's	11 U.S.C. § 1116(1)

debtor designation is filed	most recent balance sheet, statement of operations, cash-flow statement, and Federal income tax return; or a statement made under penalty of perjury that no balance sheet, statement of operations, or cash-flow statement has been prepared and no Federal tax return has been filed.	
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Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2. This service direction does not apply, however, if the submitting attorney is an attorney in the office of the United States trustee, in which case the Clerk of Court will serve this order under Local Rule 2002-1(a)(1).

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 7 TO CASE UNDER CHAPTER 11**

This case came before the Court for hearing on [date] on the motion by the debtor under 11 U.S.C. § 706(a) to convert this case to a case under chapter 11. Because this case has not been converted under 11 U.S.C. §§ 1112, 1208, or 1307, the debtor may convert this case to a case under chapter 11. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 7 case is converted to a case under chapter 11.
3. If the debtor has not paid the \$922 conversion fee required by 28 U.S.C. § 1930(a), the debtor must immediately remit this payment to the clerk of court.

4. The chapter 7 trustee must:
 - a. promptly turn over to the debtor in possession, or if a chapter 11 trustee has been appointed, to the chapter 11 trustee, all documents and property of the estate that are in its possession and control; and
 - b. within 30 days of entry of this order, make a final report and file a final account of the administration of the estate with the court and with the United States trustee, as required by 11 U.S.C. §704(a)(9).
5. The debtor must file the following lists, schedules, statements, and other documents, by the following deadlines:

<u>Time to File</u>	<u>Documents Required</u>	<u>Authority</u>
2 days after entry of this order	<i>List of the 20 Largest Unsecured Creditors.</i> List containing the names, addresses, and claims of the creditors that hold the 20 largest unsecured claims, excluding insiders, as prescribed by the appropriate Official Form (Form 104 or 204).	Fed. R. Bankr. P. 1007(d)
3 business days after entry of this order	<i>Case Management Summary.</i> Local form <i>Chapter 11 Case Management Summary</i> , unless the debtor is an individual not engaged in business.	Local Rule 4002-1
14 days after entry of this order	<i>List of Equity Security Holders.</i> List of the debtor's equity security holders by class. The list must show the number and type of interests registered in each holder's name, along with the holder's last known address or place of business.	Fed. R. Bankr. P. 1007(a)(3)
14 days after entry of this order	<i>Current Monthly Income.</i> A statement of current monthly income (Form 122B), unless the debtor has elected application of subchapter V of chapter 11.	Fed. R. Bankr. P. 1007(b)(5)
14 days after entry of this order	<i>Other Previously Unfiled Documents.</i> Any other lists, inventories, schedules, and statements of financial affairs required by Fed. R. Bankr. P. 1007 that were not previously filed.	Fed. R. Bankr. P. 1007(b)(1)
14 days after entry of this order	<i>Designation as a Small Business Debtor.</i> A statement whether the debtor is a small business debtor and, if so, whether the debtor elects to have subchapter V of chapter 11 apply.	Fed. R. Bankr. P. 1020(a)
7 days after small business	<i>Small Business Case Documents.</i> If the debtor is a small business debtor, the debtor's	11 U.S.C. § 1116(1)

debtor designation is filed	most recent balance sheet, statement of operations, cash-flow statement, and Federal income tax return; or a statement made under penalty of perjury that no balance sheet, statement of operations, or cash-flow statement has been prepared and no Federal tax return has been filed.	
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Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____ /

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 7 TO CASE UNDER CHAPTER 12**

This case came before the Court for hearing on [date] on the motion by the debtor under 11 U.S.C. § 706(a) to convert this case to a case under chapter 12. Because this case has not been converted under 11 U.S.C. §§ 1112, 1208, or 1307, the debtor may convert this case to a case under chapter 12. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 7 case is converted to a case under chapter 12.
3. The chapter 7 trustee must:
 - a. promptly turn over to the debtor all documents and property of the estate that are in its possession and control; and

- b. within 30 days of entry of this order, make a final report and file a final account of the administration of the estate with the court and with the United States trustee, as required by 11 U.S.C. §704(a)(9).
- 4. Within 14 days of entry of this order, the debtor must file any lists, inventories, schedules, and statements of financial affairs required by Fed. R. Bankr. P. 1007 that were not previously filed.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 7 TO CASE UNDER CHAPTER 13**

This case came before the Court without a hearing on the motion by the debtor under 11 U.S.C. § 706(a) to convert this case to a case under chapter 13, filed on negative notice under Local Rule 9013-3. The movant by submitting this form of order has represented that the motion was served on all required parties; the 21-day response time provided by Local Rule 9013-3(b) has expired; no one has filed, or served on the movant, a response to the motion; and this form of order was attached as an exhibit to the motion. Because this case has not been converted under 11 U.S.C. §§ 1112, 1208, or 1307, the debtor may convert this case to a case under chapter 13. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 7 case is converted to a case under chapter 13.

3. The chapter 7 trustee must:
 - a. promptly turn over to the debtor all documents and property of the estate that are in its possession and control; and
 - b. within 30 days of entry of this order, make a final report and file a final account of the administration of the estate with the court and with the United States trustee, as required by 11 U.S.C. §704(a)(9).
4. Within 14 days of entry of this order, the debtor must file:
 - a. a statement of current monthly income (Form 122C-1), and if that income exceeds the median family income for the debtor's state and household size, the Chapter 13 calculation of disposable income (Form 122C-2), as required by Fed. R. Bankr. P. 1007(b)(6);
 - b. any other lists, inventories, schedules, and statements of financial affairs required by Fed. R. Bankr. P. 1007 that were not previously filed; and
 - c. a chapter 13 plan using local form *Chapter 13 Plan*, as required by Fed. R. Bankr. P. 3015(b)(2); 3015.1; Local Rule 3015.1-1.
5. Within 30 days of entry of this order, the debtor must commence making chapter 13 plan payments as required by 11 U.S.C. § 1326(a)(1).
6. If the chapter 7 filing fee was waived, the debtor must – within 14 days of entry of this order – pay the full chapter 13 filing fee of \$ _____ or file a local form application to pay the fee in installments.
7. This chapter 13 case may be dismissed under Local Rule 1017-1(a), without further notice or hearing, for any of the following reasons:
 - a. failure to timely file a chapter 13 plan;
 - b. failure to timely pay the filing fee in installments (after being granted permission to do so) or any other fee due from the debtor (including fees due upon conversion of a case);
 - c. failure to appear at the § 341 meeting of creditors;
 - d. failure to commence making chapter 13 plan payments within 30 days of conversion to chapter 13;

- e. failure to remain current on chapter 13 plan payments as of the time of the § 341 meeting of creditors; or
- f. denial of confirmation of a chapter 13 plan and denial of a request for additional time to file an amended plan.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 7 TO CASE UNDER CHAPTER 13**

This case came before the Court for hearing on [date] on the motion by the debtor under 11 U.S.C. § 706(a) to convert this case to a case under chapter 13. Because this case has not been converted under 11 U.S.C. §§ 1112, 1208, or 1307, the debtor may convert this case to a case under chapter 13. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 7 case is converted to a case under chapter 13.
3. The chapter 7 trustee must:
 - a. promptly turn over to the debtor all documents and property of the estate that are in its possession and control; and

- b. within 30 days of entry of this order, make a final report and file a final account of the administration of the estate with the court and with the United States trustee, as required by 11 U.S.C. §704(a)(9).
- 4. Within 14 days of entry of this order, the debtor must file:
 - a. a statement of current monthly income (Form 122C-1), and if that income exceeds the median family income for the debtor's state and household size, the Chapter 13 calculation of disposable income (Form 122C-2), as required by Fed. R. Bankr. P. 1007(b)(6);
 - b. any other lists, inventories, schedules, and statements of financial affairs required by Fed. R. Bankr. P. 1007 that were not previously filed; and
 - c. a chapter 13 plan using local form *Chapter 13 Plan*, as required by Fed. R. Bankr. P. 3015(b)(2); 3015.1; Local Rule 3015.1-1.
- 5. Within 30 days of entry of this order, the debtor must commence making chapter 13 plan payments as required by 11 U.S.C. § 1326(a)(1).
- 6. If the chapter 7 filing fee was waived, the debtor must – within 14 days of entry of this order – pay the full chapter 13 filing fee of \$ _____ or file a local form application to pay the fee in installments.
- 7. This chapter 13 case may be dismissed under Local Rule 1017-1(a), without further notice or hearing, for any of the following reasons:
 - a. failure to timely file a chapter 13 plan;
 - b. failure to timely pay the filing fee in installments (after being granted permission to do so) or any other fee due from the debtor (including fees due upon conversion of a case);
 - c. failure to appear at the § 341 meeting of creditors;
 - d. failure to commence making chapter 13 plan payments within 30 days of conversion to chapter 13;
 - e. failure to remain current on chapter 13 plan payments as of the time of the § 341 meeting of creditors; or
 - f. denial of confirmation of a chapter 13 plan and denial of a request for additional time to file an amended plan.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____ /

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 11 TO CASE UNDER CHAPTER 7**

This case came before the Court for hearing on [date] on the motion under 11 U.S.C. § 1112(b) by [movant] to convert this case to a case under chapter 7. Upon consideration of the motion, the argument of counsel, and the record in this case, and for the reasons stated on the record which constitute the decision of the Court, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 11 case is converted to a case under chapter 7.
3. If the debtor is the movant and the debtor has not paid the \$15 additional fee required by 11 U.S.C. § 330(b)(2), the debtor must immediately remit this payment to the clerk of court.

4. **Duties of debtor in possession or chapter 11 trustee.** The debtor in possession or, if the debtor is not a debtor in possession, the trustee serving at the time of conversion must:
- a. promptly turn over to the chapter 7 trustee all documents and property of the estate that are in its possession or control, as required by Fed. R. Bankr. P. 1019(d);
 - b. within 14 days after entry of this order,
 - (1) file a schedule of unpaid debts incurred after the petition was filed but before conversion and include the name and address of each claim holder, as required by Fed. R. Bankr. P. 1019(e)(1)(A);
 - (2) file a supplemental mailing matrix containing the name and address of each entity included on the schedule of unpaid debts; and
 - (3) serve on each claim holder listed on the schedule of unpaid debts local form *Debtor's Notice of Compliance With Requirements for Amending Creditor Information* (LF-4); and
 - c. within 30 days after entry of this order, file and send to the United States trustee a final report and account, as required by Fed. R. Bankr. P. 1019(e)(1)(B).
5. **Duties of debtor.** The debtor must:
- a. within 14 days after entry of this order, file any lists, inventories, schedules, and statements of financial affairs required that were not previously filed, as required by Fed. R. Bankr. P. 1019(a)(1), including, if the debtor is an individual:
 - (1) unless 11 U.S.C. § 707(b)(2)(D) applies,
 - (A) a statement of current monthly income (Form 122A-1); and
 - (B) if that income exceeds the median family income for the debtor's state and household size, the chapter 7 means-test calculation (Form 122A-2); and
 - (2) copies of all payment advices or other evidence of payment that the debtor received from any employer within 60 days

before the petition was filed—with all but the last 4 digits of the debtor’s social-security number or individual taxpayer-identification number deleted, as required by Fed. R. Bankr. P. 1007(b)(1)(E); and

(3) a statement of compliance (included in Form 101) about whether the debtor received a briefing about credit counseling as required by 11 U.S.C. § 109(h)(1), which statement must include:

(A) a certificate and any debt- repayment plan required by 11 U.S.C. § 521(b);

(B) a statement that the debtor has received the credit-counseling briefing required by 11 U.S.C. § 109(h)(1), but does not have a § 521(b) certificate;

(C) a certification under 11 U.S.C. § 109(h)(3); or

(D) a request for a court determination under 11 U.S.C. § 109(h)(4);

b. within 30 days after entry of this order or before the first date set for the meeting of creditors under 11 U.S.C. § 341, whichever is earlier, file the statement of intention required by 11 U.S.C. § 521(a) (Form 108), as required by Fed. R. Bankr. P. 1019(a)(2) and 1007(b)(2)(A);

c. within 60 days after the first date set for the meeting of creditors under 11 U.S.C. § 341, unless an approved provider has notified the court that the debtor has completed a course in personal financial management after filing the petition or the debtor is not required to complete one as a condition to discharge, file a certificate of course completion issued by the provider, as required by Fed. R. Bankr. P. 1007(b)(7); and

d. if this case is being converted after a plan was confirmed, the debtor must also, within 30 days after entry of this order:

(1) file a schedule of property that was acquired after the petition was filed but before conversion and was not listed in the final report and account, as required by Fed. R. Bankr. P. 1019(e)(3)(A);

(2) file a schedule of unpaid debts that were incurred after confirmation but before conversion and were not listed in

the final report and account, as required by Fed. R. Bankr. P. 1019(e)(3)(B);

- (3) file a schedule of executory contracts and unexpired leases that were entered into or assumed after the petition was filed but before conversion, as required by Fed. R. Bankr. P. 1019(e)(3)(C);
- (4) file a supplemental mailing matrix containing the name and address of each entity included on the schedules listed in paragraphs 4.d.(2) and (3); and
- (5) serve on each claim holder included on the schedule listed in paragraph 4.d.(2) and on each counterparty to an executory contract or unexpired lease included on the schedule listed in paragraph 4.d.(3) local form *Debtor's Notice of Compliance With Requirements for Amending Creditor Information* (LF-4).

6. **Chapter 11 administrative expense claims, (including final applications for compensation) and claims under 11 U.S.C. § 348(d).**

- a. **In a converted case.** Under Fed. R. Bankr. P. 1019(f)(1) and Local Rule 1019-1(b)(1), except in a chapter 7 case that had been converted to a chapter 11 case and then reconverted to a chapter 7 case, a request by an entity other than a governmental unit to pay an administrative expense under 11 U.S.C. § 503(a) incurred before conversion (including final applications for compensation under Fed. R. Bankr. P. 2016(a) for all professional persons whose employment was approved under 11 U.S.C. §§ 327 or 1103) or a claim under § 348(d), must be filed no later than 70 days after entry of this order. A request filed before conversion is timely and need not be filed again. The debtor in possession or, if the debtor is not a debtor in possession, the trustee serving at the time of conversion must provide notice of this deadline to all known entities that might assert an administrative expense claim or claim under 11 U.S.C. § 348(d).
- b. **In a reconverted case.** Under Local Rule 1019-1(b)(2), if this case was chapter 7 case that had been converted to a chapter 11 case and is now being reconverted to a chapter 7 case, the trustee must file a motion requesting the court set a deadline to file requests for payment of an administrative expense or a claim under § 348(d).

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2. This service direction does not apply, however, if the submitting attorney is an attorney in the office of the United States trustee, in which case the Clerk of Court will serve this order under Local Rule 2002-1(a)(1).

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER GRANTING DEBTOR'S MOTION TO CONVERT
CASE UNDER CHAPTER 11 TO CASE UNDER CHAPTER 7**

This case came before the Court for hearing on [date] on the motion under 11 U.S.C. § 1112(a) by the debtor to convert this case to a case under chapter 7. Because this case was not originally commenced as an involuntary case under chapter 11 and was not previously converted to a case under chapter 11 other than on the debtor's request, the debtor may convert this case to a case under chapter 7. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 11 case is converted to a case under chapter 7.
3. If the debtor has not paid the \$15 additional fee required by 11 U.S.C. § 330(b)(2), the debtor must immediately remit this payment to the clerk of court.

4. **Duties of debtor in possession.** The debtor in possession must:
- a. promptly turn over to the chapter 7 trustee all documents and property of the estate that are in its possession or control, as required by Fed. R. Bankr. P. 1019(d);
 - b. within 14 days after entry of this order,
 - (1) file a schedule of unpaid debts incurred after the petition was filed but before conversion and include the name and address of each claim holder, as required by Fed. R. Bankr. P. 1019(e)(1)(A);
 - (2) file a supplemental mailing matrix containing the name and address of each entity included on the schedule of unpaid debts; and
 - (3) serve on each claim holder listed on the schedule of unpaid debts local form *Debtor's Notice of Compliance With Requirements for Amending Creditor Information* (LF-4); and
 - c. within 30 days after entry of this order, file and send to the United States trustee a final report and account, as required by Fed. R. Bankr. P. 1019(e)(1)(B).
5. **Duties of debtor.** The debtor must:
- a. within 14 days after entry of this order, file any lists, inventories, schedules, and statements of financial affairs required that were not previously filed, as required by Fed. R. Bankr. P. 1019(a)(1), including, if the debtor is an individual:
 - (1) unless 11 U.S.C. § 707(b)(2)(D) applies,
 - (A) a statement of current monthly income (Form 122A-1); and
 - (B) if that income exceeds the median family income for the debtor's state and household size, the chapter 7 means-test calculation (Form 122A-2); and
 - (2) copies of all payment advices or other evidence of payment that the debtor received from any employer within 60 days before the petition was filed—with all but the last 4 digits of the debtor's social-security number or individual

taxpayer-identification number deleted, as required by Fed. R. Bankr. P. 1007(b)(1)(E); and

(3) a statement of compliance (included in Form 101) about whether the debtor received a briefing about credit counseling as required by 11 U.S.C. § 109(h)(1), which statement must include:

(A) a certificate and any debt- repayment plan required by 11 U.S.C. § 521(b);

(B) a statement that the debtor has received the credit-counseling briefing required by 11 U.S.C. § 109(h)(1), but does not have a § 521(b) certificate;

(C) a certification under 11 U.S.C. § 109(h)(3); or

(D) a request for a court determination under 11 U.S.C. § 109(h)(4);

b. within 30 days after entry of this order or before the first date set for the meeting of creditors under 11 U.S.C. § 341, whichever is earlier, file the statement of intention required by 11 U.S.C. § 521(a) (Form 108), as required by Fed. R. Bankr. P. 1019(a)(2) and 1007(b)(2)(A);

c. within 60 days after the first date set for the meeting of creditors under 11 U.S.C. § 341, unless an approved provider has notified the court that the debtor has completed a course in personal financial management after filing the petition or the debtor is not required to complete one as a condition to discharge, file a certificate of course completion issued by the provider, as required by Fed. R. Bankr. P. 1007(b)(7); and

d. if this case is being converted after a plan was confirmed, the debtor must also, within 30 days after entry of this order:

(1) file a schedule of property that was acquired after the petition was filed but before conversion and was not listed in the final report and account, as required by Fed. R. Bankr. P. 1019(e)(3)(A);

(2) file a schedule of unpaid debts that were incurred after confirmation but before conversion and were not listed in the final report and account, as required by Fed. R. Bankr. P. 1019(e)(3)(B);

- (3) file a schedule of executory contracts and unexpired leases that were entered into or assumed after the petition was filed but before conversion, as required by Fed. R. Bankr. P. 1019(e)(3)(C);
- (4) file a supplemental mailing matrix containing the name and address of each entity included on the schedules listed in paragraphs 5.d.(2) and (3); and
- (5) serve on each claim holder included on the schedule listed in paragraph 5.d.(2) and on each counterparty to an executory contract or unexpired lease included on the schedule listed in paragraph 5.d.(3) local form *Debtor's Notice of Compliance With Requirements for Amending Creditor Information* (LF-4).

6. **Chapter 11 administrative expense claims, (including final applications for compensation) and claims under 11 U.S.C. § 348(d).**

- a. **In a converted case.** Under Fed. R. Bankr. P. 1019(f)(1) and Local Rule 1019-1(b)(1), except in a chapter 7 case that had been converted to a chapter 11 case and then reconverted to a chapter 7 case, a request by an entity other than a governmental unit to pay an administrative expense under 11 U.S.C. § 503(a) incurred before conversion (including final applications for compensation under Fed. R. Bankr. P. 2016(a) for all professional persons whose employment was approved under 11 U.S.C. §§ 327 or 1103) or a claim under § 348(d), must be filed no later than 70 days after entry of this order. A request filed before conversion is timely and need not be filed again. The debtor in possession or, if the debtor is not a debtor in possession, the trustee serving at the time of conversion must provide notice of this deadline to all known entities that might assert an administrative expense claim or claim under 11 U.S.C. § 348(d).
- b. **In a reconverted case.** Under Local Rule 1019-1(b)(2), if this case was a chapter 7 case that had been converted to a chapter 11 case and is now being reconverted to a chapter 7 case, the trustee must file a motion requesting the court set a deadline to file requests for payment of an administrative expense or a claim under § 348(d).

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

DECLARATION REGARDING PAYMENT ADVICES

Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv), Fed. R. Bankr. P. 1007(b)(1)(E), and Local Rule 1007-1(c), the debtor declares as follows:

Debtor:

_____ Copies of all payment advices or other evidence of payment that the debtor received from any employer within 60 days before the petition was filed—**with all but the last 4 digits of the debtor's social security number or individual taxpayer identification number deleted**—are attached.

_____ No copies of payment advices or other evidence of payment are attached because the debtor did not receive any payment from any employer within 60 days before the petition was filed.

_____ No copies of payment advices or other evidence of payment are attached because the debtor:

_____ receives disability payments

_____ is unemployed and does not receive unemployment compensation

_____ receives social security payments

_____ receives a pension

_____ does not work outside the home

_____ is self-employed and does not receive payment advices

_____ None of the statements above apply, however, the debtor is unable to timely provide copies of all payment advices or other evidence of payment that the debtor received from any employer within 60 days before the petition was filed because: [insert explanation].

Joint Debtor (if applicable):

_____ Copies of all payment advices or other evidence of payment that the joint debtor received from any employer within 60 days before the petition was filed—**with all but the last 4 digits of the joint debtor's social security number or individual taxpayer identification number deleted**—are attached.

_____ No copies of payment advices or other evidence of payment are attached because the joint debtor did not receive any payment from any employer within 60 days before the petition was filed.

_____ No copies of payment advices or other evidence of payment are attached because the joint debtor:

_____ receives disability payments

_____ is unemployed and does not receive unemployment compensation

_____ receives social security payments

_____ receives a pension

_____ does not work outside the home

_____ is self-employed and does not receive payment advices

_____ None of the statements above apply, however, the joint debtor is unable to timely provide copies of all payment advices or other evidence of payment that the joint debtor received from any employer within 60 days before the petition was filed because: [insert explanation].

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

Fill in this information to identify the case:**United States Bankruptcy Court for the Southern District of Florida****Case Number:** _____**Debtor 1:** _____**Debtor 2** _____
(Spouse, only in a joint case)**Notice of Party Address Change:** ☐ Creditor ☐ Debtor ☐ Other Party in Interest

This form may only be used for a creditor, debtor, or other party in interest to change its own address of record in this case. This form may **not** be used by an attorney to substitute as counsel or to change a law firm address. This form may **not** be used to transfer a claim or to substitute a servicing agent. *See Fed. R. Bankr. P 3001(e).*

Pursuant to Local Rule 2002-1(f), _____ gives notice that all correspondence, notices, and presently held or future payments in this bankruptcy case should be sent to the following address:

☐ **CHANGE IN NOTICE ADDRESS** (This address will be used to send correspondence and notices)

Old Notice Address	New Notice Address

☐ **CHANGE IN PAYMENT ADDRESS** (This address will be used to send payments)

Old Payment Address	New Payment Address

I declare under penalty of perjury that I am the debtor, creditor, or other party in interest listed above, or that I am an authorized agent for the debtor, creditor, or other party in interest (if an authorized agent, attach copy of a power of attorney or other statement of authority).

Sign: _____

Print: _____

Sign: _____

Print: _____

Date: _____

Contact Phone/Email: _____

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____ /

**ORDER GRANTING MOTION TO CONVERT
CASE UNDER CHAPTER 13 TO CASE UNDER CHAPTER 7**

This case came before the Court [on the chapter 13 consent calendar on ____]
[for hearing on ____] on the motion under 11 U.S.C. § 1307(c) by [movant] to convert
this case to a case under chapter 7. [Without objection] [Upon consideration of the
motion, the argument of counsel, and the record in this case, and for the reasons
stated on the record which constitute the decision of the Court], it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 13 case is converted to a case under chapter 7.
3. **Duties of chapter 13 trustee.** The chapter 13 trustee must:
 - a. Within 14 days of entry of this order, turn over to the chapter 7 trustee all documents and property of the estate that are in its

possession or control, as required by Fed. R. Bankr. P. 1019(d);
and

- b. within 30 days after entry of this order, file and send to the United States trustee a final report and account, as required by Fed. R. Bankr. P. 1019(e)(2)(B).

4. **Duties of debtor.** The debtor must:

- a. within 14 days after entry of this order,
 - (1) file a schedule of unpaid debts incurred after the petition was filed but before conversion and include the name and address of each claim holder, as required by Fed. R. Bankr. P. 1019(e)(2)(A);
 - (2) file a supplemental mailing matrix containing the name and address of each entity included on the schedule of unpaid debts;
 - (3) serve on each claim holder listed on the schedule of unpaid debts local form *Debtor's Notice of Compliance With Requirements for Amending Creditor Information* (LF-4);
 - (4) file any lists, inventories, schedules, and statements of financial affairs required that were not previously filed, as required by Fed. R. Bankr. P. 1019(a)(1), including:
 - (A) unless 11 U.S.C. § 707(b)(2)(D) applies,
 - (i) a statement of current monthly income (Form 122A-1); and
 - (ii) if that income exceeds the median family income for the debtor's state and household size, the chapter 7 means-test calculation (Form 122A-2); and
 - (B) copies of all payment advices or other evidence of payment that the debtor received from any employer within 60 days before the petition was filed—with all but the last 4 digits of the debtor's social-security number or individual taxpayer-identification number deleted, as required by Fed. R. Bankr. P. 1007(b)(1)(E); and

- (5) a statement of compliance (included in Form 101) about whether the debtor received a briefing about credit counseling as required by 11 U.S.C. § 109(h)(1), which statement must include:
 - (A) a certificate and any debt- repayment plan required by 11 U.S.C. § 521(b);
 - (B) a statement that the debtor has received the credit-counseling briefing required by 11 U.S.C. § 109(h)(1), but does not have a § 521(b) certificate;
 - (C) a certification under 11 U.S.C. § 109(h)(3); or
 - (D) a request for a court determination under 11 U.S.C. § 109(h)(4);
- b. within 30 days after entry of this order or before the first date set for the meeting of creditors under 11 U.S.C. § 341, whichever is earlier, file the statement of intention required by 11 U.S.C. § 521(a) (Form 108), as required by Fed. R. Bankr. P. 1019(a)(2) and 1007(b)(2)(A);
- c. within 60 days after the first date set for the meeting of creditors under 11 U.S.C. § 341, unless an approved provider has notified the court that the debtor has completed a course in personal financial management after filing the petition or the debtor is not required to complete one as a condition to discharge, file a certificate of course completion issued by the provider, as required by Fed. R. Bankr. P. 1007(b)(7); and
- d. if this case is being converted after a plan was confirmed, the debtor must also, within 30 days after entry of this order:
 - (1) file a schedule of property that was acquired after the petition was filed but before conversion and was not listed in the final report and account, as required by Fed. R. Bankr. P. 1019(e)(3)(A);
 - (2) file a schedule of unpaid debts that were incurred after confirmation but before conversion and were not listed in the final report and account, as required by Fed. R. Bankr. P. 1019(e)(3)(B);
 - (3) file a schedule of executory contracts and unexpired leases that were entered into or assumed after the petition was

filed but before conversion, as required by Fed. R. Bankr. P. 1019(e)(3)(C);

- (4) file a supplemental mailing matrix containing the name and address of each entity included on the schedules listed in paragraphs 4.d.(2) and (3); and
- (5) serve on each claim holder included on the schedule listed in paragraph 4.d.(2) and on each counterparty to an executory contract or unexpired lease included on the schedule listed in paragraph 4.d.(3) local form *Debtor's Notice of Compliance With Requirements for Amending Creditor Information* (LF-4).

5. **Chapter 13 administrative expense claims, (including final applications for compensation) and claims under 11 U.S.C. § 348(d).**

- a. **In a converted case.** Under Fed. R. Bankr. P. 1019(f)(1) and Local Rule 1019-1(b)(1), except in a chapter 7 case that had been converted to a chapter 13 case and then reconverted to a chapter 7 case, a request by an entity other than a governmental unit to pay an administrative expense under 11 U.S.C. § 503(a) incurred before conversion (including final applications under Fed. R. Bankr. P. 2016(a) for reasonable compensation to the debtor's attorney for representing the interests of the debtor in connection with the bankruptcy case under 11 U.S.C. § 330(a)(4)(B)) or a claim under § 348(d), must be filed no later than 70 days after entry of this order. A request filed before conversion is timely and need not be filed again. The debtor must provide notice of this deadline to all known entities that might assert an administrative expense claim or claim under 11 U.S.C. § 348(d).
- b. **In a reconverted case.** Under Local Rule 1019-1(b)(2), if this case was a chapter 7 case that had been converted to a chapter 13 case and is now being reconverted to a chapter 7 case, the trustee must file a motion requesting the court set a deadline to file requests for payment of an administrative expense or a claim under § 348(d).

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2. This service direction does not apply, however, if the submitting attorney is an attorney in the office of the United States trustee, in which case the Clerk of Court will serve this order under Local Rule 2002-1(a)(1).

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
www.flsb.uscourts.gov

**Request for Audio Recording of Court Proceeding for Individuals
Without CM/ECF Electronic Filing Access**

CM/ECF registered users must request and pay for audio recordings directly in CM/ECF.

Individuals without CM/ECF electronic filing access may submit this form by email to:
Audio_Recording_Request@flsb.uscourts.gov, **or** in-person at any clerk's office location **or** by U.S. mail.

[**NOTE:** All requests for 341 meeting recordings **MUST** be addressed to the Office of the U.S. Trustee]

Case Number: _____ Adversary Number: _____ Judge: _____

Date of Hearing or Trial: _____ Time of Hearing or Trial: _____

Debtor(s) Name: _____

SELECT ONE	AUDIO RECORDING FORMAT	FEE
☐	Electronic Link: Audio file for download will be provided by an email link. [email link will expire 14 days after notification]	\$34.00* [per request]
☐	USB Memory Stick: Audio file will be copied to a USB memory stick. ☐ Pickup memory stick from the Clerk's Office, or ☐ Request memory stick to be mailed. Must provide Clerk with a self-addressed, stamped (padded) envelope.	A separate request is required for each hearing requested

*See [Bankruptcy Court Miscellaneous Fee Schedule](#) (Item #3)

By submitting this request, I understand the following:

- **PAYMENT IS DUE** before the Clerk's Office can process the request (a secured payment link will be provided by the Clerk's Office to the email address listed below). If an email address is not provided, payment must be made payable to: Clerk, U.S. Court, and submitted to the Clerk's Office.
- Requests will be completed within two business days following receipt of payment.

- The Clerk's Office will contact the individual listed below when the Audio Recording is available.
- Audio Recording is for ***personal use only*** and **NOT** the official record of the Court. It may **NOT** be transcribed and filed with the court. To obtain an official transcript, see [Local Form 5](#) available on the Court's website.

Date: _____ Telephone No.: _____

Print Your name: _____ Email Address: _____

Mailing Address (mailing requests only): _____

TO BE COMPLETED BY THE CLERK'S OFFICE

Completion Date: _____ By: _____
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

NOTICE OF RULE 2004 EXAMINATION

☐ **Testimony:** Pursuant to Federal Rule of Bankruptcy Procedure 2004 and Local Rule 2004-1, [examining party] will examine [witness] under oath on [date] at [time]. The examination will be conducted [at (location)] [via video conference (include link)] [by other remote means if agreed to or ordered (include access details)] and will be recorded by [method of recording – e.g., audio, audio/visual, stenographic]. The examination may continue from day to day until completed.

☐ **Production:** Pursuant to Federal Rule of Bankruptcy Procedure 2004 and Local Rule 2004-1, [examining party] requests that [witness] produce the documents, electronically stored information, or objects described on the attached schedule (or if the examination is of a witness other than the debtor, on the attached subpoena), who must permit inspection, copying, testing, or sampling of the materials on [date] at [time], at [place].¹ Under Local Rule 2004-1(d), subsections (b)(2)(B)–(E) of Fed. R. Civ. P. 34 apply to responses and objections to this request.

If the examinee receives this notice less than 14 days before the scheduled examination date, the examination will be rescheduled upon timely request to a mutually agreeable time. The scope of the examination will be as described in Bankruptcy Rule 2004. Pursuant to Local Rule 2004-1 no order is necessary. If the examination is of a witness other than the debtor, a subpoena is attached to this notice.

Dated: _____

[Signature and signature block]

[Certificate of Service]

¹ [This may be the same date, time, and place as the testimony, or a different date, time, and place.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____ /

NOTICE OF OBJECTION TO CLAIM

[Objecting party] has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then you or your lawyer must file a written response within 30 days from the date this objection was served, explaining why your claim should be allowed as filed.

The written response must contain the case name, the case number, your name, and your claim number. If filed by an attorney, the written response must be filed electronically. If filed without an attorney, the written response must be filed with the Clerk of the United States Bankruptcy Court, Southern District of Florida, in the division in which this case is pending:

<u>Miami Division:</u> United States Bankruptcy Court Southern District of Florida C. Clyde Atkins United States Courthouse 301 North Miami Avenue, Room 150 Miami, Florida 33128	<u>Fort Lauderdale Division:</u> United States Bankruptcy Court Southern District of Florida United States Courthouse 299 East Broward Blvd., Room 112 Ft. Lauderdale, FL 33301	<u>West Palm Beach Division:</u> United States Bankruptcy Court Southern District of Florida Flagler Waterview Building 1515 North Flagler Drive, Suite 801 West Palm Beach, FL 33401
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If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the deadline stated above.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim and may enter an order sustaining the objection without further notice or hearing. If you or your attorney do file a timely response to the objection, the court will schedule a hearing, by separate notice of hearing, to resolve the objection.

Objection to Claim Number []

[Objecting party] objects to claim number ____ filed by [claimant] as a [secured, priority, or general unsecured] claim on [date claim filed], for the following reasons:

[state the legal and factual basis for the objection]

[Objecting party] requests that the court [state recommended disposition].

Dated: _____

[Signature and signature block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter ____

_____/

**NOTICE OF DEPOSIT OF FUNDS WITH
THE U.S. BANKRUPTCY COURT CLERK**

Notice is given that:

- ☐ In accordance with 11 U.S.C. § 347(a), ninety days after the final distribution under 11 U.S.C. §§ 726, 1194, 1226, or 1326, the trustee has stopped payment on any check remaining unpaid.
- ☐ In accordance with Federal Rule of Bankruptcy Procedure 3010(a), the trustee did not distribute to a creditor in a chapter 7 case any dividend less than \$5.
- ☐ In accordance with Federal Rule of Bankruptcy Procedure 3010(b), the trustee did not distribute to a creditor in a case under subchapter V of chapter 11, or under chapter 12 or 13, any payment less than \$15.
- ☐ In accordance with the confirmed liquidating chapter 11 plan, which provides that [describe any plan provision authorizing the disbursing agent to stop payment on a distribution and to deposit unclaimed funds with the court], the disbursing agent has stopped payment on [describe distributions on which the disbursing agent has stopped payment].

As a result, there remains \$ _____ in the [trustee's] [disbursing agent's] account. This sum has been deposited with the Clerk of the United States Bankruptcy Court for the Southern District of Florida.

As required by Federal Rule of Bankruptcy Procedure 3011(a), attached to this notice is: (1) a list of the known names and addresses of entities entitled to payment from any remaining property of the estate that is paid into court under 11 U.S.C. § 347(a); and (2) the amount due each entity.

Dated: _____

[Signature and signature block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

**ORDER APPROVING APPLICATION
FOR PAYMENT OF UNCLAIMED FUNDS**

On [date], an application was filed for the Claimant(s), [name of Claimant(s)], for payment of unclaimed funds deposited with the court, pursuant to 11 U.S.C. § 347(a). The application and supporting documentation establish that the Claimant(s) is/are entitled to the unclaimed funds; accordingly, it is hereby

ORDERED that, pursuant to 28 U.S.C. § 2042, the sum of \$ [amount] held in unclaimed funds be made payable to [name of Claimant(s)] and be disbursed to the payee at the following address: [address]. The Clerk will disburse these funds not earlier than 14 days after entry of this order.

#

The Clerk of Court will serve a copy of this order on the applicant, any funds locator or attorney for the applicant, and (if different) the creditor.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 12

**ORDER (I) SETTING HEARING ON CONFIRMATION OF CHAPTER 12
PLAN; (II) SETTING HEARING ON FEE APPLICATIONS; (III) SETTING
VARIOUS DEADLINES; AND (IV) DESCRIBING DEBTOR'S OBLIGATIONS**

On [date], [debtor] (the “debtor”) filed a plan¹ as required by 11 U.S.C. § 1221. The debtor has requested that the Court set a hearing to consider confirmation of the plan (the “confirmation hearing”) and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

¹ Dkt No. ____.

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

2. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order and Plan	[28 days ² before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Objections to Confirmation	[7 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 12 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations</i> (individual cases only)	[3 business days before confirmation hearing]

3. **Debtor's Obligations.**

- A. **Sending the Plan and This Order.** By the deadline listed above for *Serving This Order and Plan*, the debtor must serve on the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders a copy of this order and the plan, as required by Fed. R. Bankr. P. 2002.
- B. **Notice of Fee Applications.** By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the debtor must prepare, file, and serve on the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P.

² [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

- C. **Individual Cases.** In individual cases the debtor must file local form *Individual Chapter 12 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations* by the deadline listed above for *Filing Local Form Individual Chapter 12 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations*.
- D. **Certificate of Service.** The debtor must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. **Fee Applications.**

- A. **Filing and Service.** To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:
 - (1) the debtor;
 - (2) the trustee; and
 - (3) the United States trustee.
- B. **Estimated Time and Supplements.** If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

5. **Evidence.**

- A. **Exhibits and Exhibit Registers.** The confirmation hearing is an evidentiary hearing even when confirmation is uncontested. Therefore, the debtor and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the debtor or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*. Notwithstanding Local Rule 9017-1(a)(3), however, any

objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

6. Sanctions, Dismissal, or Conversion. If the debtor does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11 (subchapter V)

**ORDER (I) SETTING HEARING ON CONFIRMATION OF SUBCHAPTER V
PLAN; (II) SETTING HEARING ON FEE APPLICATIONS; (III) SETTING
VARIOUS DEADLINES; AND (IV) DESCRIBING DEBTOR'S OBLIGATIONS**

On [date], [debtor] (the “debtor”) filed a plan¹ as required by 11 U.S.C. § 1189. The debtor has requested that the Court set a hearing to consider confirmation of the plan (the “confirmation hearing”) and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

¹ Dkt No. ____.

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

2. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Plan, and Ballots	[45 days ² before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[14 days before confirmation hearing]
Filing Objections to Confirmation	[14 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Subchapter V</i> Ballot Tabulation and Confirmation Certificate	[3 business days before confirmation hearing]
Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

3. **Debtor's Obligations.**

- A. **Sending the Plan and Related Documents.** By the deadline listed above for *Serving This Order, Plan, and Ballots*, the debtor must:

² [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

(1) serve on the subchapter V trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:

(a) a copy of this order; and

(b) the plan; and

(2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the debtor must also, by the deadline listed above for *Serving This Order, Plan, and Ballots*, serve on those entities against whom the debtor seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

(1) a copy of this order; and

(2) the plan.

C. Notice of Fee Applications. By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the debtor must prepare, file, and serve on the subchapter V trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

D. Ballot Tabulation and Confirmation Certificate. By the deadline listed above for *Filing Local Form Subchapter V Ballot Tabulation and Confirmation Certificate*, the debtor must file local form *Subchapter V Ballot Tabulation and Confirmation Certificate*.

E. Confirmation Affidavit or Declaration. By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the debtor must file an affidavit or declaration setting forth the facts on which the debtor relies to establish each applicable requirement of 11 U.S.C. §§ 1129 and 1191. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand

the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present in person at the confirmation hearing.

F. Individual Cases. In individual cases the debtor must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.

G. Certificate of Service. The debtor must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. **Notice to Creditors Whose Claim Has Been Objected To.** If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.

5. **Fee Applications.**

A. Filing and Service. To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:

- (1) the debtor;
- (2) all committees that have been appointed;
- (3) the subchapter V trustee; and
- (4) the United States trustee.

B. Estimated Time and Supplements. If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

6. Evidence.

- A. Exhibits and Exhibit Registers.** The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.³ Therefore, the debtor and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the debtor or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*. Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.
- B. Remote Witness Testimony.** Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

- 7. Sanctions, Dismissal, or Conversion.** If the debtor does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

###

Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

³ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11 (subchapter V)

**ORDER (I) SETTING HEARING ON CONFIRMATION OF SUBCHAPTER V
PLAN; (II) SETTING HEARING ON FEE APPLICATIONS; (III) SETTING
VARIOUS DEADLINES; AND (IV) DESCRIBING DEBTOR'S OBLIGATIONS**

On [date], [debtor] (the “debtor”) filed a plan¹ as required by 11 U.S.C. § 1189. The debtor has requested that the Court set a hearing to consider confirmation of the plan (the “confirmation hearing”) and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

¹ Dkt No. ____.

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The following checked provision(s) apply to the confirmation hearing:

- [] **All individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 6.B. below, all witnesses must also appear in person at the confirmation hearing.**
- [] **If confirmation is contested by any party in interest, all individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 6.B. below, all witnesses must also appear in person at the confirmation hearing.**

Counsel must also review the presiding judge's page on the Court's website to verify any other requirements for confirmation hearings before that judge.

All other interested parties may choose to attend the hearing remotely using the services of Zoom Video Communications, Inc. ("Zoom"), which permits remote participation by video or by telephone. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

2. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Plan, and Ballots	[45 days ² before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[14 days before confirmation hearing]
Filing Objections to Confirmation	[14 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Subchapter V Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]
Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

3. Debtor's Obligations.

A. Sending the Plan and Related Documents. By the deadline listed above for *Serving This Order, Plan, and Ballots*, the debtor must:

(1) serve on the subchapter V trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:

(a) a copy of this order; and

(b) the plan; and

² [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

- (2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the debtor must also, by the deadline listed above for *Serving This Order, Plan, and Ballots*, serve on those entities against whom the debtor seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

- (1) a copy of this order; and
- (2) the plan.

C. Notice of Fee Applications. By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the debtor must prepare, file, and serve on the subchapter V trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

D. Ballot Tabulation and Confirmation Certificate. By the deadline listed above for *Filing Local Form Subchapter V Ballot Tabulation and Confirmation Certificate*, the debtor must file local form *Subchapter V Ballot Tabulation and Confirmation Certificate*.

E. Confirmation Affidavit or Declaration. By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the debtor must file an affidavit or declaration setting forth the facts on which the debtor relies to establish each applicable requirement of 11 U.S.C. §§ 1129 and 1191. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present at the confirmation hearing, either in person if the Court requires the debtor and its counsel to attend the confirmation hearing in person, or via Zoom if the Court permits remote attendance at the confirmation hearing.

- F. Individual Cases.** In individual cases the debtor must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.
- G. Certificate of Service.** The debtor must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.
- 4. Notice to Creditors Whose Claim Has Been Objected To.** If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.
- 5. Fee Applications.**
- A. Filing and Service.** To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:
- (1) the debtor;
 - (2) all committees that have been appointed;
 - (3) the subchapter V trustee; and
 - (4) the United States trustee.
- B. Estimated Time and Supplements.** If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

6. Evidence.

A. Exhibits and Exhibit Registers. The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.³ Therefore, the debtor and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the debtor or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*.⁴ Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

7. Sanctions, Dismissal, or Conversion. If the debtor does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

³ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

⁴ Exhibit registers should include the final pPlan as it was served, the final disclosure statement as it was served, the confirmation affidavit or declaration, the ballot tabulation and confirmation certificate, the certificate of service of the solicitation package, LF-71 (individual cases only), and, if applicable, projections, and the liquidation analysis.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 12

**ORDER (I) SETTING HEARING ON CONFIRMATION OF CHAPTER 12
PLAN; (II) SETTING HEARING ON FEE APPLICATIONS; (III) SETTING
VARIOUS DEADLINES; AND (IV) DESCRIBING DEBTOR'S OBLIGATIONS**

On [date], [debtor] (the “debtor”) filed a plan¹ as required by 11 U.S.C. § 1221. The debtor has requested that the Court set a hearing to consider confirmation of the plan (the “confirmation hearing”) and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

¹ Dkt No. ____.

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The following checked provision(s) apply to the confirmation hearing:

- [] **All individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 5.B. below, all witnesses must also appear in person at the confirmation hearing.**
- [] **If confirmation is contested by any party in interest, all individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 5.B. below, all witnesses must also appear in person at the confirmation hearing.**

Counsel must also review the presiding judge's page on the Court's website to verify any other requirements for confirmation hearings before that judge.

All other interested parties may choose to attend the hearing remotely using the services of Zoom Video Communications, Inc. ("Zoom"), which permits remote participation by video or by telephone. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

2. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order and Plan	[28 days ² before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Objections to Confirmation	[7 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 12 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations</i> (individual cases only)	[3 business days before confirmation hearing]

3. Debtor's Obligations.

- A. Sending the Plan and This Order.** By the deadline listed above for *Serving This Order and Plan*, the debtor must serve on the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders a copy of this order and the plan, as required by Fed. R. Bankr. P. 2002.
- B. Notice of Fee Applications.** By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the debtor must prepare, file, and serve on the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.
- C. Individual Cases.** In individual cases the debtor must file local form *Individual Chapter 12 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations* by the deadline listed above for *Filing Local Form Individual Chapter 12 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations*.

² [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

- D. Certificate of Service.** The debtor must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. Fee Applications.

- A. Filing and Service.** To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:

- (1) the debtor;
- (2) the trustee; and
- (3) the United States trustee.

- B. Estimated Time and Supplements.** If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

5. Evidence.

- A. Exhibits and Exhibit Registers.** The confirmation hearing is an evidentiary hearing even when confirmation is uncontested. Therefore, the debtor and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the debtor or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*.³ Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

- B. Remote Witness Testimony.** Any party wishing to present remote witness testimony must file by the deadline listed above

³ Exhibit registers should include the final plan as it was served, the final disclosure statement as it was served, the confirmation affidavit or declaration, the ballot tabulation and confirmation certificate, the certificate of service of the solicitation package, LF-71 (individual cases only), and, if applicable, projections, and the liquidation analysis.

for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

6. **Sanctions, Dismissal, or Conversion.** If the debtor does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF FLORIDA

www.flsb.uscourts.gov

CHAPTER 13 PLAN (Individual Adjustment of Debts)

- ☐ _____ Original Plan
- ☐ _____ Amended Plan (Indicate 1st, 2nd, etc. Amended, if applicable)
- ☐ _____ Modified Plan (Indicate 1st, 2nd, etc. Modified, if applicable)

DEBTOR: _____ JOINT DEBTOR: _____ CASE NO.: _____

SS#: xxx-xx- _____ SS#: xxx-xx- _____

I. NOTICES

To Debtors: Plans that do not comply with local rules and judicial rulings may not be confirmable. All plans, amended plans and modified plans must be served on all creditors as required by Local Rule 2002-1(b) and a certificate of service must be filed as required by Local Rule 9036-2. Debtor(s) must commence plan payments within 30 days of filing the chapter 13 petition or within 30 days of entry of the order converting the case to chapter 13.

To Creditors: Your rights may be affected by this plan. You must file a timely proof of claim in order to be paid. Your claim may be reduced, modified or eliminated.

To All Parties: The plan contains no nonstandard provisions other than those set out in paragraph IX. Debtor(s) must check one box on each line listed below in this section to state whether the plan includes any of the following:

The valuation of a secured claim, set out in Section III, which may result in a partial payment or no payment at all to the secured creditor	☐ Included	☐ Not included
Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section III	☐ Included	☐ Not included
Nonstandard provisions, set out in Section IX	☐ Included	☐ Not included

II. PLAN PAYMENTS, LENGTH OF PLAN AND DEBTOR(S)' ATTORNEY'S FEE

A. MONTHLY PLAN PAYMENT: This Plan pays for the benefit of the creditors the amounts listed below, including trustee's fees of 10%, beginning 30 days from the filing/conversion date. In the event the trustee does not retain the full 10%, any unused amount will be paid to unsecured nonpriority creditors pro-rata under the plan:

1. \$0.00 for months ____ to ____ ;
2. \$0.00 for months ____ to ____ ;
3. \$0.00 for months ____ to ____ ;

B. DEBTOR(S)' ATTORNEY'S FEE: ☐ NONE ☐ PRO BONO

Total Fees: \$0.00 Total Paid: \$0.00 Balance Due: \$0.00

Payable \$0.00 /month (Months ____ to ____)

Allowed fees under Local Rule 2016-1 are itemized below:

Applications for compensation must be filed for all fees over and above the Court's Guidelines for Compensation.

III. TREATMENT OF SECURED CLAIMS ☐ NONE

A. SECURED CLAIMS: ☐ NONE

[Retain Liens pursuant to 11 U.S.C. §1325 (a)(5)] Mortgage(s)/Lien on Real or Personal Property:

1. Creditor: _____	
Address: _____	Arrearage/ Payoff on Petition Date _____
[Select Payment Type]	\$0.00 /month (Months ____ to ____)

Last 4 Digits of
Account No.: _____

Other: _____

☐ Real Property☐ Principal Residence☐ Other Real Property

Address of Collateral: _____

☐ Personal Property/Vehicle

Description of Collateral: _____

Check one below for Real Property:

☐ Escrow is included in the regular payments☐ The debtor(s) will pay ☐ taxes ☐ insurance directly**B. VALUATION OF COLLATERAL:** ☐ NONE

IF YOU ARE A SECURED CREDITOR LISTED BELOW, THE PLAN SEEKS TO VALUE THE COLLATERAL SECURING YOUR CLAIM IN THE AMOUNT INDICATED. A SEPARATE MOTION WILL ALSO BE SERVED ON YOU UNDER FED. R. BANKR. P. 3012(b)(1) AND 7004, AS REQUIRED BY LOCAL RULE 3012-1.

1. REAL PROPERTY: ☐ NONE

1. Creditor: _____ Address: _____ Last 4 Digits of Account No.: _____ Real Property ☐ Principal Residence ☐ Other Real Property Address of Collateral: _____	Value of Collateral: <u>\$0.00</u> Amount of Creditor's Lien: <u>\$0.00</u> Interest Rate: <u>0.00%</u> Check one below: ☐ Escrow is included in the monthly mortgage payment listed in this section ☐ The debtor(s) will pay ☐ taxes ☐ insurance directly	Payment Total paid in plan: <u>\$0.00</u> <u>\$0.00</u> /month (Months <u> </u> to <u> </u>)
--	--	--

2. VEHICLES(S): ☐ NONE

1. Creditor: _____ Address: _____ Last 4 Digits of Account No.: _____ VIN: _____ Description of Collateral: _____ Check one below: ☐ Claim incurred 910 days or more pre-petition ☐ Claim incurred less than 910 days pre-petition	Value of Collateral: <u>\$0.00</u> Amount of Creditor's Lien: <u>\$0.00</u> Interest Rate: <u>0.00%</u>	Payment Total paid in plan: <u>\$0.00</u> <u>\$0.00</u> /month (Months <u> </u> to <u> </u>)
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3. PERSONAL PROPERTY: ☐ NONE

1. Creditor: _____ Address: _____ Last 4 Digits of Account No.: _____ Description of Collateral: _____	Value of Collateral: <u>\$0.00</u> Amount of Creditor's Lien: <u>\$0.00</u> Interest Rate: <u>0.00%</u>	Payment Total paid in plan: <u>\$0.00</u> <u>\$0.00</u> /month (Months <u> </u> to <u> </u>)
Check one below: ☐ Claim incurred less than one year pre-petition ☐ Claim incurred 1 year or more pre-petition		

C. LIEN AVOIDANCE ☐ NONE

Judicial liens or nonpossessory, nonpurchase money security interests securing the claims will be avoided to the extent that they impair the exemptions under 11 U.S.C. § 522 as listed below. A separate motion will also be served on you under Fed. R. Bankr. P. 4003(d)(1) and 7004, as required by Local Rule 4003-2.

1. Creditor: _____ Address: _____ Last 4 Digits of Account No.: _____	Collateral: _____ Exemption: _____
---	---------------------------------------

D. SURRENDER OF COLLATERAL: ☐ NONE

The debtor(s) elect to surrender to each creditor listed below the collateral that secures the creditor's claim. The debtor(s) request that upon confirmation of this plan the automatic stay be terminated in rem as to the debtor(s) and in rem and in personam as to any codebtor(s) as to these creditors. Secured claims filed by any creditor granted stay relief in this section will not receive a distribution from the chapter 13 trustee. The requirements of Fed. R. Bankr. P. 3002.1 will cease to apply to any claim listed in this section upon confirmation of this plan.

Name of Creditor Last 4 Digits of Account No. Description of Collateral (Address, Vehicle, etc.)

1. _____

E. DIRECT PAYMENTS ☐ NONE

The debtor(s) elect to make payments directly to each secured creditor listed below. The debtor(s) request that upon confirmation of this plan the automatic stay be terminated in rem as to the debtor(s) and in rem and in personam as to any codebtor(s) as to these creditors. Nothing herein is intended to terminate or abrogate the debtor(s)' state law contract rights. Secured claims filed by any creditor granted stay relief in this section will not receive a distribution from the chapter 13 trustee. The requirement of Fed. R. P. 3002.1 will cease to apply to any claim listed in this section upon confirmation of this plan.

Name of Creditor Last 4 Digits of Account No. Description of Collateral (Address, Vehicle, etc.)

1. _____

IV. TREATMENT OF FEES AND PRIORITY CLAIMS [as defined in 11 U.S.C. §507 and 11 U.S.C. § 1322(a)(4)] ☐ NONE**A. ADMINISTRATIVE FEES OTHER THAN DEBTORS(S)' ATTORNEY'S FEE:** ☐ NONE

1. Name: _____ Payment Address: _____ Total Due: <u>\$0.00</u> Payable <u>\$0.00</u> /month (Months <u> </u> to <u> </u>) Payable <u>\$0.00</u> /month (Months <u> </u> to <u> </u>)
--

B. INTERNAL REVENUE SERVICE: ☐ NONE

Debtor(s): _____ Case number: _____

Total Due: \$0.00 Total Payment \$0.00

Payable: \$0.00 /month (Months to)

C. DOMESTIC SUPPORT OBLIGATION(S): ☐ NONE ☐ CURRENT AND PAID OUTSIDE

1. Name of Creditor: _____

Payment Address: _____

Total Due: \$0.00

Payable \$0.00 /month (Months to)

Regular Payment (if applicable) \$0.00 /month (Months to)

D. OTHER: ☐ NONE

1. Name of Creditor: _____

Payment Address: _____

Total Due: \$0.00

Payable \$0.00 /month (Months to)

Regular Payment (if applicable) \$0.00 /month (Months to)

V. TREATMENT OF UNSECURED NONPRIORITY CREDITORS ☐ NONE

A. Pay \$0.00 /month (Months to)

Pro rata dividend will be calculated by the Trustee upon review of filed claims after bar date.

B. ☐ If checked, the Debtor(s) will amend/modify to pay 100% to all allowed unsecured nonpriority claims.

C. SEPARATELY CLASSIFIED: ☐ NONE

1. Name of Creditor: _____

Payment Address: _____

Last 4 Digits of Account No.: _____

Basis for Separate Classification _____

Payable \$0.00 /month (Months to)

*Debtor(s) certify the separate classification(s) of the claim(s) listed above will not prejudice other unsecured nonpriority creditors pursuant to 11 U.S.C. § 1322.

VI. STUDENT LOAN PROGRAM ☐ NONE

A. FEDERAL - Direct Pay ☐ None

Name of student who benefitted from the loan (if different than the Debtor) _____

1. Name of Federal Student Loan Holder and/or Servicer: _____

Address: _____

Last 4 Digits of Account No.: _____

The debtor(s) filed the local form *Notice of Income Driven Repayment Plan*. All federal student loan payments will be paid directly by the debtor(s) and the debtor(s) will be solely responsible for ensuring that the direct payments to the federal student loan holder(s) are received timely. The monthly IDR payment is set forth in the local form *Notice of Income Driven Repayment Plan*.

The debtor(s) expressly waive(s) any and all causes of action and claims against the federal student loan holder(s) and servicer(s) for any alleged violation of the automatic stay under 11 U.S.C. § 362(a) with regard to and in consideration of the benefits of enrollment and participation in an IDR plan during the chapter 13 case. Debtor(s) must file a certificate of service indicating that a copy of the plan was served in accordance with the provisions of Section IV of the court's Student Loan Program Procedures.

The debtor(s) must file annual recertifications on or before the anniversary date of any IDR plan until such time as the Department of Education establishes the automatic recertification of income for IDR borrowers. If the IDR plan payment changes after recertification

or after the debtor(s) receive(s) the Department of Education annual certification, then, no later than 14 days after receiving notice of the payment change, the debtor(s) must file the local form *Notice of IDR Payment Change* noting the change in the monthly IDR plan payment.

Any notice required to be given to the federal student loan holder under this section must include the name(s) of the debtor(s) and the bankruptcy case number and chapter 13 designation, must identify the federal student loans, and must be served in accordance with the provisions in Section IV of the court's student loan program procedures.

B. PRIVATE – Paid in the Chapter 13 Plan ☐ None

Name of student who benefitted from the loan (if different than the Debtor) _____

1. Name of Private Student Lender: _____

Address: _____

Last 4 Digits of Account No.: _____

Payable \$0.00 /month (Months to)

VII. EXECUTORY CONTRACTS AND UNEXPIRED LEASES ☐ NONE

Secured claims filed by any creditor/lessor granted stay relief in this section will not receive a distribution from the chapter 13 trustee.

- ☐ Unless provided for under a separate section, the debtor(s) request that upon confirmation of this plan, the automatic stay be terminated in rem as to the debtor(s) and in rem and in personam as to any codebtor(s) as to these creditors/lessors. Nothing herein is intended to terminate or abrogate the debtor(s)' state law contract rights.

Name of Creditor

Collateral

Acct. No. (Last 4 Digits) Assume/Reject

1. _____ ☐ Assume ☐ Reject

VIII. INCOME TAX RETURNS AND REFUNDS:

- ☐ Debtor(s) will not provide tax returns unless requested by any interested party pursuant to 11 U.S.C. § 521.
- ☐ The debtor(s) is hereby advised that the chapter 13 trustee has requested that the debtor(s) comply with 11 U.S.C. §521(f)(1)-(f)(4) on an annual basis during the pendency of this case. The debtor(s) hereby acknowledges that the deadline for providing the chapter 13 trustee with their filed tax returns is on or before May 15 of each year the case is pending and that the debtor(s) will provide the trustee (but not file with the Court) with verification of their disposable income if their gross household income increases by more than 3% over the previous year's income. [Miami Division cases]
- ☐ Debtor(s) will provide copies of yearly income tax returns to the chapter 13 trustee (but not file with the Court) no later than May 15th during the pendency of the chapter 13 case. In the event the debtor(s)' disposable income or tax refunds increase, debtor(s) must increase payments to unsecured creditors over and above payments provided through the plan up to 100% of allowed unsecured claims. [Fort Lauderdale/West Palm Beach Division cases]

IX. NON-STANDARD PLAN PROVISIONS ☐ NONE

- ☐ Nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Local Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are void.

- ☐ Mortgage Modification Mediation

PROPERTY OF THE ESTATE WILL VEST IN THE DEBTOR(S) UPON PLAN CONFIRMATION.

I declare that the foregoing chapter 13 plan is true and correct under penalty of perjury.

Debtor	Joint Debtor
Date	Date

Attorney with permission to sign on Debtor(s)' behalf who certifies that the contents of the plan have been reviewed and approved by the Debtor(s). ¹	Date
--	------

By filing this document, the Attorney for Debtor(s) or Debtor(s), if not represented by counsel, certifies that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Local Form Chapter 13 Plan and the plan contains no nonstandard provisions other than those set out in paragraph IX.

¹This certification requirement applies even if the Debtor(s) have executed a limited power of attorney to Debtor(s)' attorney authorizing the attorney to sign documents on the Debtor(s)' behalf.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) SETTING HEARING TO CONSIDER APPROVAL OF
DISCLOSURE STATEMENT; (II) DIRECTING PLAN PROPONENT
TO PROVIDE NOTICE; AND (III) SETTING OBJECTION DEADLINE**

On [date], [plan proponent] (the “plan proponent”) filed a disclosure statement¹ pursuant to 11 U.S.C. § 1125 in connection with its chapter 11 plan² filed on [date]. The disclosure statement is on file with the Court and may be accessed electronically, or you may obtain a copy at your expense from the Clerk or view a copy at the public terminals in the Clerk’s office. Copies also may be obtained from the plan proponent by written request. The plan proponent requests that the Court set a hearing to consider approval of the disclosure statement. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

¹ Dkt. No. ____.

² Dkt. No. ____.

1. **Disclosure Statement Hearing.** The Court will conduct a hearing to consider approval of the disclosure statement on:

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The disclosure statement hearing may be continued to a future date by notice given in open court at the hearing.

2. **Deadlines.** The following deadlines apply with respect to the disclosure statement hearing:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Disclosure Statement, and Plan	[35 days ³ before disclosure statement hearing]
Filing Objections to the Disclosure Statement	[7 days before disclosure statement hearing]

3. **Plan Proponent's Obligations.**

- A. **Sending the Plan and Disclosure Statement.** By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order, the disclosure statement, and the plan, on:

- (1) the debtor;
- (2) all committees that have been appointed;
- (3) any chapter 11 trustee or examiner that has been appointed;
- (4) the Securities and Exchange Commission;
- (5) the Internal Revenue Service;
- (6) the United States trustee; and
- (7) any party in interest who requests in writing a copy of the disclosure statement and plan.

³ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

B. Sending Notice of the Disclosure Statement Hearing. By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order on:

- (1) all creditors;
- (2) all equity security holders;
- (3) all persons who have requested notice; and
- (4) all other parties in interest (including, if the plan provides for an injunction against conduct not otherwise enjoined by the Bankruptcy Code against an entity that is not a creditor or equity security holder, those entities against whom the plan proponent seeks an injunction).

C. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. **Objections.** An objection to the disclosure statement must be filed by the deadline listed above for *Filing Objections to the Disclosure Statement*.
5. **Sanctions, Dismissal, or Conversion.** If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the disclosure statement hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the disclosure statement hearing at the request of any party in interest or on the Court's own motion.

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) SETTING HEARING TO CONSIDER APPROVAL OF
DISCLOSURE STATEMENT; (II) DIRECTING PLAN PROPONENT
TO PROVIDE NOTICE; AND (III) SETTING OBJECTION DEADLINE**

On [date], [plan proponent] (the “plan proponent”) filed a disclosure statement¹ pursuant to 11 U.S.C. § 1125 in connection with its chapter 11 plan² filed on [date]. The disclosure statement is on file with the Court and may be accessed electronically, or you may obtain a copy at your expense from the Clerk or view a copy at the public terminals in the Clerk’s office. Copies also may be obtained from the plan proponent by written request. The plan proponent requests that the Court set a hearing to consider approval of the disclosure statement. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

¹ Dkt. No. ____.

² Dkt. No. ____.

1. **Disclosure Statement Hearing.** The Court will conduct a hearing to consider approval of the disclosure statement on:

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

Counsel and unrepresented parties must review the presiding judge's page on the Court's website to verify whether they may appear at the disclosure statement hearing remotely via Zoom Video Communications, Inc. ("Zoom") or are required to appear in person, and to verify any other requirements for hearings before that judge. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The disclosure statement hearing may be continued to a future date by notice given in open court at the hearing.

2. **Deadlines.** The following deadlines apply with respect to the disclosure statement hearing:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Disclosure Statement, and Plan	[35 days ³ before disclosure statement hearing]
Filing Objections to the Disclosure Statement	[7 days before disclosure statement hearing]

3. **Plan Proponent's Obligations.**

- A. **Sending the Plan and Disclosure Statement.** By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order, the disclosure statement, and the plan, on:

³ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

- (1) the debtor;
- (2) all committees that have been appointed;
- (3) any chapter 11 trustee or examiner that has been appointed;
- (4) the Securities and Exchange Commission;
- (5) the Internal Revenue Service;
- (6) the United States trustee; and
- (7) any party in interest who requests in writing a copy of the disclosure statement and plan.

B. Sending Notice of the Disclosure Statement Hearing. By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order on:

- (1) all creditors;
- (2) all equity security holders;
- (3) all persons who have requested notice; and
- (4) all other parties in interest (including, if the plan provides for an injunction against conduct not otherwise enjoined by the Bankruptcy Code against an entity that is not a creditor or equity security holder, those entities against whom the plan proponent seeks an injunction).

C. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. **Objections.** An objection to the disclosure statement must be filed by the deadline listed above for *Filing Objections to the Disclosure Statement*.
5. **Sanctions, Dismissal, or Conversion.** If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the disclosure statement hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion

at the disclosure statement hearing at the request of any party in interest or on the Court's own motion.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

**ORDER (I) APPROVING DISCLOSURE STATEMENT;
(II) SETTING HEARING ON CONFIRMATION OF PLAN; (III) SETTING
HEARING ON FEE APPLICATIONS; (IV) SETTING VARIOUS DEADLINES;
AND (V) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [date], the Court conducted a hearing to consider approval of the disclosure statement¹ filed by [plan proponent] (the “plan proponent”) in connection with its chapter 11 plan.² The Court finds that the disclosure statement (as amended, if amendments were announced by the plan proponent or required by the Court at the hearing) contains adequate information regarding the plan in accordance with 11 U.S.C. § 1125(a). The plan proponent has requested that the Court set a hearing to consider confirmation of the plan (the “confirmation hearing”) and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

¹ Dkt. No. ____.

² Dkt. No. ____.

ORDERED, and NOTICE IS GIVEN, that:

1. **Approval of Disclosure Statement.** Pursuant to 11 U.S.C. § 1125(b) and Fed. R. Bankr. P. 3017(b), the disclosure statement is approved.
2. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

3. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Disclosure Statement, Plan, and Ballots	[45 days ³ before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[14 days before confirmation hearing]
Filing Objections to Confirmation	[14 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Chapter 11 Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]
Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]

³ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]
---	---

4. Plan Proponent's Obligations.

A. Sending the Plan and Related Documents. By the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, the plan proponent must:

- (1) serve on the debtor, the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:
 - (a) a copy of this order;
 - (b) the approved disclosure statement (with all amendments, if amendments were announced by the plan proponent or required by the Court at the disclosure hearing); and
 - (c) the plan; and
- (2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the plan proponent must also, by the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, serve on those entities against whom the plan proponent seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

- (1) a copy of this order;
- (2) the approved disclosure statement (with all amendments, if amendments were announced by the plan proponent or required by the Court at the disclosure hearing); and
- (3) the plan.

C. Notice of Fee Applications. By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the plan proponent must prepare, file, and serve on the debtor, the

trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

- D. **Ballot Tabulation and Confirmation Certificate.** By the deadline listed above for *Filing Local Form Chapter 11 Ballot Tabulation and Confirmation Certificate*, the plan proponent must file local form *Chapter 11 Ballot Tabulation and Confirmation Certificate*.
 - E. **Confirmation Affidavit or Declaration.** By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the plan proponent must file an affidavit or declaration setting forth the facts on which the plan proponent relies to establish each applicable requirement of 11 U.S.C. § 1129. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present in person at the confirmation hearing.
 - F. **Individual Cases.** In individual cases the plan proponent must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.
 - G. **Certificate of Service.** The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.
5. **Notice to Creditors Whose Claim Has Been Objected To.** If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.
6. **Fee Applications.**
- A. **Filing and Service.** To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P.

2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:

- (1) the debtor;
- (2) the plan proponent (if other than the debtor);
- (3) all committees that have been appointed;
- (4) any chapter 11 trustee or examiner that has been appointed; and
- (5) the United States trustee.

B. Estimated Time and Supplements. If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

7. Evidence.

A. Exhibits and Exhibit Registers. The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.⁴ Therefore, the plan proponent and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the plan proponent or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*. Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling

⁴ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

8. **Sanctions, Dismissal, or Conversion.** If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

**ORDER (I) APPROVING DISCLOSURE STATEMENT;
(II) SETTING HEARING ON CONFIRMATION OF PLAN; (III) SETTING
HEARING ON FEE APPLICATIONS; (IV) SETTING VARIOUS DEADLINES;
AND (V) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [date], the Court conducted a hearing to consider approval of the disclosure statement¹ filed by [plan proponent] (the “plan proponent”) in connection with its chapter 11 plan.² The Court finds that the disclosure statement (as amended, if amendments were announced by the plan proponent or required by the Court at the hearing) contains adequate information regarding the plan in accordance with 11 U.S.C. § 1125(a). The plan proponent has requested that the Court set a hearing to consider confirmation of the plan (the “confirmation hearing”) and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

¹ Dkt. No. ____.

² Dkt. No. ____.

ORDERED, and NOTICE IS GIVEN, that:

1. **Approval of Disclosure Statement.** Pursuant to 11 U.S.C. § 1125(b) and Fed. R. Bankr. P. 3017(b), the disclosure statement is approved.
2. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

Date: [DATE]

Time: [TIME]

Location: [LOCATION]

The following checked provision(s) apply to the confirmation hearing:

- [] **All individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 7.B. below, all witnesses must also appear in person at the confirmation hearing.**
- [] **If confirmation is contested by any party in interest, all individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 7.B. below, all witnesses must also appear in person at the confirmation hearing.**

Counsel must also review the presiding judge's page on the Court's website to verify any other requirements for confirmation hearings before that judge.

All other interested parties may choose to attend the hearing remotely using the services of Zoom Video Communications, Inc. ("Zoom"), which permits remote participation by video or by telephone. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

3. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Disclosure Statement, Plan, and Ballots	[45 days ³ before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[14 days before confirmation hearing]
Filing Objections to Confirmation	[14 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Chapter 11 Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]
Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

4. **Plan Proponent's Obligations.**

- A. **Sending the Plan and Related Documents.** By the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, the plan proponent must:

- (1) serve on the debtor, the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:
 - (a) a copy of this order;
 - (b) the approved disclosure statement (with all amendments, if amendments were announced by the

³ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

plan proponent or required by the Court at the disclosure hearing); and

(c) the plan; and

(2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the plan proponent must also, by the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, serve on those entities against whom the plan proponent seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

(1) a copy of this order;

(2) the approved disclosure statement (with all amendments, if amendments were announced by the plan proponent or required by the Court at the disclosure hearing); and

(3) the plan;

C. Notice of Fee Applications. By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the plan proponent must prepare, file, and serve on the debtor, the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

D. Ballot Tabulation and Confirmation Certificate. By the deadline listed above for *Filing Local Form Chapter 11 Ballot Tabulation and Confirmation Certificate*, the plan proponent must file local form *Chapter 11 Ballot Tabulation and Confirmation Certificate*.

E. Confirmation Affidavit or Declaration. By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the plan proponent must file an affidavit or declaration setting forth the facts on which the plan proponent relies to establish each applicable requirement of 11 U.S.C. § 1129. The affidavit or declaration should be prepared so that by reading it, the Court

can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present at the confirmation hearing, either in person if the Court requires the plan proponent and its counsel to attend the confirmation hearing in person, or via Zoom if the Court permits remote attendance at the confirmation hearing.

F. Individual Cases. In individual cases the plan proponent must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.

G. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

5. Notice to Creditors Whose Claim Has Been Objected To. If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.

6. Fee Applications.

A. Filing and Service. To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:

- (1) the debtor;
- (2) the plan proponent (if other than the debtor);
- (3) all committees that have been appointed;
- (4) any chapter 11 trustee or examiner that has been appointed; and
- (5) the United States trustee.

B. Estimated Time and Supplements. If an applicant for final compensation seeks compensation for additional time and

expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

7. Evidence.

A. Exhibits and Exhibit Registers. The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.⁴ Therefore, the plan proponent and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the plan proponent or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*.⁵ Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

8. Sanctions, Dismissal, or Conversion. If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

⁴ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

⁵ Exhibit registers should include the final plan as it was served, the final disclosure statement as it was served, the confirmation affidavit or declaration, the ballot tabulation and confirmation certificate, the certificate of service of the solicitation package, LF-71 (individual cases only), and, if applicable, projections, and the liquidation analysis.

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Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**CHAPTER 11 BALLOT TABULATION
AND CONFIRMATION CERTIFICATE**

[Name], attorney for [the debtor] [the plan proponent], certifies as follows:

1. [#] ballots were received with respect to the [specify the plan for which ballots were received]¹ on or before the court-ordered² [date] deadline.
2. The following classes under the plan are unimpaired, are conclusively presumed to have accepted the plan, and therefore did not receive ballots: [list unimpaired classes].
3. Exhibit A is a summary by class of the ballots counted in tabulating acceptances and rejections.
4. Exhibit B is a list of all ballots received.
5. Exhibit C is a list of claims to be paid under the plan, the amount of the first payment due under the plan on each claim, and the totals per class.
6. Exhibit D is a list of those claims on Exhibit C that are disputed, contingent, or unliquidated.
7. All fees required by 28 U.S.C. §1930 have been paid.

¹ Dkt. No. ____.

² Dkt. No. ____.

8. Under the plan, the following amounts are required be paid on the effective date:

<u>Class</u>	<u>Description</u>	<u>Amount</u>
Administrative expenses		\$
Other priority		\$
Class 1		\$
Class 2		\$
	Total:	\$

9. The amount of \$_____ is available in my trust account for confirmation.

Dated: _____

[Signature and signature block]

Exhibit A
Summary of Ballots Counted

<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$ _____]	% of total	_____ %
Total rejections in dollar amount	[\$ _____]	% of total	_____ %
Total number of acceptances counted	[# _____]	% of total	_____ %
Total number of rejections counted	[# _____]	% of total	_____ %
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$ _____]	% of total	_____ %
Total rejections in dollar amount	[\$ _____]	% of total	_____ %
Total number of acceptances counted	[# _____]	% of total	_____ %
Total number of rejections counted	[# _____]	% of total	_____ %
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$ _____]	% of total	_____ %
Total rejections in dollar amount	[\$ _____]	% of total	_____ %
Total number of acceptances counted	[# _____]	% of total	_____ %
Total number of rejections counted	[# _____]	% of total	_____ %
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$ _____]	% of total	_____ %
Total rejections in dollar amount	[\$ _____]	% of total	_____ %
Total number of acceptances counted	[# _____]	% of total	_____ %
Total number of rejections counted	[# _____]	% of total	_____ %
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$ _____]	% of total	_____ %
Total rejections in dollar amount	[\$ _____]	% of total	_____ %
Total number of acceptances counted	[# _____]	% of total	_____ %
Total number of rejections counted	[# _____]	% of total	_____ %
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$ _____]	% of total	_____ %
Total rejections in dollar amount	[\$ _____]	% of total	_____ %
Total number of acceptances counted	[# _____]	% of total	_____ %
Total number of rejections counted	[# _____]	% of total	_____ %
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	

Exhibit B

List of All Ballots Received

[illegible]

Exhibit C
List of Claims to Be Paid Under the Plan

The following is a list of claims to be paid under the plan, the amount of the first payment due under the plan on each claim, and the totals per class.

Class	Name of Creditor	Claim Number	Amount Scheduled or Claimed	First Plan Payment
TOTAL CLASS 1			\$ _____	\$ _____
TOTAL CLASS 2			\$ _____	\$ _____
TOTAL CLASS 3			\$ _____	\$ _____
TOTAL CLASS 4			\$ _____	\$ _____

Exhibit D
List of Disputed, Contingent, or Unliquidated Claims

The following claims listed on Exhibit C are disputed, contingent, or unliquidated.

Note: If a filed claim is still disputed, list the claim number and briefly summarize its status (e.g., “objection pending”). To the extent required by the plan or a Court order, sufficient funds must be reserved for this claim’s treatment under the plan should the claim become an allowed claim. A creditor whose claim was scheduled as disputed, contingent, or unliquidated, and who did not file a proof of claim need not be listed below. *See* Fed. R. Bankr. P. 3003(c)(2).

Class	Name of Creditor	Claim Number	Amount Scheduled or Claimed	Status of Claim

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11 (subchapter V)

_____/

**SUBCHAPTER V BALLOT TABULATION
AND CONFIRMATION CERTIFICATE**

[Name], attorney for the debtor, certifies as follows:

1. [#] ballots were received with respect to the [specify the plan for which ballots were received]¹ on or before the court-ordered² [date] deadline.
2. The following classes under the plan are unimpaired, are conclusively presumed to have accepted the plan, and therefore did not receive ballots: [list unimpaired classes].
3. Exhibit A is a summary by class of the ballots counted in tabulating acceptances and rejections.
4. Exhibit B is a list of all ballots received.
5. Exhibit C is a list of claims to be paid under the plan, the amount of the first payment due under the plan on each claim, and the totals per class.
6. Exhibit D is a list of those claims on Exhibit C that are disputed, contingent, or unliquidated.
7. All fees required by 28 U.S.C. §1930 have been paid.

¹ Dkt. No. ____.

² Dkt. No. ____.

8. Under the plan, the following amounts are required be paid on the effective date:

<u>Class</u>	<u>Description</u>	<u>Amount</u>
Administrative expenses		\$
Other priority		\$
Class 1		\$
Class 2		\$
	Total:	\$

9. The amount of \$_____ is [available in my trust account] [on deposit with the subchapter V trustee] for confirmation.

Dated: _____

[Signature and signature block]

Exhibit A **Summary of Ballots Counted**

<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$_____]	% of total	_____%
Total rejections in dollar amount	[\$_____]	% of total	_____%
Total number of acceptances counted	[#_____]	% of total	_____%
Total number of rejections counted	[#_____]	% of total	_____%
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$_____]	% of total	_____%
Total rejections in dollar amount	[\$_____]	% of total	_____%
Total number of acceptances counted	[#_____]	% of total	_____%
Total number of rejections counted	[#_____]	% of total	_____%
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$_____]	% of total	_____%
Total rejections in dollar amount	[\$_____]	% of total	_____%
Total number of acceptances counted	[#_____]	% of total	_____%
Total number of rejections counted	[#_____]	% of total	_____%
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$_____]	% of total	_____%
Total rejections in dollar amount	[\$_____]	% of total	_____%
Total number of acceptances counted	[#_____]	% of total	_____%
Total number of rejections counted	[#_____]	% of total	_____%
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$_____]	% of total	_____%
Total rejections in dollar amount	[\$_____]	% of total	_____%
Total number of acceptances counted	[#_____]	% of total	_____%
Total number of rejections counted	[#_____]	% of total	_____%
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	
<u>Class [#] [Description]</u>			
Total acceptances in dollar amount	[\$_____]	% of total	_____%
Total rejections in dollar amount	[\$_____]	% of total	_____%
Total number of acceptances counted	[#_____]	% of total	_____%
Total number of rejections counted	[#_____]	% of total	_____%
Class accepted under 11 U.S.C. § 1126(c)?		☐ Yes ☐ No	

Exhibit B
List of All Ballots Received

[illegible]

Exhibit C
List of Claims to Be Paid Under the Plan

The following is a list of claims to be paid under the plan, the amount of the first payment due under the plan on each claim, and the totals per class.

Class	Name of Creditor	Claim Number	Amount Scheduled or Claimed	First Plan Payment
TOTAL CLASS 1			\$ _____	\$ _____
TOTAL CLASS 2			\$ _____	\$ _____
TOTAL CLASS 3			\$ _____	\$ _____
TOTAL CLASS 4			\$ _____	\$ _____

Exhibit D
List of Disputed, Contingent, or Unliquidated Claims

The following claims listed on Exhibit C are disputed, contingent, or unliquidated.

Note: If a filed claim is still disputed, list the claim number and briefly summarize its status (e.g., “objection pending”). To the extent required by the plan or a Court order, sufficient funds must be reserved for this claim’s treatment under the plan should the claim become an allowed claim. A creditor whose claim was scheduled as disputed, contingent, or unliquidated, and who did not file a proof of claim need not be listed below. *See* Fed. R. Bankr. P. 3003(c)(2).

Class	Name of Creditor	Claim Number	Amount Scheduled or Claimed	Status of Claim

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

FINAL REPORT AND MOTION FOR ENTRY OF FINAL DECREE

[Plan proponent] moves under 11 U.S.C. § 350(a), Fed. R. Bankr. P. 3022, and Local Rule 3022-1(a), for entry of a final decree closing this case because:

1. The [name of plan]¹ was confirmed on [date].² The confirmation order is now final.

2. The debtor is not an individual and the plan was not confirmed under 11 U.S.C. § 1191.

3. The effective date of the plan was [date].

4. Deposits required by the plan have been distributed, any property proposed by the plan to be transferred has been transferred, the debtor or the successor to the debtor under the plan has assumed the business or the management of the property dealt with by the plan, and payments under the plan have commenced.

5. All motions, contested matters, and adversary proceedings have been finally resolved.

6. All fees required by 28 U.S.C. § 1930 have been paid.

WHEREFORE, [plan proponent] respectfully requests that the Court enter a final decree and close this case.

Dated: _____

[Signature and signature block]

[Certificate of Service]

¹ Dkt. No. ____.

² Dkt. No. ____.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**INDIVIDUAL CHAPTER 11 DEBTOR'S FINAL
REPORT AND MOTION FOR ENTRY OF FINAL DECREE**

[Plan proponent] moves under 11 U.S.C. § 350(a), Fed. R. Bankr. P. 3022, and Local Rule 3022-1(b), for entry of a final decree closing this case because:

1. The [name of plan]¹ was confirmed on [date].² The confirmation order is now final.

2. The debtor is an individual, but the plan was not confirmed under 11 U.S.C. § 1191.

3. The effective date of the plan was [date].

4. Deposits required by the plan have been distributed, any property proposed by the plan to be transferred has been transferred, the debtor or the successor to the debtor under the plan has assumed the business or the management of the property dealt with by the plan, and payments under the plan have commenced.

5. All motions, contested matters, and adversary proceedings have been finally resolved.

6. All fees required by 28 U.S.C. § 1930 have been paid.

7. The debtor has filed and served on the trustee (if any), all creditors, and all indenture trustees local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.

¹ Dkt. No. ____.

² Dkt. No. ____.

WHEREFORE, [plan proponent] respectfully requests that the Court enter a final decree and close this case.

Dated: _____

[Signature and signature block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11 (subchapter V)

_____/

**SUBCHAPTER V (CONSENSUAL PLAN) FINAL
REPORT AND MOTION FOR ENTRY OF FINAL DECREE**

[Debtor] moves under 11 U.S.C. § 350(a), Fed. R. Bankr. P. 3022, and Local Rule 3022-1(c), for entry of a final decree closing this case because:

1. The [name of plan]¹ was confirmed under 11 U.S.C. § 1191(a) on [date].²
The confirmation order is now final.

2. The effective date of the plan was [date].

3. Deposits required by the plan have been distributed, any property proposed by the plan to be transferred has been transferred, the debtor or the successor to the debtor under the plan has assumed the business or the management of the property dealt with by the plan, and payments under the plan have commenced.

4. All motions, contested matters, and adversary proceedings have been finally resolved.

5. All fees required by 28 U.S.C. § 1930 have been paid.

WHEREFORE, the debtor respectfully requests that the Court enter a final decree and close this case.

Dated: _____

[Signature and signature block]

[Certificate of Service]

¹ Dkt. No. ____.

² Dkt. No. ____.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11 (subchapter V)

_____/

**SUBCHAPTER V (NONCONSENSUAL PLAN) FINAL
REPORT AND MOTION FOR ENTRY OF FINAL DECREE**

[Debtor] moves under 11 U.S.C. § 350(a), Fed. R. Bankr. P. 3022, and Local Rule 3022-1(d), for entry of a final decree closing this case because:

1. The [name of plan]¹ was confirmed under 11 U.S.C. § 1191(b) on [date].²
The confirmation order is now final.

2. The effective date of the plan was [date].

3. Deposits required by the plan have been distributed, any property proposed by the plan to be transferred has been transferred, the debtor or the successor to the debtor under the plan has assumed the business or the management of the property dealt with by the plan, and payments under the plan have commenced.

4. All motions, contested matters, and adversary proceedings have been finally resolved.

5. All fees required by 28 U.S.C. § 1930 have been paid.

6. The debtor has completed all payments under the plan.

WHEREFORE, the debtor respectfully requests that the Court enter a final decree and close this case.

Dated: _____

[Signature and signature block]

[Certificate of Service]

¹ Dkt. No. ____.

² Dkt. No. ____.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____ /

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. yy-yyyyy-yyy

DEFENDANT'S NAME,

Defendant.

_____ /

ORDER APPOINTING SETTLEMENT JUDGE

Pursuant to 28 U.S.C. § 651 and Local Rule 9019-2(c)(2), the parties to [this adversary proceeding] [the contested matter initiated by the [motion or objection]] have requested the appointment of a settlement judge to preside over a judicial settlement conference. Accordingly, it is

ORDERED that:

1. United States Bankruptcy Judge [insert full name] (the “Settlement Judge”) is appointed as a settlement judge to assist in resolving disputes between or among [list all parties]. The Settlement Judge may add or drop parties that must participate in the settlement process. Each party added to the settlement process by the Settlement Judge is also bound by the terms of this Order. Each party is authorized and directed to take all steps necessary or appropriate regarding scheduling, preparing, and participating in settlement conferences with the Settlement Judge.
2. To schedule a settlement conference, the parties are directed to follow the procedures on the Settlement Judge’s webpage: [insert webpage link]. The Settlement Judge will enter a *Notice to Parties Participating in Judicial Settlement Conference*. The parties are bound by all provisions of that notice, which is incorporated in full in this Order.
3. The appointment of the Settlement Judge and related processes **DO NOT DELAY OR STAY** any otherwise applicable discovery deadlines, pretrial hearing dates, briefing schedules, or trial schedules, unless separately ordered by this Court.
4. Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(c)(2)(I), applies to all matters that are the subject of this Order.¹ The appointment of the Settlement Judge is an assignment of the subject matters by the presiding judge to the Settlement Judge solely for the purpose of convening “pretrial conferences” with a goal to reach a settlement. The Settlement Judge is appointed because of their judicial position as a United States Bankruptcy Judge and acts in such capacity. By serving as a settlement judge, the Settlement Judge performs judicial duties.² Accordingly, the Settlement Judge and all judiciary employees assisting the Settlement Judge have full, unqualified judicial immunity, as well as all other privileges, immunities, and protections accorded to a United States Bankruptcy Judge and to judiciary employees, regarding any matters arising from or related to the Settlement Judge’s role as settlement judge.
5. By participating in the settlement process, all parties automatically:
 - a. waive and are unable to assert against the Settlement Judge or any judiciary employees assisting with the settlement process any claims or causes of action that arise from or relate to the settlement process; and

¹ See Fed. R. Bankr. P. 9014(c); Local Rule 9014-1(b).

² See Local Rule 7016-1, 9014-1(b), 9019-2(d).

- b. waive and are unable to seek to compel from the Settlement Judge or from any judiciary employees assisting with the settlement process any oral or written testimony, document production (including, without limitation, regarding any records, reports, summaries, notes, communications, or other documents received or made by the Settlement Judge or any judiciary employees while serving in such capacity), or other participation whatsoever in any judicial, arbitral, or other proceeding of any kind.

The Settlement Judge may, in the Settlement Judge's sole discretion, require that the parties sign an agreement memorializing the above understandings, among other provisions, before agreeing to serve as a settlement judge.

6. Pursuant to 28 U.S.C. § 652(d), all documents created for the settlement process and statements by the parties, attorneys, the Settlement Judge, any judiciary employees, or other participants that are presented or made during the settlement process will in all respects be privileged, not reported, not recorded, not placed into evidence, not made known to the Court, and not construed for any purpose as an admission. Notwithstanding the foregoing, with the consent of all parties to a judicial settlement conference, the Settlement Judge may memorialize the resolution at a judicial settlement conference using the recording capabilities of a video communications platform or other recording medium.
7. No party is bound by any statement made or act taken during the settlement process unless a settlement is reached by the parties. If a settlement is reached, the settlement terms must be reduced to writing or memorialized using the recording capabilities of a video communications platform or other recording medium.
8. The Court has and retains exclusive jurisdiction and power regarding all matters arising from or related to this Order and the Settlement Judge's role as settlement judge.

###

Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

[Submitting attorney] must serve a copy of this order on all parties required to participate in the judicial settlement conference and must file a certificate of service if required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

**ORDER REOPENING CASE TO ADMINISTER ADDITIONAL ASSETS
AND DIRECTING UNITED STATES TRUSTEE TO APPOINT A TRUSTEE**

This case came before the Court without a hearing on the [movant]'s motion under 11 U.S.C. § 350(b), Fed. R. Bankr. P. 5010, and Local Rule 9013-2, seeking to reopen this chapter 7 case to administer additional assets.¹ Upon consideration of the motion, the Court determines that a trustee is needed to protect the interests of the creditors and the debtor, or to ensure that the reopened case is efficiently administered. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This case is **REOPENED**.

¹ Dkt. No. ____.

3. The United States trustee is **DIRECTED** to appoint a trustee in this case.
4. Although this case is being reopened to administer additional assets, unless the trustee had previously filed a notice of assets, it is still presumed under Local Rule 3002-1(a) that there are no assets available to pay a dividend. Upon determining that there may be assets available to pay a dividend, the trustee must file a notice of assets.
5. If the required fee to reopen this case was deferred, it must be paid upon recovery of assets by the trustee.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on all creditors, all indenture trustees, and the United States trustee, and file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

NOTICE OF SUBSTITUTION

Pursuant to Local Rule 9010-1(f)(3), attorney [new attorney] – who is a partner, member, or regular associate in the firm of [current attorney] – substitutes as counsel for [client] in this [bankruptcy case] [adversary proceeding].

WHEREFORE, [new attorney] respectfully requests that the Clerk of Court substitute [new attorney] for [current attorney] as counsel of record for [client] in this [bankruptcy case] [adversary proceeding].

Dated: _____

[Signature and signature block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

MOTION TO APPEAR PRO HAC VICE

[Local Counsel's name] ("Local Counsel") moves to admit pro hac vice [Visiting Attorney's name] ("Visiting Attorney") as counsel for [Client's name] ("Client"), based on the attached Visiting Attorney's Declaration and the following certifications:

1. Local Counsel is a member in good standing of the bar of the United States District Court for the Southern District of Florida and a registered user of CM/ECF in this Court.

2. Local Counsel will remain responsible for this representation and, even if Visiting Attorney becomes a registered user of CM/ECF, Local Counsel will:

- (a) review every document filed with the Court on Client's behalf;
- (b) include Local Counsel's signature block – together with Visiting Attorney's signature block – on every document filed with the Court on Client's behalf;
- (c) unless excused by the Court, attend all hearings that Visiting Attorney attends on Client's behalf; and
- (d) not withdraw or otherwise cease serving as local counsel for Client unless and until successor local counsel has appeared.

WHEREFORE, Local Counsel respectfully requests that the Court admit Visiting Attorney as pro hac vice counsel for Client in this case.

[Local Counsel signature and signature
block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

DECLARATION OF VISITING ATTORNEY

I, [Visiting Attorney's name] declare as follows:

1. I am a member in good standing of the bar of the following states or federal courts:
 - [List states or federal courts].
2. I have never been disbarred and am not currently suspended from practicing law in Florida, any other state, or any federal court.
3. I designate [Local Counsel's name] as "Local Counsel" for [Client's name] ("Client").
4. I understand that even if I become a registered user of CM/ECF, Local Counsel must:
 - (a) review every document filed with the Court on Client's behalf;
 - (b) include their signature block – together with my signature block – on every document filed with the Court on Client's behalf;
 - (c) unless excused by the Court, attend all hearings that I attend on Client's behalf; and
 - (d) not withdraw or otherwise cease serving as local counsel for Client unless and until successor local counsel has appeared.
5. I have read and will remain familiar with the Local Rules of the United States Bankruptcy Court for the Southern District of Florida, and I agree to be bound by those rules and by the Rules Regulating the Florida Bar, while appearing in this Court.

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

Executed on: _____
Date

Visiting Attorney's signature

[Visiting Attorney's signature block]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

ORDER ADMITTING ATTORNEY PRO HAC VICE

Upon consideration of the motion (Dkt. No. __) filed by [Local Counsel's name] ("Local Counsel") seeking to admit pro hac vice [Visiting Attorney's name] ("Visiting Attorney") as counsel for [Client's name] ("Client"), together with the Visiting Attorney's declaration, it is

ORDERED that:

1. The motion is **GRANTED**.
2. [Visiting Attorney's name] is admitted pro hac vice to practice in this Court in this case, any related jointly administered case, and any related adversary proceeding, on behalf of [Client's name].
3. Visiting Attorney may apply to become a registered user of CM/ECF in accordance with applicable CM/ECF procedures.

4. Whether or not Visiting Attorney becomes a registered user of CM/ECF, Local Counsel must:
- (a) review every document filed with the Court on Client's behalf;
 - (b) include their signature block – together with the signature block of Visiting Attorney – on every document filed with the Court on Client's behalf;
 - (c) unless otherwise ordered, attend all hearings that Visiting Attorney attends on Client's behalf; and
 - (d) not withdraw or otherwise cease serving as local counsel for Client unless and until successor local counsel has appeared.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

Copies furnished to all parties of record via CM/ECF.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

CERTIFICATE OF SERVICE [if separately filed]

I certify that on [date], the [document name(s) (Dkt. No.____)] [was/were] served electronically on the following parties:

- [list CM/ECF recipients and email addresses]

I [further] certify that on [date] I served a copy of the foregoing document(s) by U.S. mail on [the following parties] [the parties listed on the attached mailing matrix]:

- [list addresses and/or attach mailing matrix]

[/s/ *registered user's electronic signature*]

[Registered User's Name]

[or]

[*unrepresented party's signature*]

[Unrepresented Party's Name]

CERTIFICATE OF SERVICE [if attached to a filing]

I certify that on [date], I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which caused it to be served electronically on the following parties:

- list CM/ECF recipients and email addresses

I [further] certify that on [date] I served a copy of the foregoing document by U.S. mail on [the following parties] [the parties listed on the attached mailing matrix]:

- [list addresses and/or attach mailing matrix]

[/s/ registered user's electronic signature]

[Registered User's Name]

[or]

[unrepresented party's signature]

[Unrepresented Party's Name]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

CERTIFICATE OF SERVICE

OF APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

(File concurrently with your Application.**)**

I certify that on [date], a copy of the Application for Payment of Unclaimed Funds and all supporting documentation was served via [specify method of delivery, e.g., First Class Mail] pursuant to 28 U.S.C. §2042 on the following:

- Office of the United States Attorney
Southern District of Florida
99 NE 4th St.
Miami, Florida 33132
- Office of the U.S. Trustee, Region 21
51 SW First Ave., Room 1204
Miami, Florida 33130
- [Insert Trustee name and address, if applicable.]

- [Insert Debtor's Name and address.]

- [Insert Debtor's Attorney name and address, if applicable.]

If the Claimant is entitled to the unclaimed funds by transfer, assignment, purchase, merger, acquisition, or succession by other means, I further certify that on [date] I

served a copy of the Application for Payment of Unclaimed Funds and all supporting documentation on [the following party(ies)]:

- [Insert name and address of original Owner of Record AND each previous owner at their current address OR Applicant has enclosed a statement explaining why Applicant was not able to do so OR an explanation why doing so is not necessary. *This is not applicable if you are the Owner of Record.*]

Date:_____

Signature

Claimant's Name or Representative

Address

Phone

Email

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**DEBTOR'S STATEMENT OF INTENT WITH
RESPECT TO RULE 3002.1 NOTICE OF PAYMENT CHANGE**

On [date], [claim holder] filed a notice of payment change under Federal Rule of Bankruptcy Procedure 3002.1(b) with respect to claim no. [#].

The debtor:

_____ has filed a timely motion under Fed. R. Bankr. P. 3002.1(b)(4) to determine the change's validity and has set that motion for hearing on the next chapter 13 consent calendar for which self-scheduling is available.

_____ does not object to the payment change. If pre-confirmation, the debtor has filed and served an amended plan providing for the payment change. If post-confirmation, the debtor has filed and served a motion under 11 U.S.C. § 1329 to modify the plan together with a proposed modified plan providing for the payment change and has set that motion for hearing on the next chapter 13 consent calendar for which self-scheduling is available.

_____ does not object to the payment change. But rather than seeking to amend the plan (if pre-confirmation) or modify the plan (if post-confirmation) to provide for the payment change, the debtor instead will provide for the payment change directly outside the last-filed plan. The debtor acknowledges that the chapter 13 trustee will not remit payment for the amount of this payment change and that if the chapter 13 trustee files any motion under Fed. R. Bankr. P. 3002.1(f) to determine status or under 3002.1(g)(4) to determine a final cure payment, the amount of this payment change will not be subject to the Court's determination of that motion.

Dated: _____

[Attorney signature and signature block]

Debtor's signature

Joint debtor's signature (if applicable)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

**DEBTOR'S STATEMENT OF INTENT WITH
RESPECT TO RULE 3002.1 NOTICE OF FEES, EXPENSES, AND CHARGES**

On [date], [claim holder] filed a notice of fees, expenses, and charges incurred after the case was filed that the holder asserts are recoverable against the debtor or the debtor's principal residence, under Federal Rule of Bankruptcy Procedure 3002.1(c) with respect to claim no. [#].

The debtor:

_____ has filed a timely motion under Fed. R. Bankr. P. 3002.1(e) to determine whether paying any claimed fee, expense, or charge is required by the underlying agreement and applicable nonbankruptcy law and has set that motion for hearing on the next chapter 13 consent calendar for which self-calendaring is available.

_____ does not object to the fees, expenses, and charges. If pre-confirmation, the debtor has filed and served an amended plan providing for the fees, expenses, and charges. If post-confirmation, the debtor has filed and served a motion under 11 U.S.C. § 1329 to modify the plan together with a proposed modified plan providing for the fees, expenses, and charges and has set that motion for hearing on the next chapter 13 consent calendar for which self-calendaring is available.

_____ does not object to the fees, expenses, and charges. But rather than seeking to amend the plan (if pre-confirmation) or modify the plan (if post-confirmation) to provide for the fees, expenses, and charges, the debtor instead will provide for the fees, expenses, and charges directly outside the last-filed plan. The debtor acknowledges that the chapter 13 trustee will not remit payment for the amount of the fees, expenses, and charges and that if the chapter 13 trustee files any motion under Fed. R. Bankr. P. 3002.1(f) to determine status or under 3002.1(g)(4) to determine a final cure payment, the amount of the fees, expenses, and charges will not be subject to the Court's determination of that motion.

Dated: _____

[Attorney signature and signature block]

Debtor's signature

Joint debtor's signature (if applicable)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter ____

_____/

[If an adversary proceeding:]

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. yy-yyyyy-yyy

DEFENDANT'S NAME,

Defendant.

_____/

EXHIBIT REGISTER

Exhibits submitted on behalf of: [name and capacity of party – e.g., debtor, trustee, creditor, plaintiff, defendant, etc.]

Matter set for hearing/trial: _____

Related docket entry number(s): _____

Date of hearing/trial: _____

By: [name]
[bar number (if any)]
[firm (if any)]
[address]
[telephone number]
[email address]

<u>Exhibit Number</u>	<u>Description</u>	<u>Admitted</u>	<u>Refused</u>	<u>Not Offered Into Evidence</u>

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
www.flsb.uscourts.gov

VERIFICATION OF QUALIFICATION TO ACT AS MEDIATOR

I, [name], verify as follows:

1. I meet the requirements of Local Rule 9019-2(c)(2)(C) to be included on the Court's register of mediators because I (check all that apply):

____ have completed a minimum of 40 hours in a circuit mediation training program certified by the Florida Supreme Court.

____ have completed the American Bankruptcy Institute/St. John's University School of Law Bankruptcy Mediation Training.

____ am certified by the Florida Supreme Court as a circuit court mediator.
2. I agree to serve as a mediator in the following (check all that apply):

____ the Court's Mortgage Modification Mediation program (MMM) established by Administrative Order 2014-03.

____ the Court's Student Loan Program (SLP) established by Administrative order 2021-02.

____ any adversary proceeding or contested matter pending in this Court.
3. As required by Local Rule 9019-2(c)(2)(C)(ii), I agree to accept at least two mediation assignments per calendar year in cases where at least one party lacks the ability to compensate the mediator. In those cases, my mediator fees will be reduced accordingly or, if no litigant is able to contribute compensation, I will serve pro bono.
4. I have taken the mediator's oath (or affirmation) based on 28 U.S.C. § 453, proof of which is attached.
5. As required by Local Rule 9019-2(f), I will not serve as a mediator in any matter in which I would be disqualified to serve as a judge under 28 U.S.C. § 455 or in which I have a bias or prejudice that would render a judge unable to hear a proceeding under 28 U.S.C. § 144.
6. I will be governed by the standards of professional conduct set forth in the Florida Rules for Certified and Court-Appointed Mediators.

7. I agree to accept assignments as a mediator, and to be compensated, as follows (check all that apply):

_____ in the MMM program, compensated at the rate set by Administrative Order 2014-02 and the Court's *Mortgage Modification Mediation Program Procedures*, as they may be amended from time to time.

_____ in the SLP, compensated at the rate set by Administrative Order 2021-02 and the Court's *Student Loan Program Procedures*, as they may be amended from time to time.

_____ under Local Rule 9019-2(e)(2)(B), compensated at the rate set by the United States District Court for the Southern District of Florida for compensation of mediators.

8. As required by Local Rule 9019-2(g), I will file the local form *Report of Mediator* no later than seven days after the conclusion of a mediation.

9. I will comply with any other applicable notice and reporting requirements of Local Rule 9019-2, Administrative Order 2014-02, and Administrative Order 2012-02.

10. I will accept assignments as a mediator in (check all that apply):

_____ the Miami Division.

_____ the Fort Lauderdale Division.

_____ the West Palm Beach Division.

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

Executed on: _____
Date

Signature
[Mediator Name]
[Bar Number (if applicable)]
[Firm/organization]
[Address]
[Telephone number]
[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
www.flsb.uscourts.gov

MEDIATOR'S OATH

I, _____, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a mediator for the United States Bankruptcy Court for the Southern District of Florida, under the Constitution and laws of the United States.

Executed on: _____
Date

Signature

STATE OF FLORIDA

COUNTY OF _____

Sworn and subscribed to before me this ____ day of _____ (month and year), **by** _____ (name of person making statement).

Notary Public/Deputy Clerk

_____ Personally Known

or

_____ Produced Identification

Type of Identification Produced: _____

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

[If an adversary proceeding:]

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. yy-yyyyy-yyy

DEFENDANT'S NAME,

Defendant.

_____/

MEDIATION REFERRAL ORDER

Pursuant to 28 U.S.C. § 651 and Local Rule 9019-2(c)(1), [this adversary proceeding] [the contested matter initiated by the [motion (Dkt. No. __) or objection (Dkt. No.____)] and related docket entries (Dkt. Nos.____)] is referred to mediation. Accordingly, it is

ORDERED that:

1. The parties to this [adversary proceeding] [contested matter] must participate in mediation.
2. Unless otherwise ordered, this Order does not stay, suspend, or continue any trial or evidentiary hearing date, or any applicable deadline.
3. Under Local Rule 9019-2(c)(2)(A), the parties may select any mediator or settlement judge willing to serve provided all parties agree.
 - a. If the parties select a mediator, they must file a notice of selection of mediator.
 - b. If the parties select a settlement judge, they must prepare and submit to the Court for entry local form *Order Appointing Settlement Judge* and comply with any conditions established by the settlement judge.
 - c. If the parties are unable to agree on a mediator or a settlement judge within 14 days of entry of this Order, they must follow the procedures set forth in Local Rule 9019-2(c)(2)(B) to obtain a mediator.
4. The mediator may report to the Court any party's failure to attend the mediation conference, which failure may result in the Court imposing sanctions.
5. Under Local Rule 9019-2(g), a mediator must file local form *Report of Mediator* no later than seven days after the conclusion of a mediation.

#

Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

[Submitting attorney] must serve a copy of this order on all parties required to participate in the mediation, and must file a certificate of service if required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

[If an adversary proceeding:]

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. yy-yyyyy-yyy

DEFENDANT'S NAME,

Defendant.

_____/

REPORT OF MEDIATOR

On [date] I conducted a mediation in this [bankruptcy case] [adversary proceeding].
[If a contested matter, identify the motion or objection and docket number(s).] The mediation:

- ☐ was canceled, because the matter was settled before the mediation began.
- ☐ was canceled, because one or more of the parties failed to comply with the conditions precedent to conducting the mediation.
- ☐ resulted in a complete resolution agreed to, recorded, and acknowledged as binding by all parties at the mediation.
- ☐ resulted in a partial settlement. The parties settled the following issues: [list issues settled – identify only by motion, objection, or category; do not disclose confidential mediation communications].
- ☐ will be continued to [date and time].
- ☐ resulted in an impasse.

Dated: _____

[Signature and signature block]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____/

ORDER JOINTLY ADMINISTERING CHAPTER 7 CASES

This case came before the Court for a hearing on [date], on the [movant]'s motion under Fed. R. Bankr. P. 1015(b) seeking joint administration of the following chapter 7 cases:¹

[list cases for which joint administration is sought]

Upon consideration of the motion, the [affidavit, declaration, or verification] establishing that joint administration of the cases is warranted and will ease the administrative burden for the Court, and the record in this case, it is

ORDERED that:

1. The motion is **GRANTED**.

¹ Dkt. No. ____.

2. The chapter 7 cases listed above are jointly administered under the lead case [name and case number of case with the lowest case number] (the “Lead Case”).
3. Each chapter 7 case listed above that was not originally assigned to the judge to whom the Lead Case has been assigned is **TRANSFERRED** to the judge to whom the Lead Case has been assigned.
4. Except as set forth in paragraph 6, all documents filed in these jointly administered cases must be filed in the Lead Case, with the following caption:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

[LEAD DEBTOR’S NAME], *et al.*,¹

[Lead Case No. xx-xxxxx-xxx]

Debtors.

Chapter 7 (Jointly Administered)

_____ /

¹ The debtors in these chapter 7 cases, along with the last four digits of each debtor’s federal tax identification number, as applicable, are: [debtor name (xxxx)], [debtor name (xxxx)], and [debtor name (xxxx)]. The debtors’ mailing and service address is [street], [city], [state], [ZIP code].

5. The Clerk of Court is directed to enter the following notation on the docket in each debtor’s chapter 7 case other than the Lead Case:

An order has been entered directing the joint administration of this chapter 7 case under the lead case [LEAD DEBTOR’S NAME, *et al.*, Lead Case No. xx-xxxxx-xxx]. See the docket in Case No. [Lead Case No.] for all matters affecting this case.

6. Unless otherwise ordered, notwithstanding the joint administration of these cases, the following must be filed only in the applicable debtor’s chapter 7 case:
 - a. each debtor’s schedules and statement of financial affairs (including any amendments);
 - b. all trustee interim and final reports; and
 - c. all proofs of claim.

7. This order is entered solely to jointly administer these chapter 7 cases. This order does not constitute or direct the substantive consolidation of any of these cases, the debtors, or their estates.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on all creditors, all indenture trustees, and the United States trustee, and file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

ORDER JOINTLY ADMINISTERING CHAPTER 11 CASES

This case came before the Court without a hearing, on the [movant]'s motion under Fed. R. Bankr. P. 1015(b) and Local Rule 1015-1 seeking joint administration of the following chapter 11 cases:¹

[list cases for which joint administration is sought]

Upon consideration of the motion, the [affidavit, declaration, or verification] establishing that joint administration of the cases is warranted and will ease the administrative burden for the Court, and the record in this case, it is

ORDERED that:

1. The motion is **GRANTED**.

¹ Dkt. No. ____.

2. The chapter 11 cases listed above are jointly administered under the lead case [name and case number of case with the lowest case number] (the “Lead Case”).
3. Each chapter 11 case listed above that was not originally assigned to the judge to whom the Lead Case has been assigned is **TRANSFERRED** to the judge to whom the Lead Case has been assigned.
4. Except as set forth in paragraph 6, all documents filed in these jointly administered cases must be filed in the Lead Case, with the following caption:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

[LEAD DEBTOR’S NAME], *et al.*,¹

[Lead Case No. xx-xxxxx-xxx]

Debtors.

Chapter 11 (Jointly Administered)

_____ /

¹ The debtors in these chapter 11 cases, along with the last four digits of each debtor’s federal tax identification number, as applicable, are: [debtor name (xxxx)], [debtor name (xxxx)], and [debtor name (xxxx)]. The debtors’ mailing and service address is [street], [city], [state], [ZIP code].

5. The Clerk of Court is directed to enter the following notation on the docket in each debtor’s chapter 11 case other than the Lead Case:

An order has been entered directing the joint administration of this chapter 11 case under the lead case [LEAD DEBTOR’S NAME, *et al.*, Lead Case No. xx-xxxxx-xxx]. See the docket in Case No. [Lead Case No.] for all matters affecting this case.

6. Unless otherwise ordered, notwithstanding the joint administration of these cases,
 - a. each debtor’s schedules and statement of financial affairs (including any amendments) must be filed in both the applicable debtor’s chapter 11 case and in the Lead Case; but
 - b. proofs of claim must be filed only in the applicable debtor’s chapter 11 case.

7. This order is entered solely to jointly administer these chapter 11 cases. This order does not constitute or direct the substantive consolidation of any of these cases, the debtors, or their estates.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on all creditors, all indenture trustees, and the United States trustee, and file a certificate of service as required by Local Rule 9036-2.

**REQUEST FOR COPIES OF ARCHIVED CASE FILES FROM U.S. BANKRUPTCY COURT,
SOUTHERN DISTRICT OF FLORIDA
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)
BANKRUPTCY CASES – ORDERING INSTRUCTIONS**

Expedite your order; submit it online at: <https://eservices.archives.gov/orderonline/>

NARA receives orders more quickly when you submit them online. NARA will send you an email confirming that they have your request and you will be able to track the order online at no additional cost.

Copy Packages Available

- **Pre-Selected Documents (Individual only):** Includes the following documents, to the extent that they are contained in the case file: **Discharge of Debtor** (or Order of Dismissal or Final Decree), **Voluntary Petition**, **Summary of Debts and Property**, **Schedules D, E and F** (Note in some jurisdictions Schedules may be listed as A1, A2 and A3). No substitutions will be made for these documents.
- **Entire Case File:** Includes all documents in a Business and Individual case file.
- **Docket Sheet:** A list of documents filed in a Bankruptcy case; an outline of the case.
- **Certification:** A seal certifying copies to be a valid reproduction of the file. This is available for an additional charge of \$15.00 for all packages delivered by mail or express shipping. A package may contain a maximum of 150 pages. Each additional 150 pages or part thereof requires an additional certification at an additional charge of \$15.00. Certification for faxed and scanned copies is not available.

Instructions

How to Order

- Use a separate NATF Form 90 for each file that you request.
- Steps 1-6 must be completed on the order form to perform a search for the file. Steps 1-6 begin on page 2.
- Provide the case number, transfer number, and box number for the file that you request. You must obtain this information from the Court where the case was filed.
- Please discard this instruction sheet; only return the order form on page 2.

Payment

- When paying by check or money order for your request, a separate payment is required for each individual request. Make your check or money order payable to: National Archives Trust Fund (NATF).
- If paying by credit card, you may fax your request form to the fax number provided in Step 1. Please do not send credit card information via email.
- The Entire Case File option in Step 2 includes up to the first 150 pages. Copies of additional pages are subject to an additional labor charge of \$22.00 per 15 minutes of work done. You will be notified of any additional labor charges before they are incurred.

Delivery

- Allow 1-3 work days from receipt of payment for processing your order.
- In addition to photocopies, orders can be faxed and/or scanned. Faxed and scanned orders cannot be certified.
- A valid email address is necessary for electronic transfer via secure FTP site. Download speeds will vary based upon file size and your internet connection.
- Orders can be sent by overnight delivery at an additional charge.
- Requests may be returned if the necessary information is not supplied or if the credit card is declined.
- Please note that contents of recent cases may be in both electronic and paper form. If NARA cannot provide the documents you requested, we will refer you to the Court that adjudicated the case.
- Additional information may be found online: <http://www.archives.gov/research/court-records/>

Privacy Act Statement

Collection of this information is authorized by 44 U.S.C. 2108. Disclosure of the information is voluntary; however, we will be unable to respond to your request if you do not furnish your name and address and the minimum required information about the records. The information is used by NARA employees to search for the record; to respond to you; to maintain control over information requests received and answered; and to facilitate preparation of internal statistical reports. If you provide credit card information, that information is used to bill you for copies.

REQUEST FOR COPIES OF ARCHIVED CASE FILES FROM U.S. BANKRUPTCY COURT, SOUTHERN DISTRICT OF FLORIDA

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
BANKRUPTCY CASES – ORDER FORM**

Save time by ordering online: <https://eservices.archives.gov/orderonline/>

STEP 1. SELECT THE STATE WHERE THE COURT CASE WAS FILED (select only one)				
ADDRESS TO SEND COMPLETED FORM NARA, Atlanta Federal Records Center - U.S. Court Reference Program 4712 Southpark Boulevard Ellenwood, GA 30294 Telephone: 404-736-2900; Fax: 404-736-2927 Email: atlanta.reference@nara.gov			AREAS SERVED Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee	
STEP 2. SELECT COPY PACKAGE (select only one)				
Copy Package – <u>Not Certified</u>			Copy Package – <u>Certified</u>	
☐ Pre-Selected Documents — \$35.00 ☐ Entire Case File — \$90.00 (150 page maximum) ☐ Docket Sheet — \$35.00			**Certification for faxed, scanned, & electronic transfer copies is not available** ☐ Pre-Selected Documents Certified — \$50.00 ☐ Entire Case File Certified — \$105.00 (\$15.00 per additional 150 pages or part thereof) ☐ Docket Sheet — \$50.00	
STEP 3. CASE INFORMATION (obtain from the court in which the case was filed)				
COURT LOCATION (city & state) Miami, FL		DEBTOR NAME(S)		CASE NUMBER
TRANSFER NUMBER		BOX NUMBER		
STEP 4. DELIVERY OPTIONS (if no selection is made, paper copies will be delivered via mail)				
DELIVERY METHOD: (select one) ☐ Paper Copies by Mail ☐ Fax ☐ Scanned on CD/DVD by Mail ☐ Electronic Transfer via Secure FTP Site			EXPEDITED DELIVERY: (optional, select one) ☐ Overnight express (additional \$30.00) ☐ Charge FedEx Account ☐ Charge UPS Account	
STEP 5. YOUR DELIVERY INFORMATION				
NAME (or send to the attention of)			DAYTIME TELEPHONE NUMBER (required)	
ADDRESS LINE 1			ALTERNATE TELEPHONE NUMBER (preferred)	
ADDRESS LINE 2			FAX NUMBER	
CITY	STATE	ZIP CODE	EMAIL ADDRESS (for delivery by electronic transfer)	
STEP 6. YOUR PAYMENT INFORMATION				
Credit Card (please do not send credit card information via email)			Check or Money Order	
CARD TYPE ☐ VISA ☐ MasterCard ☐ American Express ☐ Discover			Make your check or money order payable to: National Archives Trust Fund (NATF) Mail your request with payment to the address shown in Step 1 .	
ACCOUNT NUMBER		EXPIRATION DATE (MM/YYYY)		
NAME ON CARD		3 OR 4 DIGIT SECURITY CODE (CVV)		
SIGNATURE (Order <u>cannot</u> be processed without a signature unless the 3 or 4 digit security code is provided above)				
NARA USE ONLY				
RESEARCHER		DATE (DD/MM/YYYY)		PAYMENT PAID ☐ CHECK #
REMARKS		REVIEW – DATE	TIME	

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____/

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. yy-yyyyy-yyy

DEFENDANT'S NAME,

Defendant.

_____/

FINAL PRETRIAL ORDER AND ORDER SETTING TRIAL

This adversary proceeding came before the Court for a final pretrial conference on [date] under Fed. R. Civ. P. 16(e), made applicable by Fed. R. Bankr. P. 7016. Upon consideration of the parties' joint pretrial stipulation,¹ the stipulations and admissions of counsel made at the final pretrial conference, and the record in this

¹ Dkt. No. ____.

adversary proceeding, the Court finds that all discovery has been completed and concludes that this adversary proceeding is ready for trial. The Court therefore enters this final pretrial order under Fed. R. Civ. P. 16(e), which supersedes the pleadings, defines the legal and factual issues to be tried, and identifies the witnesses and exhibits each party intends to present as evidence. Accordingly, it is

ORDERED that:

1. **TRIAL DATE.** The Court will conduct the trial on:

Date(s):

Time:

Location:

2. **STIPULATED FACTS.** The following facts are admitted and require no proof at trial:
 - a. [list each stipulated fact in a separate-lettered paragraph]
 - b. [list each stipulated fact in a separate-lettered paragraph]
3. **MATERIAL FACTS TO BE LITIGATED:** The following issues of material fact are disputed and remain to be litigated at trial:
 - a. [list each disputed fact in a separate-lettered paragraph]
 - b. [list each disputed fact in a separate-lettered paragraph]
4. **UNDISPUTED LEGAL ISSUES:** The parties agree on the following issues of law and do not require the Court to determine them at trial:
 - a. [list each undisputed legal issue in a separate-lettered paragraph]
 - b. [list each undisputed legal issue in a separate-lettered paragraph]
5. **DISPUTED LEGAL ISSUES:** The following issues of law are disputed and must be determined by the Court:
 - a. [list each disputed legal issue in a separate-lettered paragraph]
 - b. [list each disputed legal issue in a separate-lettered paragraph]

6. **WITNESSES.**

a. The plaintiff

(1) may call the following witnesses to give live testimony:

a. [insert name and address of witness]

b. [insert name and address of witness]

(2) may – with the Court’s prior permission under Fed. R. Civ. P. 43(a), made applicable by Fed. R. Bankr. P. 9017 – call the following witnesses to give remote testimony:

a. [insert name and address of witness, and location from which witness will be testifying]

b. [insert name and address of witness, and location from which witness will be testifying]

(3) expects to present the testimony of the following witnesses by deposition:

a. [insert name of witness whose testimony will be presented by deposition]

b. [insert name of witness whose testimony will be presented by deposition].

b. The defendant

(1) may call the following witnesses to give live testimony:

a. [insert name and address of witness]

b. [insert name and address of witness]

(2) may – with the Court’s permission under Fed. R. Civ. P. 43(a), made applicable by Fed. R. Bankr. P. 9017 – call the following witnesses to give remote testimony:

a. [insert name and address of witness, and location from which witness will be testifying]

b. [insert name and address of witness, and location from which witness will be testifying]

(3) expects to present the testimony of the following witnesses by deposition:

- a. [insert name of witness whose testimony will be presented by deposition]
- b. [insert name of witness whose testimony will be presented by deposition].

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on any party that is not represented by a registered user of CM/ECF and must file a certificate of service if required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) CONDITIONALLY APPROVING DISCLOSURE STATEMENT;
(II) SETTING HEARING ON FINAL APPROVAL OF DISCLOSURE
STATEMENT AND CONFIRMATION OF PLAN; (III) SETTING
HEARING ON FEE APPLICATIONS; (IV) SETTING VARIOUS
DEADLINES; AND (V) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [date], [plan proponent] (the “plan proponent”) filed a [disclosure statement¹ in connection with its chapter 11 plan²] [a combined plan and disclosure statement³]. The plan proponent seeks conditional approval of the disclosure statement in this small business case under Fed. R. Bankr. P. 3017.1. The plan proponent also requests that the Court set a hearing to consider final approval of the disclosure statement, confirmation of the plan (the “confirmation hearing”), and any timely filed fee applications, and to establish deadlines and requirements relating to

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Conditional Approval of Disclosure Statement.** The disclosure statement is conditionally approved.
2. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider final approval of the disclosure statement and approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

Date: [DATE]

Time: [TIME]

Location: [LOCATION]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

3. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date:</u>
Serving This Order, Disclosure Statement, Plan, and Ballots	[35 days ⁴ before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[7 days before confirmation hearing]
Filing Objections to Final Approval of Disclosure Statement	[7 days before confirmation hearing]
Filing Objections to Confirmation	[7 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Chapter 11 Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]

⁴ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

4. Plan Proponent's Obligations.

A. Sending the Plan and Related Documents. By the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, the plan proponent must:

- (1) serve on the debtor, the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:
 - (a) a copy of this order;
 - (b) the conditionally approved disclosure statement; and
 - (c) the plan; and
- (2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the plan proponent must also, by the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, serve on those entities against whom the plan proponent seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

- (1) a copy of this order;
- (2) the conditionally approved disclosure statement; and
- (3) the plan.

- C. **Notice of Fee Applications.** By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the plan proponent must prepare, file, and serve on the debtor, the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.
 - D. **Ballot Tabulation and Confirmation Certificate.** By the deadline listed above for *Filing Local Form Chapter 11 Ballot Tabulation and Confirmation Certificate*, the plan proponent must file local form *Chapter 11 Ballot Tabulation and Confirmation Certificate*.
 - E. **Confirmation Affidavit or Declaration.** By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the plan proponent must file an affidavit or declaration setting forth the facts on which the plan proponent relies to establish each applicable requirement of 11 U.S.C. § 1129. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present in person at the confirmation hearing.
 - F. **Individual Cases.** In individual cases the plan proponent must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.
 - G. **Certificate of Service.** The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.
5. **Notice to Creditors Whose Claim Has Been Objected To.** If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.

6. Fee Applications.

- A. Filing and Service.** To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:
- (1) the debtor;
 - (2) the plan proponent (if other than the debtor);
 - (3) all committees that have been appointed;
 - (4) any chapter 11 trustee or examiner that has been appointed; and
 - (5) the United States trustee.
- B. Estimated Time and Supplements.** If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

7. Evidence.

- A. Exhibits and Exhibit Registers.** The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.⁵ Therefore, the plan proponent and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the plan proponent or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*. Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

⁵ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

8. Sanctions, Dismissal, or Conversion. If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) CONDITIONALLY APPROVING DISCLOSURE STATEMENT;
(II) SETTING HEARING ON FINAL APPROVAL OF DISCLOSURE
STATEMENT AND CONFIRMATION OF PLAN; (III) SETTING
HEARING ON FEE APPLICATIONS; (IV) SETTING VARIOUS
DEADLINES; AND (V) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [date], [plan proponent] (the “plan proponent”) filed a [disclosure statement¹ in connection with its chapter 11 plan²] [a combined plan and disclosure statement³]. The plan proponent seeks conditional approval of the disclosure statement in this small business case under Fed. R. Bankr. P. 3017.1. The plan proponent also requests that the Court set a hearing to consider final approval of the disclosure statement, confirmation of the plan (the “confirmation hearing”), and any timely filed fee applications, and to establish deadlines and requirements relating to

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Conditional Approval of Disclosure Statement.** The disclosure statement is conditionally approved.
2. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider final approval of the disclosure statement and approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

Date: [DATE]

Time: [TIME]

Location: [LOCATION]

The following checked provision(s) apply to the confirmation hearing:

- ☐ **All individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 7.B. below, all witnesses must also appear in person at the confirmation hearing.**
- ☐ **If confirmation is contested by any party in interest, all individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 7.B. below, all witnesses must also appear in person at the confirmation hearing.**

Counsel must also review the presiding judge's page on the Court's website to verify any other requirements for confirmation hearings before that judge.

All other interested parties may choose to attend the hearing remotely using the services of Zoom Video Communications, Inc. ("Zoom"), which permits remote participation by video or by telephone. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

3. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date:</u>
Serving This Order, Disclosure Statement, Plan, and Ballots	[35 days ⁴ before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[7 days before confirmation hearing]
Filing Objections to Final Approval of Disclosure Statement	[7 days before confirmation hearing]
Filing Objections to Confirmation	[7 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Chapter 11 Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]
Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

4. **Plan Proponent's Obligations.**

- A. **Sending the Plan and Related Documents.** By the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, the plan proponent must:

⁴ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

- (1) serve on the debtor, the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:
 - (a) a copy of this order;
 - (b) the conditionally approved disclosure statement; and
 - (c) the plan; and
- (2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the plan proponent must also, by the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, serve on those entities against whom the plan proponent seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

- (1) a copy of this order;
- (2) the conditionally approved disclosure statement; and
- (3) the plan.

C. Notice of Fee Applications. By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the plan proponent must prepare, file, and serve on the debtor, the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

D. Ballot Tabulation and Confirmation Certificate. By the deadline listed above for *Filing Local Form Chapter 11 Ballot Tabulation and Confirmation Certificate*, the plan proponent must file local form *Chapter 11 Ballot Tabulation and Confirmation Certificate*.

E. Confirmation Affidavit or Declaration. By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the plan

proponent must file an affidavit or declaration setting forth the facts on which the plan proponent relies to establish each applicable requirement of 11 U.S.C. § 1129. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present at the confirmation hearing, either in person if the Court requires the plan proponent and its counsel to attend the confirmation hearing in person, or via Zoom if the Court permits remote attendance at the confirmation hearing.

F. Individual Cases. In individual cases the plan proponent must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.

G. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

5. Notice to Creditors Whose Claim Has Been Objected To. If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.

6. Fee Applications.

A. Filing and Service. To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:

- (1) the debtor;
- (2) the plan proponent (if other than the debtor);
- (3) all committees that have been appointed;
- (4) any chapter 11 trustee or examiner that has been appointed; and

(5) the United States trustee.

B. Estimated Time and Supplements. If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

7. Evidence.

A. Exhibits and Exhibit Registers. The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.⁵ Therefore, the plan proponent and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the plan proponent or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*.⁶ Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

8. Sanctions, Dismissal, or Conversion. If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the

⁵ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

⁶ Exhibit registers should include the final plan as it was served, the final disclosure statement as it was served, the confirmation affidavit or declaration, the ballot tabulation and confirmation certificate, the certificate of service of the solicitation package, LF-71 (individual cases only), and, if applicable, projections, and the liquidation analysis.

confirmation hearing at the request of any party in interest or on the Court's own motion.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) SETTING HEARING TO CONSIDER APPROVAL OF
DISCLOSURE STATEMENT; (II) DIRECTING PLAN PROPONENT
TO PROVIDE NOTICE; (III) SETTING OBJECTION DEADLINE;
AND (IV) SETTING DEADLINE TO FILE 11 U.S.C. § 1121(e)(3) MOTION**

On [date], [plan proponent] (the “plan proponent”) filed a disclosure statement¹ pursuant to 11 U.S.C. § 1125 in connection with its chapter 11 plan² filed on [date] in a small business case. The disclosure statement is on file with the Court and may be accessed electronically, or you may obtain a copy at your expense from the Clerk or view a copy at the public terminals in the Clerk’s office. Copies also may be obtained from the plan proponent by written request.

Although Federal Rule of Bankruptcy Procedure 3017.1 permits conditional approval of a disclosure statement in a small business case, the plan proponent in this case has not filed any motion seeking conditional approval, and the Court is not required to grant conditional approval. The Court has reviewed the disclosure

¹ Dkt. No. ____.

² Dkt. No. ____.

statement and plan filed by the plan proponent and has determined that the disclosure statement cannot be conditionally approved. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Disclosure Statement Hearing.** The Court will conduct a hearing to consider approval of the disclosure statement on:

Date: **[DATE]**

Time: **[TIME]**

Location: **[LOCATION]**

The disclosure statement hearing may be continued to a future date by notice given in open court at the hearing.

2. **Deadlines.** The following deadlines apply with respect to the disclosure statement hearing:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Disclosure Statement, and Plan	[35 days ³ before disclosure statement hearing]
Filing a Motion Under 11 U.S.C. § 1121(e)(3)	[7 days before disclosure statement hearing]
Filing Objections to the Disclosure Statement	[7 days before disclosure statement hearing]

3. **Plan Proponent's Obligations.**

A. **Sending the Plan and Disclosure Statement.** By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order, the disclosure statement, and the plan, on:

- (1) the debtor;
- (2) all committees that have been appointed;
- (3) any chapter 11 trustee or examiner that has been appointed;

³ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

- (4) the Securities and Exchange Commission;
- (5) the Internal Revenue Service;
- (6) the United States trustee; and
- (7) any party in interest who requests in writing a copy of the disclosure statement and plan.

B. Sending Notice of the Disclosure Statement Hearing. By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order on:

- (1) all creditors;
- (2) all equity security holders;
- (3) all persons who have requested notice; and
- (4) all other parties in interest (including, if the plan provides for an injunction against conduct not otherwise enjoined by the Bankruptcy Code against an entity that is not a creditor or equity security holder, those entities against whom the plan proponent seeks an injunction).

C. Extending the Time to Confirm the Plan. The Court will consider at the disclosure statement hearing a motion filed by the deadline listed above for *Filing a Motion Under 11 U.S.C. § 1121(e)(3)*, seeking an extension of the deadline imposed under 11 U.S.C. § 1129(e). The plan proponent must be prepared, at the disclosure statement hearing, to meet its burden under 11 U.S.C. § 1121(e)(3) to demonstrate by a preponderance of the evidence that it is more likely than not that the Court will confirm a plan within a reasonable period of time.

D. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. Objections. An objection to the disclosure statement must be filed by the deadline listed above for *Filing Objections to the Disclosure Statement*.

5. Sanctions, Dismissal, or Conversion. If the plan proponent does not timely comply with any of the requirements of this order, the Court may

impose sanctions at the disclosure statement hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the disclosure statement hearing at the request of any party in interest or on the Court's own motion.

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Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) SETTING HEARING TO CONSIDER APPROVAL OF
DISCLOSURE STATEMENT; (II) DIRECTING PLAN PROPONENT
TO PROVIDE NOTICE; (III) SETTING OBJECTION DEADLINE;
AND (IV) SETTING DEADLINE TO FILE 11 U.S.C. § 1121(e)(3) MOTION**

On [date], [plan proponent] (the “plan proponent”) filed a disclosure statement¹ pursuant to 11 U.S.C. § 1125 in connection with its chapter 11 plan² filed on [date] in a small business case. The disclosure statement is on file with the Court and may be accessed electronically, or you may obtain a copy at your expense from the Clerk or view a copy at the public terminals in the Clerk’s office. Copies also may be obtained from the plan proponent by written request.

Although Federal Rule of Bankruptcy Procedure 3017.1 permits conditional approval of a disclosure statement in a small business case, the plan proponent in this case has not filed any motion seeking conditional approval, and the Court is not required to grant conditional approval. The Court has reviewed the disclosure

¹ Dkt. No. ____.

² Dkt. No. ____.

statement and plan filed by the plan proponent and has determined that the disclosure statement cannot be conditionally approved. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Disclosure Statement Hearing.** The Court will conduct a hearing to consider approval of the disclosure statement on:

Date: **[DATE]**

Time: **[TIME]**

Location: **[LOCATION]**

Counsel and unrepresented parties must review the presiding judge's page on the Court's website to verify whether they may appear at the disclosure statement hearing remotely via Zoom Video Communications, Inc. ("Zoom") or are required to appear in person, and to verify any other requirements for hearings before that judge. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The disclosure statement hearing may be continued to a future date by notice given in open court at the hearing.

2. **Deadlines.** The following deadlines apply with respect to the disclosure statement hearing:

<u>Deadline for:</u>	<u>Date</u>
Serving This Order, Disclosure Statement, and Plan	[35 days ³ before disclosure statement hearing]
Filing a Motion Under 11 U.S.C. § 1121(e)(3)	[7 days before disclosure statement hearing]
Filing Objections to the Disclosure Statement	[7 days before disclosure statement hearing]

³ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

3. Plan Proponent's Obligations.

- A. Sending the Plan and Disclosure Statement.** By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order, the disclosure statement, and the plan, on:
- (1) the debtor;
 - (2) all committees that have been appointed;
 - (3) any chapter 11 trustee or examiner that has been appointed;
 - (4) the Securities and Exchange Commission;
 - (5) the Internal Revenue Service;
 - (6) the United States trustee; and
 - (7) any party in interest who requests in writing a copy of the disclosure statement and plan.
- B. Sending Notice of the Disclosure Statement Hearing.** By the deadline listed above for *Serving This Order, Disclosure Statement, and Plan*, the plan proponent must serve a copy of this order on:
- (1) all creditors;
 - (2) all equity security holders;
 - (3) all persons who have requested notice; and
 - (4) all other parties in interest (including, if the plan provides for an injunction against conduct not otherwise enjoined by the Bankruptcy Code against an entity that is not a creditor or equity security holder, those entities against whom the plan proponent seeks an injunction).
- C. Extending the Time to Confirm the Plan.** The Court will consider at the disclosure statement hearing a motion filed by the deadline listed above for *Filing a Motion Under 11 U.S.C. § 1121(e)(3)*, seeking an extension of the deadline imposed under 11 U.S.C. § 1129(e). The plan proponent must be prepared, at the disclosure statement hearing, to meet its burden under 11 U.S.C. § 1121(e)(3) to demonstrate by a preponderance of the evidence

that it is more likely than not that the Court will confirm a plan within a reasonable period of time.

D. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

4. **Objections.** An objection to the disclosure statement must be filed by the deadline listed above for *Filing Objections to the Disclosure Statement*.
5. **Sanctions, Dismissal, or Conversion.** If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the disclosure statement hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the disclosure statement hearing at the request of any party in interest or on the Court's own motion.

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Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) CONDITIONALLY APPROVING DISCLOSURE STATEMENT;
(II) SETTING HEARING ON FINAL APPROVAL OF DISCLOSURE
STATEMENT AND CONFIRMATION OF PLAN; (III) SETTING
HEARING ON FEE APPLICATIONS; (IV) SETTING VARIOUS
DEADLINES; AND (V) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [date], [plan proponent] (the “plan proponent”) filed a [disclosure statement¹ in connection with its chapter 11 plan²] [a combined plan and disclosure statement³]. The plan proponent seeks conditional approval of the disclosure statement in this case under 11 U.S.C. § 105(d)(2)(B)(vi).⁴ The plan proponent also requests that the Court set a hearing to consider final approval of the disclosure statement, confirmation of the plan (the “confirmation hearing”), and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

⁴ Dkt. No. ____.

consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Conditional Approval of Disclosure Statement.** The disclosure statement is conditionally approved.
2. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider final approval of the disclosure statement and approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

3. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date:</u>
Serving This Order, Disclosure Statement, Plan, and Ballots	[45 days ⁵ before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[14 days before confirmation hearing]
Filing Objections to Final Approval of Disclosure Statement	[14 days before confirmation hearing]
Filing Objections to Confirmation	[14 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Chapter 11 Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]

⁵ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

4. Plan Proponent's Obligations.

A. Sending the Plan and Related Documents. By the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, the plan proponent must:

- (1) serve on the debtor, the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:
 - (a) a copy of this order;
 - (b) the conditionally approved disclosure statement; and
 - (c) the plan; and
- (2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the plan proponent must also, by the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, serve on those entities against whom the plan proponent seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

- (1) a copy of this order;
- (2) the conditionally approved disclosure statement; and
- (3) the plan.

- C. **Notice of Fee Applications.** By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the plan proponent must prepare, file, and serve on the debtor, the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.
 - D. **Ballot Tabulation and Confirmation Certificate.** By the deadline listed above for *Filing Local Form Chapter 11 Ballot Tabulation and Confirmation Certificate*, the plan proponent must file local form *Chapter 11 Ballot Tabulation and Confirmation Certificate*.
 - E. **Confirmation Affidavit or Declaration.** By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the plan proponent must file an affidavit or declaration setting forth the facts on which the plan proponent relies to establish each applicable requirement of 11 U.S.C. § 1129. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present in person at the confirmation hearing.
 - F. **Individual Cases.** In individual cases the plan proponent must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.
 - G. **Certificate of Service.** The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.
5. **Notice to Creditors Whose Claim Has Been Objected To.** If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.

6. Fee Applications.

- A. Filing and Service.** To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:
- (1) the debtor;
 - (2) the plan proponent (if other than the debtor);
 - (3) all committees that have been appointed;
 - (4) any chapter 11 trustee or examiner that has been appointed; and
 - (5) the United States trustee.
- B. Estimated Time and Supplements.** If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

7. Evidence.

- A. Exhibits and Exhibit Registers.** The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.⁶ Therefore, the plan proponent and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the plan proponent or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*. Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

⁶ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

8. Sanctions, Dismissal, or Conversion. If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the confirmation hearing at the request of any party in interest or on the Court's own motion.

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER (I) CONDITIONALLY APPROVING DISCLOSURE STATEMENT;
(II) SETTING HEARING ON FINAL APPROVAL OF DISCLOSURE
STATEMENT AND CONFIRMATION OF PLAN; (III) SETTING
HEARING ON FEE APPLICATIONS; (IV) SETTING VARIOUS
DEADLINES; AND (V) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [date], [plan proponent] (the “plan proponent”) filed a [disclosure statement¹ in connection with its chapter 11 plan²] [a combined plan and disclosure statement³]. The plan proponent seeks conditional approval of the disclosure statement under 11 U.S.C. § 105(d)(2)(B)(vi).⁴ The plan proponent also requests that the Court set a hearing to consider final approval of the disclosure statement, confirmation of the plan (the “confirmation hearing”), and any timely filed fee applications, and to establish deadlines and requirements relating to confirmation

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

⁴ Dkt. No. ____.

consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

ORDERED, and NOTICE IS GIVEN, that:

1. **Conditional Approval of Disclosure Statement.** The disclosure statement is conditionally approved.
2. **Confirmation Hearing.** The Court will conduct the confirmation hearing and consider final approval of the disclosure statement and approval of timely-filed fee applications, subject to the following deadlines and requirements, as follows:

Date: [DATE]
Time: [TIME]
Location: [LOCATION]

The following checked provision(s) apply to the confirmation hearing:

- ☐ **All individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 7.B. below, all witnesses must also appear in person at the confirmation hearing.**
- ☐ **If confirmation is contested by any party in interest, all individual debtors or a representative of any non-individual debtor(s), counsel for the debtor(s), and any attorneys or unrepresented individuals participating in the presentation of evidence must appear in person at the confirmation hearing. Subject to paragraph 7.B. below, all witnesses must also appear in person at the confirmation hearing.**

Counsel must also review the presiding judge's page on the Court's website to verify any other requirements for confirmation hearings before that judge.

All other interested parties may choose to attend the hearing remotely using the services of Zoom Video Communications, Inc. ("Zoom"), which permits remote participation by video or by telephone. To participate in the hearing remotely via Zoom (whether by video or by telephone), you must register in advance no later than 3:00 p.m., one business day before the date of the hearing. To register, click on or manually enter the following registration link in a browser:

[INSERT ZOOM LINK]

The confirmation hearing may be continued to a future date by notice given in open court at the confirmation hearing.

3. **Deadlines.** The following deadlines apply with respect to the confirmation hearing and hearing on fee applications:

<u>Deadline for:</u>	<u>Date:</u>
Serving This Order, Disclosure Statement, Plan, and Ballots	[45 days ⁵ before confirmation hearing]
Filing and Serving Fee Applications	[24 days before confirmation hearing]
Filing and Serving Notice Summarizing All Fee Applications	[21 days before confirmation hearing]
Filing Ballots Accepting or Rejecting Plan	[14 days before confirmation hearing]
Filing Objections to Final Approval of Disclosure Statement	[14 days before confirmation hearing]
Filing Objections to Confirmation	[14 days before confirmation hearing]
Filing Motions Under Fed. R. Civ. P. 43(a)	[7 days before confirmation hearing]
Filing Local Form <i>Chapter 11 Ballot Tabulation and Confirmation Certificate</i>	[3 business days before confirmation hearing]
Filing Confirmation Affidavit or Declaration	[3 business days before confirmation hearing]
Filing Exhibit Register and Uploading Exhibits	[3 business days before confirmation hearing]
Filing Local Form <i>Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents</i> (individual cases only)	[3 business days before confirmation hearing]

4. **Plan Proponent's Obligations.**

- A. **Sending the Plan and Related Documents.** By the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, the plan proponent must:

⁵ [Submitting attorney must populate this table with the actual date for each deadline. If any date falls on a Saturday, Sunday, or legal holiday, the deadline should be the last business day before the Saturday, Sunday, or legal holiday.]

- (1) serve on the debtor, the trustee, the United States trustee, all creditors, all indenture trustees, and all equity security holders, as required by Fed. R. Bankr. P. 2002 and 3017:
 - (a) a copy of this order;
 - (b) the conditionally approved disclosure statement; and
 - (c) the plan; and
- (2) serve on all creditors and equity security holders entitled to vote on the plan a ballot for accepting or rejecting the plan (Official Form 314).

B. Plan Injunction. If, under the plan, an entity that is not a creditor or equity security holder is subject to an injunction against conduct not otherwise enjoined by the Bankruptcy Code, the plan proponent must also, by the deadline listed above for *Serving This Order, Disclosure Statement, Plan, and Ballots*, serve on those entities against whom the plan proponent seeks an injunction, as required by Fed. R. Bankr. P. 3017(f):

- (1) a copy of this order;
- (2) the conditionally approved disclosure statement; and
- (3) the plan.

C. Notice of Fee Applications. By the deadline listed above for *Filing and Serving Notice Summarizing All Fee Applications*, the plan proponent must prepare, file, and serve on the debtor, the trustee, the United States trustee, all creditors, and all indenture trustees, a notice summarizing all timely filed fee applications, as required by Fed. R. Bankr. P. 2002(a)(6). As required by Fed. R. Bankr. P. 2002(c)(2), the notice must identify the name of and the amount sought by each applicant.

D. Ballot Tabulation and Confirmation Certificate. By the deadline listed above for *Filing Local Form Chapter 11 Ballot Tabulation and Confirmation Certificate*, the plan proponent must file local form *Chapter 11 Ballot Tabulation and Confirmation Certificate*.

E. Confirmation Affidavit or Declaration. By the deadline listed above for *Filing Confirmation Affidavit or Declaration*, the plan

proponent must file an affidavit or declaration setting forth the facts on which the plan proponent relies to establish each applicable requirement of 11 U.S.C. § 1129. The affidavit or declaration should be prepared so that by reading it, the Court can easily understand the significant terms of the plan and other material facts relating to confirmation. The individual executing the affidavit or declaration must be present at the confirmation hearing, either in person if the Court requires the plan proponent and its counsel to attend the confirmation hearing in person, or via Zoom if the Court permits remote attendance at the confirmation hearing.

F. Individual Cases. In individual cases the plan proponent must file local form *Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents* by the deadline listed above for *Filing Local Form Individual Chapter 11 Debtor's Confirmation Certificate Regarding Payment of Domestic Support Obligations and Filing of Requested Tax Documents*.

G. Certificate of Service. The plan proponent must file a certificate of service, as required by Local Rule 9036-2, of this order and any other document required to be served by this order.

5. Notice to Creditors Whose Claim Has Been Objected To. If you receive a ballot but your entire claim has been objected to, you will not have the right to vote until the objection is resolved, unless you request an order under Fed. R. Bankr. P. 3018(a)(4) temporarily allowing your claim for voting purposes.

6. Fee Applications.

A. Filing and Service. To be considered at the confirmation hearing, an application for compensation under Fed. R. Bankr. P. 2016 must, by the deadline listed above for *Filing and Serving Fee Applications*, be filed and served on:

- (1) the debtor;
- (2) the plan proponent (if other than the debtor);
- (3) all committees that have been appointed;
- (4) any chapter 11 trustee or examiner that has been appointed; and

(5) the United States trustee.

B. Estimated Time and Supplements. If an applicant for final compensation seeks compensation for additional time and expenses to be incurred from the end of the application period through confirmation, the application must include a good faith estimate of additional time and expenses expected to be incurred. An application that includes an estimate of additional time and expenses must file a supplement before the confirmation hearing with documentation supporting the estimated time and expenses.

7. Evidence.

A. Exhibits and Exhibit Registers. The confirmation hearing is an evidentiary hearing even when confirmation is uncontested.⁶ Therefore, the plan proponent and any objecting party, if applicable, must file with the Court an *Exhibit Register* and upload any exhibits the plan proponent or objecting party intends to introduce into evidence at the confirmation hearing pursuant to Local Rule 9017-1, by the deadline listed above for *Filing Exhibit Register and Uploading Exhibits*.⁷ Notwithstanding Local Rule 9017-1(a)(3), however, any objection to the admissibility of any exhibit for the confirmation hearing need not be filed in advance and instead may be raised for the first time at the confirmation hearing.

B. Remote Witness Testimony. Any party wishing to present remote witness testimony must file by the deadline listed above for *Filing Motions Under Fed. R. Civ. P. 43(a)*, a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Fed. R. Bankr. P. 9017, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

8. Sanctions, Dismissal, or Conversion. If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the confirmation hearing without further notice, including dismissal, conversion of the case to chapter 7, or the striking of the plan. The Court will also consider dismissal or conversion at the

⁶ Under Fed. R. Bankr. P. 3020(b)(3), if no objection is timely filed, the court may, without receiving evidence, determine that the plan was proposed in good faith and not by any means forbidden by law.

⁷ Exhibit registers should include the final plan as it was served, the final disclosure statement as it was served, the confirmation affidavit or declaration, the ballot tabulation and confirmation certificate, the certificate of service of the solicitation package, LF-71 (individual cases only), and, if applicable, projections, and the liquidation analysis.

confirmation hearing at the request of any party in interest or on the Court's own motion.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

ORDER VACATING DISMISSAL
ORDER AND REINSTATING CHAPTER 13 CASE

This case came before the Court [without a hearing] [on the chapter 13 consent calendar on ____] [for hearing on ____] on the debtor's motion¹ under Fed. R. Bankr. P. 9024 and Fed. R. Civ. P. 60(b) seeking relief from the Court's [date] order dismissing this case.² Upon consideration of the motion[, the arguments at the hearing,] and the record in this case, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This Court's [date] order dismissing³ this case is **VACATED**.

¹ Dkt. No. ____.

² Dkt. No. ____.

³ Dkt. No. ____.

3. This case is **REINSTATED** effective upon entry of this order.
4. Under 11 U.S.C. § 362(c)(2)(B), the automatic stay under 11 U.S.C. § 362(a) terminated when this case was dismissed and was not in effect from that moment until entry of this order. Immediately upon entry of this order, the automatic stay under 11 U.S.C. § 362(a) is once again in effect.
5. If not already filed, the debtor must file all documents required by Fed. R. Bankr. P. 1007(b)(1) and (b)(6) within 14 days of entry of this order. Failure to comply with this requirement may result in dismissal of this case without further notice or hearing.
6. § 341 meeting of creditors (check one):
 - _____ a. This case was dismissed before the conclusion of the § 341 meeting of creditors. The Clerk of Court will therefore reschedule – and issue a new notice of the date of – the § 341 meeting of creditors.
 - _____ b. This case was dismissed after the conclusion of the § 341 meeting of creditors. No new § 341 meeting of creditors will be scheduled.
7. Deadline to file proof of claim (check one):
 - _____ a. This case was dismissed before the time to file a proof of claim expired. Under Local Rule 3002-1(b)(2), the new deadline to file a proof of claim is **70 days after entry of this order**.
 - _____ b. This case was dismissed after the deadline to file a proof of claim expired. No new deadline to file a proof of claim will be set.
8. Confirmation hearing (check one):
 - _____ a. This case was dismissed before the conclusion of the § 341 meeting of creditors. The Clerk of Court will therefore reschedule – and issue a new notice of the date of – the confirmation hearing.
 - _____ b. This case was dismissed after the conclusion of the § 341 meeting of creditors, but before or at the confirmation hearing. The confirmation hearing is rescheduled for [date and time] at [location].
 - _____ c. This case was dismissed after confirmation of a chapter 13 plan. No new confirmation hearing will be scheduled.

9. Deadline to object to discharge under 11 U.S.C. § 1328(f) (check one):

- _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 4004-1(a)(1), the new deadline to object to discharge is **60 days after the date of the rescheduled § 341 meeting of creditors.**
- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to object to discharge. Under Local Rule 4004-1(a)(2), the new deadline to object to discharge is **60 days after entry of this order.**
- _____ c. This case was dismissed after expiration of the deadline to object to discharge. No new deadline to object to discharge will be set.

10. Deadline to file a complaint to determine whether a debt is dischargeable under 11 U.S.C. § 523(a)(2) or (4) (check one):

- _____ a. This case was dismissed before the date first set for the § 341 meeting of creditors. Under Local Rule 4007-1(a)(1), the new deadline to file a complaint to determine whether a debt is dischargeable is **60 days after the date of the rescheduled § 341 meeting of creditors.**
- _____ b. This case was dismissed after the date first set for the § 341 meeting of creditors, but before expiration of the deadline to file a complaint to determine whether a debt is dischargeable. Under Local Rule 4007-1(a)(2), the new deadline to file a complaint to determine whether a debt is dischargeable is **60 days after entry of this order.**
- _____ c. This case was dismissed after expiration of the deadline to file a complaint to determine whether a debt is dischargeable. No new deadline to file a complaint to determine whether a debt is dischargeable will be set.

###

Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

[Submitting attorney] must serve a copy of this order on all creditors, all indenture trustees, and the United States trustee, and file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**DEBTOR CERTIFICATE OF COMPLIANCE AND
REQUEST FOR CONFIRMATION OF CHAPTER 13 PLAN**

As required by 11 U.S.C. § 1325(a)(8) and (a)(9), and Local Rule 3015-1(d)(2), the debtor certifies as follows:

1. Payment of domestic support obligations (check one):

_____ a. Since the filing of this bankruptcy case, the debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation as defined in 11 U.S.C. § 101(14A).

_____ b. The debtor has paid, either directly or to the chapter 13 trustee under the last filed plan, all amounts that are required to be paid under a domestic support obligation and that first became payable after the petition date, if the debtor is required by a judicial or administrative order, or by statute, to pay such domestic support obligation.

2. The debtor has filed all federal, state, and local tax returns required by law to be filed under 11 U.S.C. § 1308 for all taxable periods ending during the four-year period ending on the date of the filing of the petition commencing this bankruptcy case.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____ /

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. yy-yyyyy-yyy

DEFENDANT'S NAME,

Defendant.

_____ /

**ORDER SETTING FILING AND DISCLOSURE
REQUIREMENTS FOR PRETRIAL AND TRIAL**

To expedite and facilitate the trial of this adversary proceeding, in accordance with Fed. R. Civ. P. 16, made applicable here by Fed. R. Bankr. P. 7016, after having held a scheduling conference, it is

ORDERED as follows:

1. **ATTENDANCE AT PRETRIAL CONFERENCE.** Unless judgment has been entered or the Court advises the parties that the pretrial conference has been continued or canceled, counsel for all parties (or the parties themselves, if unrepresented) must appear at the pretrial conference.
2. **PRETRIAL CONFERENCE DATE AND TRIAL DATE.** The pretrial conference will be held at:

Date:

Time:

Location:

At the pretrial conference, the Court will set the trial of this adversary proceeding.

3. **CONTINUANCES.** Continuances of the pretrial conference or trial or any deadlines set forth in this order must be requested by written motion. Any request for continuance or amendment to this order must set forth the status of discovery, including exchange of disclosures required under this order, must state the reasons why the party or parties seek a continuance, and must state whether the client and the other parties consent to a continuance. The stipulation of all parties is not sufficient grounds, standing alone, for a continuance.
4. **DEADLINES TO JOIN ADDITIONAL PARTIES AND TO MOVE TO AMEND PLEADINGS.** Unless otherwise ordered, the deadlines to join additional parties and to file motions to amend the pleadings are **[14]¹ days** before the pretrial conference.
5. **DEADLINES FOR DISPOSITIVE AND OTHER PRETRIAL MOTIONS.** The deadlines for filing motions for judgment on the pleadings, motions for summary judgment, motions in limine, and Fed. R. Evid. 702 motions are **[14]¹ days** before the pretrial conference. Absent good cause, failure to file and serve such a motion in a timely manner constitutes waiver of the right to do so. All dispositive motions, responses, and replies must comply with the page limits set forth in the *Order Setting Scheduling Conference and Establishing Procedures and Deadlines*. Any motion for summary judgment must also comply with paragraph 8 of the *Order Setting Scheduling Conference and*

¹ All bracketed deadlines in this local form are the default and minimum deadlines required by the Court. The parties may, however, propose any other reasonable deadlines, subject to Court approval at the Scheduling Conference.

Establishing Procedures and Deadlines, including the requirement to file a separate Statement of Material Facts.

6. **DISCLOSURES.** The disclosures required by Fed. R. Civ. P. Rules 26(a)(1), 26(a)(2), and 26(a)(3)(A) must be made by the following deadlines:
 - a. The initial disclosures required by Fed. R. Civ. P. 26(a)(1), must be made not later than **[14] days** after entry of this Order.
 - b. The disclosures of expert testimony under Fed. R. Civ. P. 26(a)(2), must be made (i) at least **[60] days** before the pretrial conference or (ii) within **[14] days** after an opposing party's disclosure of evidence that gives rise to the need for the expert, whichever is later. The party disclosing an expert witness must, within **[14] days** of the disclosure, provide to each opposing party a written report prepared and signed by the witness as required by Fed. R. Civ. P. 26(a)(2)(B), or, if a report is not required, the disclosure required by Fed. R. Civ. P. 26(a)(2)(C).
 - c. The pretrial disclosures under Fed. R. Civ. P. 26(a)(3)(A), must be made no later than **one business day** before the pretrial conference.
 - d. All disclosures under Fed. R. Civ. P. 26(a)(1), 26(a)(2), and 26(a)(3)(A), must be made in writing, signed, and served, but must not be filed with the Court unless ordered otherwise. Within one business day after making each disclosure required by Rule 26(a), the disclosing party must then file with the Court a notice of service of the disclosure.
7. **SUMMARIES TO PROVE CONTENT.** If any party intends to offer in evidence at trial a summary, chart or calculation to prove content as permitted by Fed. R. Evid. 1006, that party must provide to the other parties a notice of the locations of the books, records, and the like, from which each summary has been made, and the reasonable times when they may be inspected and copied by adverse parties, as soon as practicable but in no event later than **seven days** before the pretrial conference.
8. **DISCOVERY.** The parties must complete discovery not later than **[14] days** before the pretrial conference, except that any previously scheduled depositions may be completed up to one business day before the pretrial conference. The Court will allow discovery after the pretrial conference only upon a showing of good cause.

9. **JOINT PRETRIAL STIPULATION WHERE ALL PARTIES REPRESENTED BY COUNSEL.** If any party is not represented by counsel in this proceeding as of the date of entry of this Order, this paragraph will not apply. All parties to this proceeding must meet (in person, if geographically feasible, and otherwise by video conference or by telephone) not later than **14 days** before the pretrial conference to confer on the preparation of a joint pretrial stipulation. The joint pretrial stipulation must:
- (a) state the facts that are admitted and require no proof at trial;
 - (b) state the issues of material fact that are disputed and remain to be litigated;
 - (c) state the issues of law on which the parties agree;
 - (d) state the issues of law that are disputed;
 - (e) list of each party's witnesses, including their names and addresses, together with a designation of those witnesses whose testimony is expected to be presented by deposition;
 - (f) certify that all discovery has been completed; and
 - (g) state the estimated length of trial.

The plaintiff must file the fully executed joint pretrial stipulation no later than **one business day** before the pretrial conference. The Court will not accept – and may strike – any unilateral statements. Failure of any party to cooperate in preparing a joint pretrial stipulation may result in sanctions.

10. **SUBMISSION AND EXCHANGE OF EXHIBITS.**

- a. All parties must comply with the requirements for exhibits set forth in Local Rule 9017-1.
- b. **OBJECTIONS TO EXHIBITS.** An objection to the admissibility of a proposed exhibit – other than under Federal Rule of Evidence 402 or 403, which may be raised at the time an exhibit is offered into evidence – must be filed by **4:00 p.m. two business days** before the trial. An objection must: (i) identify the exhibit; (ii) state the basis for the objection; and (iii) provide a citation to case law or other authority in support of the objection. Absent good cause, failure to timely object waives any objection to an exhibit's admissibility.

11. **PRESENTATION OF EXHIBITS DURING TRIAL.** The parties are strongly encouraged to use the Court's information technology equipment to show exhibits at trial. The parties are further encouraged to contact the courtroom deputy in advance of the trial for access to the equipment to ensure counsel can properly use the equipment at trial. Unless otherwise ordered, each party must bring at least one paper copy of its exhibit register for the Court's use, and at least two hard-copy books of all its exhibits, for witnesses and the Court.
12. **FINAL ARGUMENT.** At the conclusion of the trial, in lieu of final argument, the Court may request that each party file with the Court (a) a written closing statement with supporting legal argument or (b) a proposed memorandum opinion with findings of fact and conclusions of law with a separate proposed final judgment. Each submission must contain individually numbered paragraphs and follow the formatting requirements set forth in Part One of the Court's *Guidelines for Preparing, Submitting, and Serving Orders*. Each proposed finding of fact must be supported by a citation to the record, or it will be disregarded. Each proposed conclusion of law must be supported by a citation to applicable law, or it will be disregarded. Unless the Court directs otherwise, submissions may not exceed twenty pages.
13. **FAILURE TO ATTEND PRETRIAL CONFERENCE; SANCTIONS.** Failure to comply with any provision of this order or failure to appear at the pretrial conference may result in appropriate sanctions, including the award of attorney's fees, striking of pleadings, dismissal of the action, or entry of default judgment.

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on any party that is not represented by a registered user of CM/ECF and must file a certificate of service if required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**APPLICATION FOR COMPENSATION FOR
PROFESSIONAL SERVICES OR REIMBURSEMENT
OF EXPENSES BY ATTORNEY FOR CHAPTER 13 DEBTOR**

_____, as counsel for the chapter 13 debtor, requests under 11 U.S.C. § 330(a)(4)(B), Fed. R. Bankr. P. 2016(a), Local Rule 2016-1(d), and the Court's *Guidelines for Compensation for Professional Services or Reimbursement of Expenses by Attorneys for Chapter 13 Debtors*, allowance of the following compensation for representing the debtor's interests in connection with this bankruptcy case:

Total fees requested: \$ _____

Total expenses requested to be reimbursed: \$ _____

Amount received to date (exclusive of filing fees): \$ _____

Amount to be paid through plan: \$ _____

1. If allowed, the amount requested will be paid under the terms of the plan.

2. A copy of the retainer agreement is attached as **Exhibit A**.

3. A detailed itemization of the services rendered to date and corresponding time entries is attached as **Exhibit B**.

4. I estimate that I will be required to expend an additional ____ hours to provide the following legal services in representing the debtor's interests in connection with this bankruptcy case: [insert explanation].

5. The following is a short statement describing any unusual, challenging, or unique aspects of this case that resulted in or will result in a request for compensation or reimbursement of expenses in excess of the limits set forth in paragraph (A) of the Court's *Guidelines for Compensation for Professional Services or Reimbursement of Expenses by Attorneys for Chapter 13 Debtors*: [insert explanation].

6. I have not shared or agreed to share any compensation received in connection with this bankruptcy case with any person or entity other than a member or regular associate of my firm. (If any sharing arrangement exists, it must be disclosed and described in this paragraph.)

[Date]

[Attorney signature and signature block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**INDIVIDUAL CHAPTER 11 DEBTOR'S CONFIRMATION
CERTIFICATE REGARDING PAYMENT OF DOMESTIC SUPPORT
OBLIGATIONS AND FILING OF REQUESTED TAX DOCUMENTS**

As required by Local Rule 3020-1(c), the debtor certifies that:

1. Payment of domestic support obligations (check one):

_____ a. Since the filing of this bankruptcy case, the debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation, as that term is defined in 11 U.S.C. §101(14A).

_____ b. As required by 11 U.S.C. § 1129(a)(14), the debtor has paid all amounts that are required to be paid under a domestic support obligation and that first became payable after the petition date, if the debtor is required by a judicial or administrative order, or by statute, to pay such domestic support obligation.

2. All requested tax documents have been filed with the court as required by section 1228(b) of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. No. 109–8, 119 Stat. 23.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 12

_____/

**INDIVIDUAL CHAPTER 12 DEBTOR'S CONFIRMATION CERTIFICATE
REGARDING PAYMENT OF DOMESTIC SUPPORT OBLIGATIONS**

As required by Local Rule 3015-1(d)(1), the debtor certifies that (check one):

- _____ 1. Since the filing of this bankruptcy case, the debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation, as that term is defined in 11 U.S.C. §101(14A).
- _____ 2. As required by 11 U.S.C. § 1225(a)(7), the debtor has paid all amounts that are required to be paid under a domestic support obligation and that first became payable after the petition date, if the debtor is required by a judicial or administrative order, or by statute, to pay such domestic support obligation.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
www.flsb.uscourt.gov

**COVER SHEET TO ACCOMPANY NONELECTRONIC DOCUMENTS
SUBMITTED FOR SEALING OR IN CAMERA REVIEW**

INSTRUCTIONS: Items I through III must be completed by the party filer submitting an item for sealing or review. Conventionally filed documents must be placed in a securely sealed envelope clearly marked with the warning **DOCUMENT UNDER SEAL** or **HIGHLY SENSITIVE DOCUMENT**. Compliance with this provision is required.

I. CASE INFORMATION:

Case Number: _____ Chapter: _____

Name of Bankruptcy Case or Adversary Proceeding: _____

II. FILING INFORMATION:

Name of Filing Party: _____

Address of Filing Party: _____

Phone Number of Filing Party: _____

Filed on behalf of: _____

III. TYPE OF SUBMISSION (check all that apply):

☐ Sealed Document with: ☐ Unsealed Motion to Seal ☐ Sealed Motion to Seal

☐ Sealed Document pursuant to court order entered on: _____
Docket Entry # _____

[If conventionally filed, must attach a copy of order authorizing sealing, unless order is sealed]

☐ In Camera (Judicial) Review

☐ Highly Sensitive Document (HSD)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
www.flsb.uscourts.gov

**NOTICE TO DEFENDANT OF RIGHT AGAINST
GARNISHMENT OF WAGES, MONEY, AND OTHER PROPERTY**

The Writ of Garnishment delivered to you with this Notice means that wages, money, and other property belonging to you have been garnished to pay a court judgment against you. **HOWEVER, YOU MAY BE ABLE TO KEEP OR RECOVER YOUR WAGES, MONEY, OR PROPERTY. READ THIS NOTICE CAREFULLY.**

State and federal laws provide that certain wages, money, and property, even if deposited in a bank, savings and loan, or credit union, may not be taken to pay certain types of court judgments. Such wages, money, and property are exempt from garnishment. The major exemptions are listed below on the form for Claim of Exemption and Request for Hearing. This list does not include all possible exemptions. You should consult a lawyer for specific advice.

IF AN EXEMPTION FROM GARNISHMENT APPLIES TO YOU AND YOU WANT TO KEEP YOUR WAGES, MONEY, AND OTHER PROPERTY FROM BEING GARNISHED, OR TO RECOVER ANYTHING ALREADY TAKEN, YOU MUST COMPLETE A FORM FOR CLAIM OF EXEMPTION AND REQUEST FOR HEARING AS SET FORTH BELOW AND HAVE THE FORM NOTARIZED. IF YOU HAVE A VALID EXEMPTION, YOU MUST FILE THE FORM WITH THE CLERK'S OFFICE WITHIN 20 DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE OR YOU MAY LOSE IMPORTANT RIGHTS. YOU MUST ALSO MAIL OR DELIVER A COPY OF THIS FORM TO THE PLAINTIFF OR THE PLAINTIFF'S ATTORNEY AND THE GARNISHEE OR THE GARNISHEE'S ATTORNEY AT THE ADDRESSES LISTED ON THE WRIT OF GARNISHMENT. NOTE THAT THE FORM REQUIRES YOU TO COMPLETE A CERTIFICATION THAT YOU MAILED OR HAND DELIVERED COPIES TO THE PLAINTIFF OR THE PLAINTIFF'S ATTORNEY AND THE GARNISHEE OR THE GARNISHEE'S ATTORNEY.

If you request a hearing, it will be held as soon as possible after your request is received by the court. The plaintiff or the plaintiff's attorney must file any objection within 8 business days if you hand delivered to the plaintiff or the plaintiff's attorney a copy of the form for Claim of Exemption and Request for Hearing or, alternatively, 14 business days if you mailed a copy of the form for claim and request to the plaintiff or the plaintiff's attorney. If the plaintiff or the plaintiff's attorney files an objection to your Claim of Exemption and Request for Hearing, the clerk will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney. If the plaintiff or the plaintiff's attorney fails to file an objection, no hearing is required, the writ of garnishment will be dissolved and your wages, money, or property will be released.

IF YOU HAVE A VALID EXEMPTION, YOU SHOULD FILE THE FORM FOR CLAIM OF EXEMPTION IMMEDIATELY TO KEEP YOUR WAGES, MONEY, OR PROPERTY FROM BEING APPLIED TO THE COURT JUDGMENT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED LEGAL ASSISTANCE YOU SHOULD SEE A LAWYER. IF YOU CANNOT AFFORD A PRIVATE LAWYER, LEGAL SERVICES MAY BE AVAILABLE. CONTACT YOUR LOCAL BAR ASSOCIATION OR ASK THE CLERK'S OFFICE ABOUT ANY LEGAL SERVICES PROGRAM IN YOUR AREA.

Under Fla. Stat. § 77.041(2), the plaintiff must mail, by first class, a copy of the writ of garnishment, a copy of the motion for writ of garnishment, and, if the defendant is an individual, this *Notice to Defendant of Right Against Garnishment of Wages, Money, and Other Property* to the defendant's last known address within 5 business days after the writ is issued or 3 business days after the writ is served on the garnishee, whichever is later. However, if such documents are returned as undeliverable by the post office, or if the last known address is not discoverable after diligent search, the plaintiff must mail, by first class, the documents to the defendant at the defendant's place of employment. The plaintiff shall file in the proceeding a certificate of such service.

Under Fla. Stat. § 77.041(3) and Local Rule 7069-1(a)(2), a timely claim of exemption filed with the Court will be set for hearing. If the plaintiff or the plaintiff's attorney does not file a sworn written statement that answers the defendant's claim of exemption within 8 business days after hand delivering the claim and request or, alternatively, 14 business days if the claim and request were served by mail, no hearing is required and the clerk must automatically dissolve the writ and notify the parties of the dissolution by mail.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

PLAINTIFF'S NAME,

Plaintiff,

v.

Adv. No. xx-xxxxx-xxx

DEFENDANT'S NAME,

Defendant.

CLAIM OF EXEMPTION AND REQUEST FOR HEARING

I claim exemptions from garnishment under the following categories as checked:

- _____ 1. Head of family wages. (Check either a. or b. below, if applicable.)
- _____ a. I provide more than one-half of the support for a child or other dependent and have net earnings of \$750 or less per week.
- _____ b. I provide more than one-half of the support for a child or other dependent, have net earnings of more than \$750 per week, but have not agreed in writing to have my wages garnished.
- _____ 2. Social Security benefits.
- _____ 3. Supplemental Security Income benefits.
- _____ 4. Public assistance (welfare).
- _____ 5. Workers' Compensation.
- _____ 6. Reemployment assistance or unemployment compensation.
- _____ 7. Veterans' benefits.
- _____ 8. Retirement or profit-sharing benefits or pension money.

- _____ 9. Life insurance benefits or cash surrender value of a life insurance policy or proceeds of annuity contract.
- _____ 10. Disability income benefits.
- _____ 11. Prepaid College Trust Fund or Medical Savings Account.
- _____ 12. Other exemptions as provided by law (explain):

I request a hearing to decide the validity of my claim. Notice of the hearing should be given to me at:

Address: _____.

Telephone number: _____.

I CERTIFY UNDER OATH AND PENALTY OF PERJURY that a copy of this CLAIM OF EXEMPTION AND REQUEST FOR HEARING has been furnished by (circle one) United States mail or hand delivery on [date], to: [names and addresses of plaintiff or plaintiff's attorney and of garnishee or garnishee's attorney to whom this document was furnished].

I FURTHER CERTIFY UNDER OATH AND PENALTY OF PERJURY that the statements made in this request are true to the best of my knowledge and belief.

Defendant's signature

Date

STATE OF FLORIDA

COUNTY OF _____

Sworn and subscribed to before me this ____ **day of** _____ (month and year), **by** _____ (name of person making statement).

Notary Public/Deputy Clerk

_____ Personally Known

or

_____ Produced Identification

Type of Identification Produced: _____

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____ /

**AGREED ORDER REQUIRING EMPLOYER TO
DEDUCT AND REMIT FUNDS TO CHAPTER 13 TRUSTEE**

To:

(Employer name)

(Employer address)

(Employer city, state, ZIP)

The individual named above (the debtor) has filed a voluntary petition under chapter 13 of the Bankruptcy Code and has filed a plan to repay creditors. The plan provides for the submission of all or such portion of future earnings or other future

income of the debtor to the supervision and control of the chapter 13 trustee as is necessary for the execution of the plan. If the plan is confirmed, the chapter 13 trustee will then distribute payments to creditors in accordance with the plan. 11 U.S.C. § 1325(c) provides that after confirmation of a plan, the court may order any entity from whom the debtor receives income to pay all or any part of such income to the trustee. Accordingly, it is

ORDERED that:

1. The employer must immediately begin withholding from wages, salary, commission, or other earnings or income of the debtor \$ _____ per month and remit this amount by check (with the debtor's name and case number indicated on the check) payable to the following chapter 13 trustee:

- ☐ Robin R. Weiner, P.O. Box 2258, Memphis, TN 38101-2258.
- ☐ Nancy K. Neidich, P.O. Box 2099, Memphis, TN 38101-2099.

2. The employer may not terminate the employment of, or discriminate with respect to employment against, the debtor solely because the debtor (a) is or has been a debtor under the Bankruptcy Code; (b) has been insolvent before the commencement of a case under the Bankruptcy Code or during the case but before the grant or denial of a discharge; or (c) has not paid a debt that is dischargeable in a case under the Bankruptcy Code.

3. The automatic stay of 11 U.S.C. § 362(a) prohibits the employer from honoring a writ of garnishment unless it is for the payment of a domestic support obligation under a judicial or administrative order or a statute. Any funds deducted from the debtor's wages, salary, commission, or other earnings due to a writ of garnishment (unless it is for the payment of a domestic support obligation under a judicial or administrative order or a statute) – but not yet remitted to the garnishor – instead must immediately be remitted to the chapter 13 trustee.

4. This order supersedes any previous garnishment or other order to withhold the debtor's income, except for one with respect to the withholding of income for payment of a domestic support obligation under a judicial or administrative order or a statute. Any order with respect to the withholding of income for payment of a domestic support obligation under a judicial or administrative order or a statute remains in full force and effect.

5. The debtor must serve a copy of this order on the employer.

6. This order is effective immediately upon service and will remain in full force and effect until (a) modified, suspended, or terminated, either in writing by the debtor or by further court order; (b) dismissal of this bankruptcy case; (c) conversion

of this bankruptcy case to a case under chapter 7 of the Bankruptcy Code, or (d) the court grants the debtor a discharge.

#

Agreed to by:

Debtor:

[Debtor's name]
[Debtor's address]
[Debtor's city, state and zip code]
[Debtor's telephone number]
[Debtor's email address]

Debtor's Attorney:

[Attorney's name]
[Attorney's address]
[Attorney's city, state and zip code]
[Attorney's telephone number]
[Attorney's email address]

Submitted by:

[Submitting attorney name]
[Law firm name]
[Mailing address]
[Phone number]
[Email address]

[Submitting attorney] must serve a copy of this order on the employer and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**NOTICE OF COMPLIANCE BY ATTORNEY FOR DEBTOR
WITH LOCAL RULE 4002-2 CLAIMS REVIEW REQUIREMENT**

The undersigned attorney for the debtor has reviewed all filed claims as required by Local Rule 4002-2. As a result of that review:

1. ☐ No further action is necessary.
2. The following actions have been taken:
 - ☐ The debtor has filed an objection to the proof of claim filed by _____.
 - ☐ The debtor has filed a [_____] amended plan or modified plan to provide for the proof of claim filed by _____.
 - ☐ Other: [explain].

Dated: _____

[Signature and signature block]

[Certificate of Service]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**MOTION TO VALUE COLLATERAL AND DETERMINE THE
AMOUNT OF A CLAIM SECURED BY A LIEN ON REAL PROPERTY**

IMPORTANT NOTICE TO CREDITORS:

THIS MOTION SEEKS TO VALUE THE COLLATERAL SECURING THE CLAIM LISTED BELOW. IF YOU DISPUTE THE VALUE ALLEGED OR THE PROPOSED TREATMENT OF YOUR CLAIM, YOU MUST FILE A WRITTEN OBJECTION NO LATER THAN TWO BUSINESS DAYS BEFORE THE SCHEDULED HEARING.

If you have not filed a proof of claim, you have until the later of the claims bar date or 21 days from the date this motion was served on you to file a proof of claim. Failure to timely file a proof of claim will result in waiver of the right to payment on any unsecured claim to which you might otherwise have been entitled.

1. The debtor seeks to value real property securing the claim of [lien holder's name] ("Creditor") pursuant to 11 U.S.C. § 506(a) and Federal Rule of Bankruptcy Procedure 3012.

2. **Collateral:**

Creditor holds a mortgage recorded on [date] at OR Book ____ Page ____ in the official records of _____ County, Florida. The real property is located at [address] and has the following legal description:

[legal description]

3. **Value of Real Property:**

As of the petition date, the value of the real property is \$_____, based on [insert method of valuation].

4. **Senior Liens:**

The following creditors hold liens on the real property senior in priority to Creditor, securing claims in the aggregate amount of \$_____:

[list entities holding senior liens]

5. **Value of Creditor's Secured Claim (select only one):**

___ Creditor's claim is secured only by a security interest in real property that is the debtor's principal residence. Because there is no equity in the real property above the value of the claims secured by liens senior to that of Creditor, the value of Creditor's secured claim is \$0.00.

___ Creditor's claim is not secured only by a security interest in real property that is the debtor's principal residence. There is \$_____ in value in the real property above the value of the claims secured by liens senior to that of Creditor. Accordingly, Creditor's claim is a secured claim in the amount of \$_____.

6. **Treatment of claim (select only one):**

___ Creditor has not filed a proof of claim. The trustee will not disburse any payments to Creditor unless a proof of claim is timely filed. If Creditor timely files a proof of claim, Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 5, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim.

___ Creditor filed a proof of claim. Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 5, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim.

7. The debtor may not sell or refinance the real property without a court order after notice to creditors.

8. This motion and the notice of hearing on this motion will be served on Creditor as if it were a summons and complaint under Federal Rule of Bankruptcy Procedure 7004, at least 21 days before the hearing date. The movant will then file a certificate of service of the motion and the notice of hearing.

[If the motion seeks to strip off the lien] WHEREFORE, the debtor respectfully requests that the Court (a) determine the value of the real property securing Creditor's claim to be the value listed in paragraph 3; (b) determine the value of Creditor's secured claim to be the value set forth in paragraph 5; (c) determine the

treatment of Creditor's claim as set forth in paragraph 6; (d) determine that because the value of Creditor's interest in the estate's interest in the real property is \$0.00, upon entry of a discharge under 11 U.S.C. § 1328 and without further Court order, Creditor's mortgage on the real property will be void and automatically extinguished; and (e) grant such other relief as justice and equity require.

[If the motion seeks to strip down the lien] WHEREFORE, the debtor respectfully requests that the Court (a) determine the value of the real property securing Creditor's claim to be the value listed in paragraph 3; (b) determine the value of Creditor's secured claim to be the value set forth in paragraph 5; (c) determine the treatment of Creditor's claim as set forth in paragraph 6; (d) determine that because the value of Creditor's interest in the estate's interest in the real property is \$_____, upon entry of a discharge under 11 U.S.C. § 1328 and without further Court order, Creditor's mortgage on the real property will be secured only to the extent of this amount less any payments made on this debt during this chapter 13 case; and (e) grant such other relief as justice and equity require.

Dated: _____

[Signature and signature block]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

In re: _____ Debtor(s) Case No. _____
Joint debtors who each request enrollment or already have a DeBN account **MUST file separate forms*

**DEBTOR'S REQUEST TO RECEIVE NOTICES ELECTRONICALLY
UNDER DeBN PROGRAM**

☐ **NEW ACTIVATION REQUEST:** (Check this box to begin receiving notices and orders from the U.S. Bankruptcy Court via email)

Pursuant to Federal Bankruptcy Rule 9036, I hereby voluntarily request receipt of court notices and orders by email, instead of U.S. mail, from the Bankruptcy Noticing Center (BNC) through the U.S. Bankruptcy Court's Debtor Electronic Bankruptcy Noticing (DeBN) program, and I may file a request to deactivate my account at any time;

I understand this request is limited to receipt of **ONLY** notices and orders served by the clerk of the U.S. Bankruptcy Court, and that I will continue to receive documents served by all other parties (trustee, creditors, or other), via U.S. mail or in person pursuant to court rules;

I understand once this request is filed with the court the clerk will immediately activate my DeBN account and I will receive electronic service of any documents served in any prior, current or future bankruptcy or adversary case from any bankruptcy court district in which I am listed with the same name and address, including cases where I am listed as a creditor;

I understand my email address will appear in the public court record on Certificates of Mailing filed with the court by the BNC;

I understand the first time the BNC receives an email bounce-back (undeliverable email), my DeBN account will be automatically disabled. I will then receive notices and orders via U.S. mail, and I must file an updated **Debtor's Request to Receive Notices Electronically Under DeBN Program** form if I wish to reactivate my account; and

I understand if I already have an active electronic noticing (EBN) account with the BNC, this DeBN request will deactivate that account, but I will continue to receive those notices I received under the EBN program under my new DeBN program registration.

NOTE: If you currently have an active DeBN account in another court with the same name and mailing address, **DO NOT** complete this form.

☐ **UPDATE ACCOUNT INFORMATION:** (Check this box to make changes to your existing DeBN account)

I request the following update(s) to my DeBN account:

- ☐ I have a new email address as indicated below.
- ☐ I filed a new bankruptcy case, and I have an existing DeBN account. Please review my account to ensure my name and address in my account match this new case.
- ☐ I request reactivation of my DeBN account so that I may receive court notices and orders via email, instead of U.S. mail.

☐

REQUEST TO DEACTIVATE ELECTRONIC NOTICING: (Check this box to request deactivation of your DeBN account)

I request deactivation of my DeBN account. I understand that by deactivating my account, I will begin receiving notices and orders filed by the U.S. Bankruptcy Court via U.S. mail, instead of email.

[Request must be filed in court that activated the account]

I understand that I will continue to receive electronic notices until such time as the Court has deactivated my account.

Under penalty of perjury, I certify that I am a debtor in this bankruptcy case, or the debtor's authorized representative if the debtor is a business, and I have read the applicable section check-marked above and understand and agree to the terms and conditions set forth therein. Neither the U.S. Bankruptcy Court nor the BNC bears any liability for errors resulting from the information I have submitted on this form.

Signature:_____ **Date:**_____

Printed Name (and title if a corporation or partnership):_____

Email Address (type or print clearly):_____

[Required identification: Must provide a valid government-issued photo identification when filing this form in person or by mail]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**ORDER GRANTING MOTION UNDER RULE 3002.1(g)(4) TO
DETERMINE FINAL CURE AND PAYMENT OF THE MORTGAGE CLAIM**

The [trustee's] [debtor's] *Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of the Mortgage Claim*¹ came before the Court on the chapter 13 consent calendar on [date]. [Claim holder], the claim holder, [did not respond to the motion] [filed a response agreeing with the facts set forth in the motion]. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. The debtor has cured all arrearages, if any, and paid all postpetition amounts required by the plan to be made as of the date of the motion, [date].

¹ Dkt. No. ____.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the claim holder and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**ORDER GRANTING MOTION UNDER RULE 3002.1(f)(1)
TO DETERMINE THE STATUS OF THE MORTGAGE CLAIM**

The [trustee's] [debtor's] *Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim*¹ came before the Court on the chapter 13 consent calendar on [date]. [Claim holder], the claim holder, [did not respond to the motion] [filed a response agreeing with the facts set forth in the motion]. Accordingly, it is

ORDERED that:

1. The motion is **GRANTED**.
2. All payments required by the plan to be made as of the date of the motion, [date], have been made.

###

¹ Dkt. No. ____.

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the claim holder and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
www.flsb.uscourts.gov

PLEASE REPLY
TO:

- ☐ 301 N. Miami Ave., Room 150, Miami, FL 33128, (305) 714-1800
- ☐ 299 E. Broward Blvd., Room 112, Ft. Lauderdale, FL 33301, (954) 769-5700
- ☐ 1515 North Flagler Drive, Room 801, West Palm Beach, FL 33401, (561) 514-4100

ARCHIVES REQUEST FORM

**This form is ONLY to request archived case or adversary proceedings
from the Federal Records Center in Ellenwood, Georgia.**

Files ordered by the Clerk's Office are usually received within two weeks. There is a \$70.00 retrieval fee for the first box; each additional box is \$43.00, and all fees are payable in advance. Make checks or money orders payable to "Clerk, U.S. Courts" (cash is not accepted). Requestors will be notified via telephone or email upon receipt, and requestors will have 10 days to examine and obtain copies/certifications (additional costs apply). Files are returned to the Federal Records Center two weeks after arrival.

SmartScan is an expedient service in which clerk's office retrieves electronic document(s) for you. If the document is 100 pages or less, is not sealed or restricted, and does not require certification, it may be emailed from the clerk's office to the requester in PDF format. The service *per document* costs \$11.00 (Judiciary Administrative Fee) + \$9.90 (FRC Fee) + \$ 0.65 per PDF page. If your request is available through SmartScan, the clerk's office will advise of the exact amount owed before processing the retrieval. Do not send payment prior to the Clerk's Office contacting you with the exact amount owed.

SECTION A: TO BE COMPLETED BY REQUESTOR (Please Print)

Requestor's Name: _____ Date: _____
Address: _____ Phone: _____
_____ Email: _____
Case or Adv. No.: _____ Debtor Name or Case Caption: _____

SmartScan ☐ Yes ☐ No

[If needed, obtain a PACER account at www.pacer.gov to search court records for the data below. PACER query fees may apply.]

List each Docket and/or Claim Number requested and description. *Requests with missing numbers will not be accepted.*

SECTION B: FOR CLERK'S OFFICE USE ONLY

Accession # 021 - _____ Loc. # _____ Box # _____ SmartScan ☐ Yes ☐ No
Request verified by _____ Date _____ / _____ / _____ Amount Paid \$ _____ Receipt # _____ Clerk _____
Express Acct# _____ Requested from FRC _____ / _____ / _____ by _____ RMS changed ☐
Date Rec'd _____ / _____ / _____ Notified via ☐ Email ☐ telephone ☐ forward to _____
division

Request No. _____

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter __

_____ /

SUMMARY OF [[NUMBER] INTERIM] [FINAL] FEE APPLICATION OF [APPLICANT]

1. Name of applicant:	
2. Role of applicant:	
3. Name of certifying professional:	
4. Date case filed:	
5. Date of retention order:	
IF INTERIM APPLICATION, COMPLETE 6, 7 AND 8:	
6. Period for this application:	
7. Amount of compensation sought:	
8. Amount of expense reimbursement sought:	
IF FINAL APPLICATION, COMPLETE 9 AND 10:	
9. Total amount of compensation sought during case:	
10. Total amount of expense reimbursement sought during case:	
11. Amount of original retainer: ¹	
12. Current balance of retainer remaining:	
13. Last monthly operating report filed:	
14. Current cash balance in the estate:	

¹ Disclose both any fee retainer and any expense retainer received.

[[NUMBER] INTERIM] [FINAL] FEE APPLICATION OF [APPLICANT]

Applicant, [name], pursuant to 11 U.S.C. § [330] [§331] and Fed. R. Bankr. P. 2016(a) seeks from the estate [final] [interim] compensation for services in the amount of \$[_____] and reimbursement of expenses in the amount of \$[_____]. The following exhibits are attached in support of this application:

- | | |
|------------|--|
| Exhibit 1 | Fee application summary chart |
| Exhibit 2A | Summary of professional and paraprofessional time by individual |
| Exhibit 2B | Summary of professional and paraprofessional time by activity category |
| Exhibit 3 | Summary of expense reimbursements requested |
| Exhibit 4 | Complete time records itemized to the tenth of an hour, in chronological order by activity category, for this period |

Under 11 U.S.C. § 330(a)(1)(B), the expenses for which reimbursement is sought were actual, necessary expenses. Under 11 U.S.C. § 330(a)(1)(A) and (a)(3), the requested compensation is for actual, necessary services, and is reasonable considering the nature, the extent, and the value of such services, taking into account all relevant factors, including—

- (A) the time spent on such services;
- (B) the rates charged for such services;
- (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title;
- (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed;
- (E) with respect to a professional person, whether the person is board certified or otherwise has demonstrated skill and experience in the bankruptcy field; and
- (F) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.

Description and Summary of Services Rendered

[Provide a narrative of the significant events in the case during the application period. Include a brief description of the services performed for each activity category during the application period, explain how these services benefitted the estate, and note the total hours and total fees for each category described. The narrative must also address the factors listed in 11 U.S.C. § 330(a)(3).]

WHEREFORE, [name] seeks [an interim] [a final] award of compensation for services in the amount of \$[_____] and reimbursement of expenses in the amount of \$[_____].

Dated: _____

[Signature and signature block]

[Certificate of Service]

Exhibit 1

FEE APPLICATION SUMMARY CHART

[illegible]

Exhibit 2A

Summary² of Professional and Paraprofessional Time by Individual

Timekeeper	Title or Position ³	Date of First Admission ⁴	Total Hours	Average Hourly Rate ⁵	Fees
Blended average hourly rate:					
Total fees:					

² If this is a final fee application, include two separate summaries – one for the last interim period, and the other for the entire case.

³ E.g., partner/shareholder, of counsel/counsel, associate, contract attorney, paralegal.

⁴ If applicable.

⁵ Indicate any change in hourly rate and the date of the change.

Exhibit 2B

Summary⁶ of Professional and Paraprofessional Time by Activity Category

Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				

⁶ If this is a final fee application, include two separate summaries – one for the last interim period, and the other for the entire case.

Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Activity:				
Title or Position	Timekeeper	Rate	Hours	Fees
Activity subtotal:				
Total for all Activity Categories:				

Exhibit 3

Summary⁷ of Expense Reimbursements Requested

Description	Quantity	Unit Cost	Total
1. Copies			
2. Outside printing			
3. Telephone			
4. Facsimile			
5. Online research			
6. Delivery services/couriers			
7. Postage			
8. Local travel			
9. Out-of-town travel			
(a) Transportation			
(b) Hotel			
(c) Meals			
(d) Ground transportation			
(e) Other (please specify)			
10. Meals (local)			
11. Court fees			
12. Subpoena fees			
13. Witness fees			
14. Deposition transcripts			
15. Trial transcripts			
16. Trial exhibits			
17. Litigation support vendors			
18. Experts			
19. Investigators			
20. Arbitrators/mediators			
21. Other (please specify)			
Total expense reimbursement requested:			

⁷ If this is a final fee application, include two separate summaries – one for the last interim period, and the other for the entire case.

Exhibit 4

Complete Time Records in Chronological Order by Activity Category

[attach complete time records itemized to the tenth of an hour, in chronological order by activity category, for this period]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

**RIGHTS AND RESPONSIBILITIES AGREEMENT BETWEEN CHAPTER 13 DEBTOR
AND CHAPTER 13 DEBTOR’S ATTORNEY FOR CASES FILED IN THE UNITED
STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF FLORIDA**

Local Rule 2014-1(b) requires chapter 13 debtors and their attorneys to sign this agreement before a chapter 13 petition can be filed in the United States Bankruptcy Court for the Southern District of Florida. This agreement sets forth the debtor’s rights and responsibilities to the Court, the chapter 13 trustee, and creditors. It also details certain services the attorney is expected to perform for the debtor. If two spouses file a joint case, this agreement must be signed by both debtors, and all references in this agreement to “the debtor” will mean “the debtors.” The debtor and the debtor’s attorney agree as follows:

Before the Case is Filed

The debtor agrees to:

1. Discuss the debtor’s objectives for filing the case with the attorney.
2. Timely provide the attorney with full and accurate financial and other information, including properly documented proof of income and payment advices reflecting payment within 60 calendar days before the date of filing the bankruptcy petition and a copy of the debtor’s federal tax return for the most recent tax year ending immediately before the commencement of the case and for which a federal income tax return was filed.
3. Inform the attorney of any changes in the debtor’s address or telephone number.
4. Obtain consumer credit counseling from an authorized provider before filing the bankruptcy petition.

The attorney agrees to:

1. Personally counsel the debtor regarding the advisability of filing under chapter 7 or chapter 13, as well as non-bankruptcy options, and answer the debtor’s questions.
2. Personally explain to the debtor that the attorney is being retained to represent the debtor on all matters arising in the bankruptcy case and explain how and when the attorney’s fees and the trustee’s fees are determined and paid.
3. Personally review with the debtor – and obtain the debtor’s signatures on – the completed petition, schedules, plan, and statement of financial affairs, whether filed with the petition or later, and all amendments thereto. Although the attorney’s clerical or paralegal staff may assist with the preparation of these documents, the attorney must personally review these documents with the debtor before the debtor signs them.
4. Timely prepare, file, and serve the debtor’s petition, plan, schedules, statement of financial affairs, and all other required filings.
5. Provide the debtor with a copy of the fully executed petition, plan, schedules, statement of financial affairs, and other required filings, after they have been filed.

6. Explain to the debtor how, when, and where to make the plan payments and any direct payments made outside the plan and advise the debtor of the consequences of failing to make these payments.
7. Advise the debtor to maintain appropriate insurance on all assets.
8. Obtain and retain all wet ink signatures as required under Local Rule 5005-2(e).

After the Case is Filed

The debtor agrees to:

1. Timely provide the attorney with all information and documents requested by the trustee, including any tax returns required under the Bankruptcy Code or by court order to be filed with the Court or provided to the trustee or other party in interest.
2. Inform the attorney and the trustee of any changes in the debtor's address or telephone number.
3. Appear punctually at the § 341 meeting of creditors with original proof of identification and proof of social security number. Acceptable forms of proof of identification are state issued driver's license, government-issued identification card, U.S. issued passport, military identification, and resident alien card. Acceptable forms of proof of social security number are a social security card, a medical insurance card, a paystub, a W-2 form, an IRS Form 1099, and a Social Security Administration Report.
4. Make the first required plan payment to the trustee no later than 30 days after the filing of the petition under – or conversion to – chapter 13 and timely make all subsequent payments.
5. Inform the attorney of any garnishments, liens, or levies on assets that occur or continue after the filing of the case.
6. Inform the attorney immediately if the debtor loses employment, is laid off or furloughed from work, or experiences any other significant change in financial situation, including serious illness, personal injury, lottery winnings, inheritance, or any other material increase or decrease in income or assets.
7. Notify the attorney immediately if the debtor is sued or wishes to file a lawsuit, including divorce and matters regarding personal injury or injury to property.
8. Notify the attorney if the debtor seeks to incur additional debt.
9. Advise the attorney before purchasing, selling, or refinancing any real property, or before entering into any loan agreements, to determine required procedures for court approval.
10. Timely complete and sign the local form *Debtor Certificate of Compliance and Request for Confirmation of Chapter 13 Plan*.
11. Timely complete the required instructional course concerning personal financial management described in 11 U.S.C. § 111 and provide the attorney with the certificate of course completion issued by the provider.
12. Timely complete and sign the local form *Debtor's Certificate of Compliance, Motion for Issuance of Discharge, and Notice of Deadline to Object*.

The attorney agrees to:

1. Provide competent legal representation for the debtor at all times.
2. Promptly respond to the debtor's questions during the pendency of the case.
3. Appear timely at all § 341 meetings of creditors and court hearings.
4. Advise the debtor of the requirement to attend the § 341 meeting of creditors, provide the debtor with the instructions (including any remote participation information) for joining the meeting, and assist the debtor with joining the meeting.
5. Advise the debtor of the necessity of being punctual to the § 341 meeting of creditors and, for a joint case, that both spouses must appear together at the same meeting of creditors with the required identification.
6. Review and respond, if necessary, to all motions, applications, objections, correspondence, inquiries and trustee status reports and promptly take the appropriate action.
7. Subject to paragraph 8 below, timely appear at and defend all motions against the debtor until discharge, conversion, or dismissal of the case.
8. Personally explain to the debtor that an attorney who is not a partner, member, or regular associate of the attorney's firm ("appearance counsel") may represent a debtor at a hearing only if: (A) the debtor consents in advance of the hearing; (B) the debtor does not incur an additional expense for use of appearance counsel; (C) appearance counsel complies with all applicable rules regarding disclosure of any fee sharing arrangements; and (D) appearance counsel is familiar with the debtor's case, including the schedules and statement of financial affairs.
9. Advise the debtor of any request for information and documents by the trustee and timely submit to the trustee the information and documents provided by the debtor.
10. Timely prepare, file, and serve all required amendments and modifications to the petition, schedules, statement of financial affairs, plan, and any other related documents.
11. Timely prepare, file, and serve all required motions, including any motion to value collateral; for authority to purchase, sell, or refinance property; to avoid liens; to incur additional debt; and to determine final cure and payment of the mortgage claim.
12. Timely review all filed claims as required by Local Rule 4002-2(a), and timely file a notice of compliance as required by Local Rule 4002-2(b).
13. If appropriate, timely file a proof of claim under Fed. R. Bankr. P. 3004 for a creditor that does not file a proof of claim within the time prescribed by Fed. R. Bankr. P. 3002(c).
14. After being furnished by the debtor, timely file the debtor's completed and signed local form *Debtor Certificate of Compliance and Request for Confirmation of Chapter 13 Plan*, the debtor's certificate of completion of the required instructional course concerning personal financial management described in 11 U.S.C. § 111, and the debtor's completed and signed local form *Debtor's Certificate of Compliance, Motion for Issuance of Discharge, and Notice of Deadline to Object*.

15. Provide any other legal services necessary for the administration of the bankruptcy case that may be required under applicable law, including the Rules Regulating the Florida Bar and the Local Rules of the United States Bankruptcy Court for the Southern District of Florida.
16. Provide a copy of this agreement immediately upon execution to the debtor and to the trustee upon filing of the case.

Agreed to by:

Debtor:

Joint Debtor (if applicable):

[Debtor's name]
[Debtor's address]
[Debtor's city, state and zip code]
[Debtor's telephone number]
[Debtor's email address]

[Debtor's name]
[Debtor's address]
[Debtor's city, state and zip code]
[Debtor's telephone number]
[Debtor's email address]

Dated: _____

Dated: _____

Debtor's Attorney:

[Attorney's name]
[Attorney's address]
[Attorney's city, state and zip code]
[Attorney's telephone number]
[Attorney's email address]

Dated: _____

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

**ORDER ESTABLISHING PROCEDURES
TO PERMIT MONTHLY PAYMENT OF INTERIM
FEE APPLICATIONS OF CHAPTER 11 PROFESSIONALS**

This case came before the Court for hearing on [date] on the [movant]'s motion under Local Rule 2016-1(b)(1) and 11 U.S.C. § 331 to approve procedures for monthly payment of interim compensation to retained professionals.¹ Upon consideration of the motion, the argument of counsel, and the record in this case, and for the reasons stated on the record which constitute the decision of the Court, it is

ORDERED that:

1. The motion is **GRANTED**.
2. Unless otherwise provided in another order authorizing employment of a professional, any professional retained in this case under 11 U.S.C. §§ 327 or 1103 may receive payment of interim compensation and

¹ Dkt. No. ____.

reimbursement of expenses under the procedures set forth in paragraph 3 of this order.

3. **Monthly Interim Compensation Procedures:**

- a. On or before the 20th day of each month after the month for which compensation is sought, each professional seeking interim compensation under this order must serve a monthly statement by email on: (i) [name], the debtors' [title of designated officer], at [email address]; (ii) [name], counsel for the debtors, at [email address]; (iii) [name], counsel for the [name of committee], at [email address]; (iv) [name], counsel for the United States trustee, at [email address]; (v) [name] counsel for [name of postpetition lender], at [email address]; and (vi) [any other person the Court designates] (the "Service Parties").
- b. The monthly statement must not be filed with the Court or sent to the judge's chambers.
- c. Each monthly statement must contain a schedule of the reimbursable expenses incurred and the professional and paraprofessional time spent (in sufficient detail to allow review by the Service Parties), which ordinarily must be for services rendered through a particular calendar month.
- d. Time spent preparing, reviewing, or revising monthly statements, invoices, or related requests for information under this order is not compensable to the extent duplicative of time spent preparing, reviewing, or revising interim or final applications for compensation filed under 11 U.S.C. §§ 330 or 331 for the same periods.
- e. Each Service Party receiving a statement may object to the payment of the fees or the reimbursement of expenses set forth therein by serving a written objection (which must not be filed with the Court) upon the other Service Parties on the last day of the month in which the statement is received. The objection must state the nature of the objection and identify the amount of the fees or expenses to which objection is made. The objecting party must attempt in good faith to object only to the portion of the statement that is deemed to be objectionable.
- f. In the absence of any timely objection, the debtors are authorized to pay 80% of the fees and 100% of the expenses identified in each monthly statement to which no objection has been served.

- g. If the debtors receive an objection to a particular monthly statement, they must withhold payment of that portion of the monthly statement to which the objection is directed and promptly pay the remainder of the fees and expenses requested. All professionals subject to this order must establish a separate billing number for any time spent on resolution of fee disputes. No fees incurred in connection with fee disputes under this order may be included on monthly statements and instead may only be sought in an interim or final fee application for compensation filed under 11 U.S.C. §§ 330 or 331.
- h. If, after an objection, the objection is resolved, the professional whose monthly statement was objected to may serve on the Service Parties a supplemental statement indicating that the objection has been resolved and describing in detail the terms of the resolution. After service of that supplemental statement, the debtors are authorized to pay that portion of the monthly statement that is no longer subject to an objection.
- i. All objections that are not resolved by the parties are preserved and may be raised as an objection to the next interim or final compensation application filed with the Court under 11 U.S.C. §§ 330 or 331.
- j. Serving an objection under paragraph 3.e. does not prejudice the objecting party's right to object to any interim or final application for compensation under 11 U.S.C. §§ 330 or 331 on any ground, whether or not raised in an objection to a monthly statement. Furthermore, the decision by any party not to object to a monthly statement does not waive or otherwise prejudice any party's right to object to any interim or final application for compensation under 11 U.S.C. §§ 330 or 331.
- k. Unless the Court orders otherwise, every professional who seeks monthly compensation under this order must file every 120 days an interim application for compensation under 11 U.S.C. § 331 for the amount of fees and expenses sought, as follows:
 - (i). First interim applications must be filed by [date], seeking interim compensation for the period from [the petition date] through [date at least 120 days after the petition date].

- (ii). Second interim applications must be filed by [date], seeking interim compensation for the period from [date] through [date].
 - (iii). Subsequent interim applications must continue to be filed every 120 days for the preceding four-month period.
- l. A professional who fails to file a timely interim application as required by paragraph 3.k. is not entitled to receive any further payments under these monthly interim compensation procedures unless and until the professional files the delinquent interim application and the Court has entered an order allowing the interim compensation sought.
- m. The Court's determination that a payment of compensation or reimbursement of expenses under this order was improper does not preclude a professional from future interim compensation and reimbursement of expenses under this order, unless the Court orders otherwise.
- n. Neither the payment of, nor the failure to pay, in whole or in part, monthly compensation and reimbursement of expenses under this order will have any effect on this Court's allowance of interim or final compensation and reimbursement of expenses under 11 U.S.C. §§ 330 or 331.
- 4. The debtors must include all payments to professionals on their monthly operating reports, detailed to state the amount paid to each of the professionals.
- 5. Notwithstanding anything to the contrary in this order, the debtors may not make any payments under this order if the debtors have not timely filed their monthly operating reports or remained current with their administrative expenses and their obligations under 28 U.S.C. § 1930.
- 6. Any professional retained under 11 U.S.C. §§ 327 or 1103 after entry of this order may request – separately or in connection with an application to employ the professional – permission to participate in this order's monthly interim compensation procedures.
- 7. All professionals subject to this order must monitor their own compliance with its terms and must include the following certification on each monthly statement: "I hereby certify that this monthly statement complies with the terms of the *Order Establishing Procedures to Permit Monthly Payment of Interim Fee Applications of Chapter 11 Professionals* entered in this case."

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the Service Parties and file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**ORDER GRANTING MOTION TO VALUE COLLATERAL
AND DETERMINE THE AMOUNT OF A CLAIM SECURED BY A
LIEN ON REAL PROPERTY HELD BY [LIEN HOLDER'S NAME]**

The debtor's *Motion to Value Collateral and Determine the Amount of a Claim Secured by a Lien on Real Property*¹ came before the Court on the chapter 13 consent calendar on [date]. Based on the allegations in the motion and the absence of any objection, the Court finds that:

- A. As of the petition date, the value of the real property located at [address] and with the legal description listed below is \$ _____:

[legal description]

- B. The total of all claims secured by liens on the real property senior to the lien of [lien holder's name] ("Creditor") is \$ _____.

¹ Dkt. No. ____.

- C. Therefore, the amount of Creditor's secured claim is: \$[amount listed in paragraph A minus amount listed in paragraph B; if negative, put \$0.00].

Accordingly, it is **ORDERED** that:

1. The motion is **GRANTED**.
2. Pursuant to 11 U.S.C. § 506(a), Creditor has an allowed secured claim in the amount of \$ _____.

3. **Treatment of lien (select only one):**

____ *Lien stripped off.* Because the value of Creditor's interest in the estate's interest in the real property is \$0.00, upon entry of a discharge under 11 U.S.C. § 1328 and without further Court order, Creditor's mortgage recorded on [date] at OR Book _____ Page _____ in the official records of _____ County, Florida, will be void and automatically extinguished.

____ *Lien stripped down.* Because the value of Creditor's interest in the estate's interest in the real property is \$ _____, upon entry of a discharge under 11 U.S.C. § 1328 and without further Court order, Creditor's mortgage recorded on [date] at OR Book _____ Page _____ in the official records of _____ County, Florida, will be secured only to the extent of this amount, less any payments made on this debt during this chapter 13 case.

4. **Treatment of claim (select only one):**

____ Creditor has not filed a proof of claim. The trustee will not disburse any payments to Creditor unless a proof of claim is timely filed. If Creditor timely files a proof of claim, Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 2, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim.

____ Creditor filed a proof of claim. Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 2, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim.

5. The debtor may not sell or refinance the real property without a court order after notice to creditors.

6. This order is entered solely to determine the amount of Creditor's secured claim for purposes of confirming a chapter 13 plan and is not recordable or enforceable in any other context unless and until the debtor receives a discharge under 11 U.S.C. § 1328.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the Creditor and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 11

_____/

CHAPTER 11 CASE MANAGEMENT SUMMARY

Debtor [name] provides this chapter 11 case management summary as required by Local Rule 4002-1. The information below is provided on a preliminary basis and may contain estimates or approximations:

1. Date of order for relief under chapter 11:
2. Names, case numbers, and dates of filing of related debtors:
3. Description of debtor's business:
4. Locations of debtor's operations and whether the business premises are leased or owned:
5. Reasons for filing chapter 11:
6. List of officers and directors, if applicable, and their salaries and benefits as of the petition date and during the 1 year before the petition date:
7. Debtor's fiscal or calendar year to date gross income, and the debtor's gross income for the last full calendar or fiscal year ending before the petition date:
8. Amounts owed to certain creditors:
 - a. Secured claims – list names of creditors, amounts owed, and description and estimated value of collateral:
 - b. Priority unsecured claims (including priority tax claims):
 - c. General unsecured claims:
9. General description and approximate value of the debtor's assets:

10. List all insurance policies, the property covered under the policy, the name of the insurer, the policy number, amount of coverage, whether the premium is current, the date the next premium is due, and the date the policy expires:
11. Number of employees and amounts of wages owed as of the petition date:
12. Status of debtor's payroll and sales tax obligations, if any:
13. Anticipated emergency relief to be requested within 14 days from the petition date:

Signature of authorized representative of debtor

Printed name

Title _____

Date _____

[Certificate of Service]

Acknowledgment of Responsibility and Request for Live Access to CM/ECF with Trustee/US Trustee Filing Privileges

- *Trustees may use this access only for those cases in which they are acting as case trustee.*
- *If a trustee is also an attorney, a separate attorney account with full access is required (submit Local Form 95 for this purpose).*

(Please type)

IMPORTANT NOTE: Trustees may authorize employees to e-file on their behalf. Each employee is highly encouraged to obtain his or her own PACER “Filing Agent” credential; trustees are highly encourage to not share their credential for e-filing purposes. Trustees control each Filing Agent’s access and fee payments via [CM/ECF > Utilities > Maintain Your ECF Account > More User Information > \(Filing Agent parameters\)](#).

II. CM/ECF Training Requirements Certification:

Trustees must concurrently register for a PACER account at <https://pacer.uscourts.gov/register-account>.

My signature below reflects that I have read and agree to the statements contained in the “CM/ECF Trustee/US Trustee Agreement” and any future requirements of the court with respect to my electronic filing privileges.

Email Completed Form to: CMECF_Support@flsb.uscourts.gov

**United States Bankruptcy Court
Southern District of Florida**

**Acknowledgment of Responsibility for Live Access to CM/ECF
with Full Attorney Filing Privileges**

Use this form to request a credential to access this court's CM/ECF system with full attorney filing privileges and the ability to pay filing fees by credit card for all cases and adversary proceedings.

- ***ONLY attorneys with a valid FLSD Bar Admission Status are eligible for Full Attorney Filing Privileges.***
- ***Pursuant to Local Rule 5001-1(a)(1), an entity represented by an attorney must file electronically.***
- ***The PACER credential must match the named attorney appearing on a filed document. No exceptions.***
- ***Attorneys are responsible for maintaining their own PACER credentials (e.g., address, phone number, email).***

I. Attorney Applicant Information: (Please type)

First: _____ Middle: _____ Last Name: _____ Generation (Sr., Jr.): _____
Bar ID #: _____ (if other than Florida Bar, indicate state: _____)
Mailing _____ (if multiple addresses exist, one registration form per mailing address must be submitted)
Address: _____

Telephone #: _____ Fax #: _____
E-Mail address where Notices of Electronic Filing will be sent: _____

IMPORTANT NOTE: Attorneys may authorize employees to e-file on their behalf. Each employee is highly encouraged to obtain his or her own PACER "Filing Agent" credential; attorneys are highly encourage to not share their credentials for e-filing purposes. Attorneys control each Filing Agent's access and fee payments via [CM/ECF > Utilities > Maintain Your ECF Account > More User Information > \(Filing Agent parameters\)](#).

I have a current Trading Partner Agreement with the BNC for EDI Noticing: ☐ No ☐ Yes

II. Basis for Request for Full Filing Privileges: I certify that I am qualified to register as:

- ☐ An attorney qualified to practice before this court; or
- ☐ An attorney approved by this court to appear pro hac vice in Case(s) # _____ pursuant to Local Rule 9010-1(b); or
- ☐ A government attorney appearing pursuant to Local Rule 9010-1(c) [except for an attorney appearing on behalf of the US Trustee's office].

ATTORNEYS must concurrently register as an Attorney Filer at <https://pacer.uscourts.gov/register-account>. For existing PACER attorney e-filers, submit a request from PACER to this court via Manage My Account > Maintenance > Attorney Admissions / E-File Registration > follow the prompts.

III. CM/ECF Requirements Certification:

- ☐ I have reviewed and agree to comply with all Local Rules and filing requirements. .
 - ☐ I am a registered user with full CM/ECF privileges in another United States Bankruptcy Court.
(Indicate bankruptcy court(s):
-

Acknowledgment of Responsibility:

My signature below reflects that I have read and agree to the statements contained in the “CM/ECF Full Filing Attorney Agreement” and any future requirements of the court with respect to my electronic filing privileges.

(Signature of Attorney)

(Date)

Email Completed Form to: CMECF_Support@flsb.uscourts.gov

United States Bankruptcy Court
Southern District of Florida

**Acknowledgment of Responsibility for Live Access to CM/ECF
with Limited Filing Privileges**

Use this form to request a credential to access this court's CM/ECF system with Limited Filing privileges. Documents eligible for electronic filing are limited to the list of events specified in the Clerk's Public Procedural Manual.

- ***Pursuant Local Rule 5001-1, an entity represented by an attorney must file electronically, and unrepresented Individuals are NOT permitted a PACER filing credential.***
- ***All creditors may file electronic Proofs of Claim via <https://www.flsb.uscourts.gov/file-proof-claim-electronically> (no credential is necessary).***
- ***Only an officer authorized to electronically file on behalf of a business may complete this application.***
- ***If multiple business addresses exist, each credential must match the address on the filed document (one credential per address).***
- ***Auditors pursuant to 28 U.S.C. §586(f) will only have access to file audit reports.***

I. Limited Filer Applicant Information: (Please type)

First: _____ Middle: _____ Last Name: _____ Generation (Sr., Jr.): _____
Bar ID #: _____ (if other than Florida Bar, indicate state: _____)

Full Business Name and Address: _____

Telephone #: _____ Fax #: _____

E-Mail address where Notices of Electronic Filing will be sent: _____

I have a current Trading Partner Agreement with the BNC for EDI Noticing: ☐ No ☐ Yes

II. CM/ECF Training Requirements Certification:

- ☐ I have reviewed and agree to comply with all Local Rules and filing requirements.
- ☐ I am a registered user with CM/ECF e-filing privileges in another United States Bankruptcy Court.
(Indicate bankruptcy court(s): _____)

Concurrently register as a **Non-Attorney Filer at <https://pacer.uscourts.gov/register-account>. Attorneys seeking Limited Filer access must register as an **Attorney Filer**.**

III. Acknowledgment of Responsibility:

My signature below reflects that I have read and agree to the statements contained in the "CM/ECF Limited Filer Party Agreement" and any future requirements of the court with respect to my electronic filing privileges.

(Signature of Limited Filer) (Date)

Email Completed Form (first page only) to: CMECF_Support@flsb.uscourts.gov

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**DEBTOR'S CERTIFICATE OF COMPLIANCE, MOTION FOR
ISSUANCE OF DISCHARGE, AND NOTICE OF DEADLINE TO OBJECT**

Any party in interest that objects to granting the debtor a discharge under 11 U.S.C. § 1328(a) must file and serve an objection within 21 days of service of this document. Failure to timely file and serve an objection may result in entry of a discharge without further motion, notice, or hearing.

[Name], the debtor¹ in this chapter 13 case, certifies as follows:

1. The chapter 13 trustee has issued a *Notice of Completion of Plan Payments* on [date]. The debtor is requesting the Court issue a discharge in this case under 11 U.S.C. § 1328(a).
2. The debtor has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and filed proof of completion of the course with the Court on [date].
3. Compliance with 11 U.S.C. § 1328(a) (check one):
 - _____ a. The debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation, as that term is defined in 11 U.S.C. § 101(14A), either before this bankruptcy case was filed or at any time after this bankruptcy case was filed.
 - _____ b. The debtor certifies that as of the date of this certification, the debtor has paid all amounts payable under any domestic support obligation, as that term is defined in 11 U.S.C. § 101(14A), required by a judicial or administrative order, or by statute

¹ All references to the “debtor” include both debtors in a joint case under 11 U.S.C. § 302.

(including amounts due before the petition was filed, but only to the extent provided for by the plan).

4. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

- _____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$189,050.²
- _____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$189,050,² but there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

5. The debtor has not received a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief under chapter 13 of the Bankruptcy Code in this case, or in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of such order.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

[Under Local Rules 2002-1(b)(5) and 4004-3(a), the debtor's attorney must serve this document on the chapter 13 trustee, all creditors, and all indenture trustees, and must include at the end of this document a certificate of service, as required by Local Rule 9036-2. If the debtor is unrepresented, the Clerk will serve this document under Local Rule 2002-1(a)(3).]

² Under 11 U.S.C. § 104(a), this is the amount that was in effect for cases filed after April 1, 2022 but before March 31, 2025.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**DEBTOR'S CERTIFICATE OF COMPLIANCE, MOTION FOR
ISSUANCE OF DISCHARGE, AND NOTICE OF DEADLINE TO OBJECT**

Any party in interest that objects to granting the debtor a discharge under 11 U.S.C. § 1328(a) must file and serve an objection within 21 days of service of this document. Failure to timely file and serve an objection may result in entry of a discharge without further motion, notice, or hearing.

[Name], the debtor¹ in this chapter 13 case, certifies as follows:

1. The chapter 13 trustee has issued a *Notice of Completion of Plan Payments* on [date]. The debtor is requesting the Court issue a discharge in this case under 11 U.S.C. § 1328(a).
2. The debtor has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and filed proof of completion of the course with the Court on [date].
3. Compliance with 11 U.S.C. § 1328(a) (check one):
 - _____ a. The debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation, as that term is defined in 11 U.S.C. § 101(14A), either before this bankruptcy case was filed or at any time after this bankruptcy case was filed.
 - _____ b. The debtor certifies that as of the date of this certification, the debtor has paid all amounts payable under any domestic support obligation, as that term is defined in 11 U.S.C. § 101(14A), required by a judicial or administrative order, or by statute

¹ All references to the “debtor” include both debtors in a joint case under 11 U.S.C. § 302.

(including amounts due before the petition was filed, but only to the extent provided for by the plan).

4. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

- _____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000.²
- _____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000,² but there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

5. The debtor has not received a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief under chapter 13 of the Bankruptcy Code in this case, or in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of such order.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

[Under Local Rules 2002-1(b)(5) and 4004-3(a), the debtor's attorney must serve this document on the chapter 13 trustee, all creditors, and all indenture trustees, and must include at the end of this document a certificate of service, as required by Local Rule 9036-2. If the debtor is unrepresented, the Clerk will serve this document under Local Rule 2002-1(a)(3).]

² Under 11 U.S.C. § 104(a), this amount will next be adjusted as of April 1, 2028, and then every three years thereafter.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**DEBTOR'S CERTIFICATE
OF COMPLIANCE AND MOTION FOR ISSUANCE
OF DISCHARGE BEFORE COMPLETION OF PLAN PAYMENTS**

[Name], the debtor in this chapter 13 case, moves under 11 U.S.C. § 1328(b) for entry of a discharge before completion of plan payments, and certifies as follows:

1. I am unable to complete the payments under the confirmed plan due to the following circumstances for which the debtor should not justly be held accountable: [Insert explanation].
2. The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor had been liquidated under chapter 7 of the Bankruptcy Code on such date. [Insert explanation].
3. Modification of the plan under 11 U.S.C. § 1329 is not practicable because [insert explanation].
4. The debtor has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and filed proof of completion of the course with the Court on [date].
5. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

_____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$189,050.¹

_____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$189,050,² but

¹ Under 11 U.S.C. § 104(a), this is the amount that was in effect for cases filed after April 1, 2022 but before March 31, 2025.

there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

6. The debtor has not received a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief under chapter 13 of the Bankruptcy Code in this case, or in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of such order.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

[Under Local Rules 2002-1(b)(6) and 4004-3(b), the debtor's attorney must serve this document on the chapter 13 trustee, all creditors, and all indenture trustees, and must include at the end of this document a certificate of service, as required by Local Rule 9036-2. If the debtor is unrepresented, the Clerk will serve this document under Local Rule 2002-1(a)(3).]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**DEBTOR'S CERTIFICATE
OF COMPLIANCE AND MOTION FOR ISSUANCE
OF DISCHARGE BEFORE COMPLETION OF PLAN PAYMENTS**

[Name], the debtor in this chapter 13 case, moves under 11 U.S.C. § 1328(b) for entry of a discharge before completion of plan payments, and certifies as follows:

1. I am unable to complete the payments under the confirmed plan due to the following circumstances for which the debtor should not justly be held accountable: [Insert explanation].
2. The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor had been liquidated under chapter 7 of the Bankruptcy Code on such date. [Insert explanation].
3. Modification of the plan under 11 U.S.C. § 1329 is not practicable because [insert explanation].
4. The debtor has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and filed proof of completion of the course with the Court on [date].
5. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

_____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000.¹

_____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000,² but

¹ Under 11 U.S.C. § 104(a), this amount will next be adjusted as of April 1, 2028, and then every three years thereafter.

there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

6. The debtor has not received a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief under chapter 13 of the Bankruptcy Code in this case, or in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of such order.

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

Executed on: _____
Date

Debtor's signature

Joint debtor's signature (if applicable)

[Under Local Rules 2002-1(b)(6) and 4004-3(b), the debtor's attorney must serve this document on the chapter 13 trustee, all creditors, and all indenture trustees, and must include at the end of this document a certificate of service, as required by Local Rule 9036-2. If the debtor is unrepresented, the Clerk will serve this document under Local Rule 2002-1(a)(3).]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**MOTION FOR ISSUANCE OF DISCHARGE TO A
DECEASED DEBTOR AND NOTICE OF DEADLINE TO OBJECT**

Any party in interest that objects to granting the debtor a discharge under 11 U.S.C. § 1328(a) must file and serve an objection within 21 days of service of this document. Failure to timely file and serve an objection may result in entry of a discharge without further motion, notice, or hearing.

Counsel for [name], the debtor¹ in this chapter 13 case, requests the Court issue a discharge under 11 U.S.C. § 1328(a), for the following reasons:

1. The chapter 13 trustee has issued a *Notice of Completion of Plan Payments* on [date].
2. The debtor is deceased. Attached hereto is a redacted copy of the death certificate. In addition to redacting the information listed in Fed. R. Bankr. P. 9037(a), the cause of death has also been redacted.
3. Compliance with 11 U.S.C. § 1328(a) (check one):

_____ a. To the best of my knowledge, the debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation, as that term is defined in 11 U.S.C. § 101(14A), either before this bankruptcy case was filed or at any time after this bankruptcy case was filed.

_____ b. To the best of my knowledge, the debtor has paid all amounts payable under any domestic support obligation, as that term is defined in 11 U.S.C. § 101(14A), required by a judicial or administrative order, or by statute (including amounts due before

¹ All references to the “debtor” include both debtors in a joint case under 11 U.S.C. § 302.

the petition was filed, but only to the extent provided for by the plan).

4. Statement under Fed. R. Bankr. P. 1007(b)(8) (check one):

- _____ a. The debtor has not claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000.²
- _____ b. The debtor has claimed an exemption under 11 U.S.C. § 522(b)(3)(A) in property described in subparagraphs (A), (B), (C), and (D) of 11 U.S.C. § 522(p)(1) that exceeds \$214,000,² but there is no pending proceeding in which the debtor may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

5. The debtor has not received a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief under chapter 13 of the Bankruptcy Code in this case, or in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of such order.

WHEREFORE, counsel for the debtor respectfully requests the Court grant the debtor a discharge under 11 U.S.C. § 1328(a) and grant such other relief as justice and equity require.

[Signature and signature block]

[Certificate of service]

² Under 11 U.S.C. § 104(a), this amount will next be adjusted as of April 1, 2028, and then every three years thereafter.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 7

_____ /

Trustee's Summary of Requested Fees and Expenses

☐ [If checked] The chapter 7 trustee is not required to file and serve a Notice of Trustee's Final Report and Applications for Compensation on all parties of record because the amount of net proceeds realized does not exceed the amount set forth in Federal Rule of Bankruptcy Procedure 2002(f)(1)(I) and the amount of any application for compensation does not exceed the amount set forth in Federal Rule of Bankruptcy Procedure 2002(a)(6).

Dkt. No.	Applicant Name and Role	<u>Total Fees</u>	<u>Interim Fees Paid</u>	<u>Additional Fees Requested</u>
		Total Expenses	Interim Expenses Paid	Additional Expenses Requested
		\$ _____	\$ _____	\$ _____
		\$ _____	\$ _____	\$ _____
		\$ _____	\$ _____	\$ _____

Dated: _____

[Signature and signature block]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**MOTION TO VALUE COLLATERAL AND DETERMINE THE
AMOUNT OF A CLAIM SECURED BY A LIEN ON PERSONAL PROPERTY**

IMPORTANT NOTICE TO CREDITORS:

THIS MOTION SEEKS TO VALUE THE COLLATERAL SECURING THE CLAIM LISTED BELOW. IF YOU DISPUTE THE VALUE ALLEGED OR THE PROPOSED TREATMENT OF YOUR CLAIM, YOU MUST FILE A WRITTEN OBJECTION NO LATER THAN TWO BUSINESS DAYS BEFORE THE SCHEDULED HEARING.

If you have not filed a proof of claim, you have until the later of the claims bar date or 21 days from the date this motion was served on you to file a proof of claim. Failure to timely file a proof of claim will result in waiver of the right to payment on any unsecured claim to which you might otherwise have been entitled.

1. The debtor seeks to value personal property securing the claim of [lien holder's name] ("Creditor") pursuant to 11 U.S.C. § 506(a) and Federal Rule of Bankruptcy Procedure 3012.

2. **Collateral (select only one):**

___ Motor vehicle:

Year and model: _____

Vehicle Identification Number (VIN #): _____

Odometer reading: _____

___ Personal property other than a motor vehicle:

Describe: _____

3. **Value:**

As of the petition date, the value of the personal property is \$_____, based on [insert method of valuation].

4. **Treatment of claim (select only one):**

____ Creditor has not filed a proof of claim. The trustee will not disburse any payments to Creditor unless a proof of claim is timely filed. If Creditor timely files a proof of claim, Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 3, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim. Creditor's secured claim will be paid through the plan at ____% interest, with payments totaling \$_____.

____ Creditor filed a proof of claim. Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 3, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim. Creditor's secured claim will be paid through the plan at ____% interest, with payments totaling \$_____.

5. The debtor may not sell or refinance the personal property without a court order after notice to creditors.

6. This motion and the notice of hearing on this motion will be served on Creditor as if it were a summons and complaint under Federal Rule of Bankruptcy Procedure 7004, at least 21 days before the hearing date. The movant will then file a certificate of service of the motion and the notice of hearing.

WHEREFORE, the debtor respectfully requests that the Court (a) determine the value of the personal property securing Creditor's claim to be the value listed in paragraph 3; (b) determine the amount and treatment of Creditor's claim as set forth in paragraph 4; (c) determine the classification of any timely filed proof of claim as set forth in paragraph 4; and (d) grant such other relief as justice and equity require.

Dated: _____

[Signature and signature block]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**ORDER GRANTING MOTION TO VALUE COLLATERAL
AND DETERMINE THE AMOUNT OF A CLAIM SECURED BY A
LIEN ON PERSONAL PROPERTY HELD BY [LIEN HOLDER'S NAME]**

The debtor's *Motion to Value Collateral and Determine the Amount of a Claim Secured by a Lien on Personal Property*¹ came before the Court on the chapter 13 consent calendar on [date]. Based on the allegations in the motion and the absence of any objection, the Court finds that, as of the petition date, the value of the personal property listed below is \$_____:

¹ Dkt. No. ____.

(select only one): ___ Motor vehicle:

Year and model: _____

Vehicle Identification Number (VIN #): _____

Odometer reading: _____

 ___ Personal property other than a motor vehicle:

Describe: _____

Accordingly, it is **ORDERED** that:

1. The motion is **GRANTED**.
2. Pursuant to 11 U.S.C. § 506(a), [Lien holder's name] ("Creditor") has an allowed secured claim in the amount of \$_____.
3. **Treatment of claim (select only one):**
 - ___ Creditor has not filed a proof of claim. The trustee will not disburse any payments to Creditor unless a proof of claim is timely filed. If Creditor timely files a proof of claim, Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 2, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim. Creditor's secured claim will be paid through the plan at ___% interest, with payments totaling \$_____.
 - ___ Creditor filed a proof of claim. Creditor's claim will be classified in the plan as a secured claim in the amount listed in paragraph 2, and as a general unsecured claim for the balance of the claim (deficiency claim), regardless of how the claim is classified in the proof of claim. Creditor's secured claim will be paid through the plan at ___% interest, with payments totaling \$_____.
4. The debtor may not sell or refinance the personal property without a court order after notice to creditors.
5. This order is entered solely to determine the amount of Creditor's secured claim for purposes of confirming a chapter 13 plan and is not recordable or enforceable in any other context unless and until the debtor receives a discharge under 11 U.S.C. § 1328. After the debtor receives a discharge under 11 U.S.C. § 1328, Creditor must release its lien on the personal property.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the Creditor and must file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 15

_____ /

ORDER JOINTLY ADMINISTERING CHAPTER 15 CASES

This case came before the Court for a hearing on [date], on the [movant]'s motion under Fed. R. Bankr. P. 1015(b) seeking joint administration of the following chapter 15 cases:¹

[list cases for which joint administration is sought]

Upon consideration of the motion, the [affidavit, declaration, or verification] establishing that joint administration of the cases is warranted and will ease the administrative burden for the Court, and the record in this case, it is

ORDERED that:

1. The motion is **GRANTED**.

¹ Dkt. No. ____.

2. The chapter 15 cases listed above are jointly administered under the lead case [name and case number of case with the lowest case number] (the “Lead Case”).
3. Each chapter 15 case listed above that was not originally assigned to the judge to whom the Lead Case has been assigned is **TRANSFERRED** to the judge to whom the Lead Case has been assigned.
4. All documents filed in these jointly administered cases must be filed in the Lead Case, with the following caption:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

[LEAD DEBTOR’S NAME], *et al.*,¹

[Lead Case No. xx-xxxxx-xxx]

Debtors.

Chapter 15 (Jointly Administered)

_____ /

¹ The debtors in these chapter 15 cases are: [debtor name], [debtor name], and [debtor name].

5. The Clerk of Court is directed to enter the following notation on the docket in each debtor’s chapter 15 case other than the Lead Case:

An order has been entered directing the joint administration of this chapter 15 case under the lead case [LEAD DEBTOR’S NAME, *et al.*, Lead Case No. xx-xxxxx-xxx]. See the docket in Case No. [Lead Case No.] for all matters affecting this case.

#

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on all parties entitled to notice thereof and file a certificate of service as required by Local Rule 9036-2.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
_____ DIVISION

In re:

DEBTOR'S NAME,

Case No. xx-xxxxx-xxx

Debtor.

Chapter 13

_____/

**ORDER GRANTING MOTION TO CONVERT CASE
UNDER CHAPTER 13 TO CASE UNDER CHAPTER 11**

This case came before the Court [on the chapter 13 consent calendar on ____]
[for hearing on ____] on the motion under 11 U.S.C. § 1307(d) by [movant] to convert
this case to a case under chapter 11. Because the Court has not entered an order
confirming a plan under 11 U.S.C. § 1325 and 11 U.S.C. § 1307(f) does not prohibit
conversion of this case to chapter 11, it is

ORDERED that:

1. The motion is **GRANTED**.
2. This chapter 13 case is converted to a case under chapter 11.
3. If the debtor is the movant and the debtor has not paid the \$932
conversion fee required by 28 U.S.C. § 1930(a), the debtor must
immediately remit this payment to the clerk of court.

4. The debtor must file the following lists, schedules, statements, and other documents, by the following deadlines:

<u>Time to File</u>	<u>Documents Required</u>	<u>Authority</u>
2 days after entry of this order	<i>List of the 20 Largest Unsecured Creditors.</i> List containing the names, addresses, and claims of the creditors that hold the 20 largest unsecured claims, excluding insiders, as prescribed by the appropriate Official Form (Form 104 or 204).	Fed. R. Bankr. P. 1007(d)
3 business days after entry of this order	<i>Case Management Summary.</i> Local form <i>Chapter 11 Case Management Summary</i> , unless the debtor is an individual not engaged in business.	Local Rule 4002-1
14 days after entry of this order	<i>List of Equity Security Holders.</i> List of the debtor's equity security holders by class. The list must show the number and type of interests registered in each holder's name, along with the holder's last known address or place of business.	Fed. R. Bankr. P. 1007(a)(3)
14 days after entry of this order	<i>Current Monthly Income.</i> A statement of current monthly income (Form 122B), unless the debtor has elected application of subchapter V of chapter 11.	Fed. R. Bankr. P. 1007(b)(5)
14 days after entry of this order	<i>Other Previously Unfiled Documents.</i> Any other lists, inventories, schedules, and statements of financial affairs required by Fed. R. Bankr. P. 1007 that were not previously filed.	Fed. R. Bankr. P. 1007(b)(1)
14 days after entry of this order	<i>Designation as a Small Business Debtor.</i> A statement whether the debtor is a small business debtor and, if so, whether the debtor elects to have subchapter V of chapter 11 apply.	Fed. R. Bankr. P. 1020(a)
7 days after small business debtor designation is filed	<i>Small Business Case Documents.</i> If the debtor is a small business debtor, the debtor's most recent balance sheet, statement of operations, cash-flow statement, and Federal income tax return; or a statement made under penalty of perjury that no balance sheet, statement of operations, or cash-flow statement has been prepared and no Federal tax return has been filed.	11 U.S.C. § 1116(1)

###

Submitted by:

[Submitting attorney name]

[Law firm name]

[Mailing address]

[Phone number]

[Email address]

[Submitting attorney] must serve a copy of this order on the debtor, all creditors, and all indenture trustees and must file a certificate of service as required by Local Rule 9036-2. This service direction does not apply, however, if the submitting attorney is an attorney in the office of the United States trustee, in which case the Clerk of Court will serve this order under Local Rule 2002-1(a)(1).