

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

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In re

CASE NO.
CHAPTER 11

Debtor. /

CONFIRMATION AFFIDAVIT FOR SUBCHAPTER V DEBTOR

STATE OF FLORIDA)
) ss:
COUNTY OF _____)

_____, 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, and the documents related thereto. More specifically, I was directly responsible for supervising the preparation of financial projections and the liquidation analysis contained in the plan 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 under subchapter V, 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 liquidation analysis contained in the plan, 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 modifications to the plan since its proposal. 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. [If the Debtor seeks to confirm its plan under 11 U.S.C §1191(a), state any additional facts necessary to establish that the plan meets all of the requirements of §1129(a)].

OR

[If the Debtor seeks to confirm its plan under 11 U.S.C. §1191(b), state the additional facts necessary to establish that the plan meets the requirements of §1191(b)].

[Name of Affiant]

State of _____
County of _____

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

SIGNATURE OF NOTARY PUBLIC

[Seal]