

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

www.flsb.uscourts.gov

In re)
)
)
)
)
)
)
)
 Debtor)

CASE NO.
CHAPTER 11

CONFIRMATION AFFIDAVIT OF [NAME OF AFFIANT]

STATE OF FLORIDA)
) ss:
COUNTY OF DADE)

_____, being duly sworn, hereby deposes and says:
[Name of Affiant]

1. My name, is _____ [Name of Affiant]. I am over 21 years of age and fully competent to make this declaration. Unless otherwise stated, I have personal knowledge of the facts set forth in this affidavit.

2. I am the _____ [title of affiant] of _____ [name of debtor] (the "debtor"), which position I have held since _____ [date]. [Briefly state educational background and professional certifications, if any, e.g., certified public accountant].

3. I make this declaration in support of the confirmation of the debtor's plan of reorganization, dated _____ (the "plan").

4. [Describe debtor, e.g., debtor is a Florida corporation engaged in the manufacturing and sale of widgets].

5. As _____ [title with the debtor], I am familiar with the business, operations and assets of the company. My duties include [briefly describe, e.g., preparation of financial statements, supervision of daily financial and business affairs].

6. I am also familiar with and participated in, the negotiations leading to, and the terms and conditions of the plan, the debtor's disclosure statement, dated _____ [insert date] (the "disclosure statement"), and the documents related thereto. More specifically, I was directly responsible for supervising the preparation of financial projections and the liquidation analysis contained in these documents and I reviewed them for accuracy and completeness.

7. The plan includes the following principal features: [Describe the plan.]

8. [Describe benefits of the plan, e.g., as a result of the debt restructuring contemplated by this chapter 11 reorganization, the debtor will have reduced its debt service requirements by more than \$[] annually and will be better placed to compete effectively in the marketplace].

Liquidation Analysis

9. As set forth in the analysis contained in the disclosure statement, a liquidation of the debtor would result in approximately \$[] to \$[] of value for distribution to the debtor's unsecured creditors.

10. The methodology I used in preparing or supervising the preparation of the liquidation analysis included: [describe]

Feasibility

11. [Describe why the plan is feasible and any changes since the approval of the disclosure statement. If appropriate, the most recent financial results can be attached as an exhibit.]

12. I believe the debtor will be able to meet all its obligations under the plan.
In particular:

- a. Assuming the effective date of the plan is [date], the debtor will have sufficient cash available to it to make all payments required to be made on such date. Such funds will be derived from [describe source of funds,

e.g., cash infusion as part of plan or debtor's ongoing operations].

- b. Based on the projections, the debtor will be in compliance with all the financial covenants under its loan and lease agreements.
- c. Based on the projections, the debtor will be able to meet all payment obligations required by the plan.

13. [State any additional facts necessary to establish that each of the requirements of U.S.C. §1129 are met].

[Name of Affiant]

State of _____
County of _____

Sworn to and Subscribed before me on this _____ day of _____, 20 _____.

SIGNATURE OF NOTARY PUBLIC

[Seal]