

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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In re:

[DEBTOR],

Case No. [#]

Debtor.

Chapter 11

**ORDER (I) SETTING HEARING TO CONSIDER
APPROVAL OF DISCLOSURE STATEMENT; (II) DIRECTING
PLAN PROPONENT TO SERVE NOTICE; AND (III) SETTING
DEADLINE FOR FILING OBJECTIONS TO DISCLOSURE STATEMENT**

On [DATE], [DEBTOR] (the “**plan proponent**”), filed a disclosure statement¹ pursuant to 11 U.S.C. § 1125, with respect to a plan² filed on [DATE], pursuant to 11 U.S.C. § 1121.

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

¹ ECF No. [#].

² ECF No. [#].

at the public terminals in the Clerk’s office. Copies also may be obtained from the plan proponent by written request.

This order sets a hearing to consider approval of the disclosure statement (“**disclosure hearing**”), and sets forth the deadlines and requirements relating to the disclosure statement provided in the Bankruptcy Code, Bankruptcy Rules, and Local Rules of this Court.

The disclosure hearing will be held:

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 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.

If you are permitted to attend the hearing remotely via Zoom, 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 hearing may be continued to a future date by notice given in open court at the disclosure hearing. At the disclosure hearing, the Court will consider the disclosure statement, and any modifications or objections to it.

Deadlines

The following deadlines apply with respect to the disclosure hearing:

Proponent’s deadline for serving this order, the disclosure statement, and the plan (“Service Deadline”)³ (38 days before the disclosure hearing)	[DATE]
Deadline for filing objections to disclosure statement (“Objection Deadline”)⁴ (7 days before the disclosure hearing)	[DATE]

³ See Fed. R. Bankr. P. 2002(b), 3017(a) and 9006(f); Local Rule 3017-1(B).

⁴ See Local Rule 3017-1(A).

Plan Proponent's Obligations

(A) On or before the Service Deadline, the plan proponent must serve a copy of the disclosure statement and plan, together with this order, on: (i) the debtor; (ii) all committees that have been appointed; (iii) any chapter 11 trustee or examiner that has been appointed; (iv) the Securities and Exchange Commission; (v) the Internal Revenue Service; (vi) the U.S. Trustee; and (vii) any party in interest who requests in writing a copy of the disclosure statement and plan. The plan proponent must file a certificate of service as required under Local Rule 2002-1(F).

(B) On or before the Service Deadline, the plan proponent must also serve a copy of this order on (i) all creditors; (ii) all equity security holders; (iii) all persons who have requested notice; and (iv) all other interested parties (including those entities described in Bankruptcy Rule 3017(f)). The plan proponent must file a certificate of service as required under Local Rule 2002-1(F).

(C) If the plan proponent does not timely comply with any of the requirements of this order, the Court may impose sanctions at the disclosure 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 hearing at the request of any party that has requested such relief in a timely filed objection or on the Court's own motion.

Objections to Disclosure Statement

By the Objection Deadline, objections to the disclosure statement must be (i) filed with the Court and (ii) served on (a) the debtor; (b) the plan proponent (if other than the debtor); (c) all committees that have been appointed; (d) any chapter 11 trustee or examiner that has been appointed; and (e) the U.S. Trustee. Pursuant to Local Rule 3017-1(A), any objecting party must (a) confer with the plan proponent's counsel at least three business days before the disclosure hearing in an effort to resolve any objections to the disclosure statement, and (b) include a request for dismissal or conversion in the objection to the disclosure statement if that relief will be sought at the disclosure hearing.

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