

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF FLORIDA**  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

**In Re:** **Administrative Order 2023-01**

**Adoption of Interim  
Local Rule 3017-1 and Approval of  
Amendments to Local Forms**

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The Court has determined that amendments to Local Rule 3017-1 and designated Local Forms are required. Local Rule 3017-1 and Local Forms are amended for any hearing seeking approval of a disclosure statement or confirmation of a chapter 11 plan that is set for hearing on or after **February 1, 2023**.

Local Forms were amended to incorporate stylistic changes for ease of use, require in-person attendance for a contested disclosure statement or confirmation hearing, and require counsel to prepare an exhibit register and exhibits for a confirmation hearing. The following amended Local Forms are attached as Exhibits A-F. Accordingly, it is

**ORDERED** as follows:

(1) Local Rule 3017-1 is amended by substituting the following as Interim Local Rule 3017-1:

*3017-1 Disclosure Statement and Confirmation Hearing – Standard Chapter 11 Case. The provisions in this subdivision apply to any chapter 11 plan and disclosure statement filed by any plan proponent, other than a small business debtor unless otherwise ordered by the court.*

*[Comment: See also Bankruptcy Rules 3017(a) and (f) (service of plan and disclosure statement on other parties required).]*

*(A) Deadline for Objecting to Disclosure Statement. Objections to a disclosure statement must be filed, and a copy delivered to the plan proponent, at least seven days before the hearing on approval of the disclosure statement. The objecting party shall confer with the plan proponent at least three business days before the hearing in an effort to resolve any objections to the disclosure statement. The objection shall include a request for dismissal or conversion of the case if the objecting party will be seeking that relief at the disclosure hearing.*

*(B) Service of Plan, Disclosure Statement, Ballot, and Notice; Deadline for Service.*

*(1) At least 38 days before the date set for the hearing on approval of the disclosure statement, the plan proponent shall serve the “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 the parties required by Bankruptcy Rules 2002(b), 2002(d), and 2002(j), and on the U.S. Trustee, and shall serve the plan and disclosure statement as required by Bankruptcy Rule 3017(a) and (f).*

*(2) After court approval of the disclosure statement and at least 45 days before the date set for the confirmation hearing, or as otherwise directed by the court, the plan proponent shall serve the “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” together with the plan and disclosure statement, on the parties required by Bankruptcy Rule 3017(d) and shall serve a ballot in the form required by Local Rule 3018-1 on all creditors and equity security holders entitled to vote on the plan. The proponent of the plan must serve the customized ballot and instructions via U.S. Mail on any party who has received the order and copies of the plan and disclosure statement electronically.*

- (2) Local Forms 30, 30A, 32A, 32B, 64A, and 64B are amended to incorporate stylistic changes for ease of use, require in-person attendance for a contested disclosure statement or confirmation hearing, and require counsel to prepare an exhibit register and exhibits for a confirmation hearing. Amended Local Forms are attached as Exhibits A-F.
- (3) The Clerk is directed to provide notice of entry of this Order and to update the Local Rules as published by this Court to reflect Interim Local Rule 3017-1 and post the updated Local Forms.

**ORDERED** in the Southern District of Florida, this 30th day of January 2023.



Laurel Myerson Isicoff  
Chief United States Bankruptcy Judge

c: All SD Bankruptcy Judges  
Joe Falzone, Clerk of Court

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

[DEBTOR],

Debtor(s).

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Case No. [#]

Chapter 12

**ORDER (I) SETTING HEARING ON  
CONFIRMATION OF CHAPTER 12 PLAN; (II) SETTING DEADLINE FOR  
FILING OBJECTIONS TO CONFIRMATION; (III) SETTING HEARING ON  
FEE APPLICATIONS; AND (IV) DIRECTING DEBTOR TO SERVE NOTICE**

On [DATE], [DEBTOR] (the “**Debtor**”) filed a plan<sup>1</sup> (the “**Plan**”) as required by Bankruptcy Code § 1221. The Debtor has requested that the Court set a hearing to consider confirmation of the Plan (“**Confirmation Hearing**”) and any timely-filed final fee applications, and to establish deadlines and requirements relating to confirmation consistent with the requirements of the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

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<sup>1</sup> ECF No. [#].

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:

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 pro se parties 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 debtor(s), and any attorneys or pro se parties 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.

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

<b>Deadline for Serving this Order and the Plan</b> (28 days before the Confirmation Hearing)	[DATE]
<b>Deadline to File Motions under Fed. R. Civ. P. 43(a)</b> (7 days before the Confirmation Hearing)	[DATE]
<b>Deadline for Filing Objections to Confirmation</b> <sup>2</sup> (3 business days before the Confirmation Hearing)	[DATE]
<b>Deadline for Filing and Serving Fee Applications</b> <sup>3</sup> (24 days before the Confirmation Hearing)	[DATE]
<b>Deadline for Filing and Serving Notice Summarizing All Fee Applications</b> <sup>4</sup> (21 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Exhibit Register and Uploading any Exhibits a Party Intends to Introduce into Evidence at the Confirmation Hearing</b> (2 business days before the Confirmation Hearing)	[DATE]

3. **Service of Order and Plan.** The Debtor must serve a copy of this Order and the Plan by the deadline listed, on all creditors, all equity security holders, the chapter 12 trustee, the U.S. Trustee, and all other parties in interest, as required by the Bankruptcy Rules. The Debtor must also file a certificate of service as required by Local Rule 2002-1(F).

4. **Notice of Fee Applications.** The Debtor must prepare, file, and serve a notice summarizing all timely filed fee applications. The notice must identify the name of and the amount sought by each applicant. The notice must be served on all creditors, all equity security holders, and all other parties in interest as required by the Bankruptcy Rules and Local Rules. The Debtor must file a certificate of service as required by Local Rule 2002-1(F).

5. **Failure to Comply with Order.** If the Debtor does not timely comply with any of the requirements of this Order, the Court may impose sanctions at the

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<sup>2</sup> See Local Rule 3015-1(A)(2).

<sup>3</sup> See Local Rule 2016-1(C)(3).

<sup>4</sup> See Local Rule 2002-1(C)(9); Fed. R. Bankr. P. 2002(a)(6), 2002(c)(2).

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 of this case or conversion to a chapter 7 liquidation at the request of any party or on the Court's own motion.

**6. Deadline for Filing and Hearing on Fee Applications.** To be considered at the Confirmation Hearing, fee applications (with all exhibits) must be timely filed and served by the deadline listed above on: (i) the Debtor; (ii) the chapter 12 trustee; and (iii) the U.S. Trustee.

**7. Evidence.** The Court will consider evidence at the Confirmation Hearing, subject to the procedures set forth below:

**A. Exhibits and Exhibit Registers.** The Confirmation Hearing is an evidentiary hearing even when confirmation is uncontested.<sup>5</sup> 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 9070-1, by the deadline listed above.<sup>6</sup> Notwithstanding Local Rule 9070-1(A)(3), however, any objections to the admissibility of any proposed exhibits 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 a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Bankruptcy Rule 9017, by no later than the deadline listed above, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

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**Submitted by:**

[INSERT NAME AND ADDRESS OF  
COUNSEL TO DEBTOR]

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<sup>5</sup> Under Federal Rule of Bankruptcy Procedure 3020(b)(2), the Court may determine that the plan has been proposed in good faith and not by any means forbidden by law without receiving evidence on such issues, if no objection to confirmation is timely filed.

<sup>6</sup> Exhibit registers should include the final Plan as it was served, the final disclosure statement as it was served, the confirmation affidavit, the certificate of plan proponent, 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  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

[DEBTOR],

Debtor(s).

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Case No. [#]

Chapter 11

**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 plan<sup>1</sup> (the “**plan**”), as required by 11 U.S.C. § 1189. The Debtor has requested that the Court set a hearing to consider confirmation of the Plan (“**confirmation hearing**”) and any timely-filed final fee applications, and to establish the deadlines and requirements relating to confirmation consistent with the requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, it is

**ORDERED**, and **NOTICE IS GIVEN**, that:

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<sup>1</sup> ECF No. [#].

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:

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 pro se parties 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 pro se parties 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:

<b>Deadline for Serving this Order, Plan, and Ballots<sup>2</sup></b> (45 days before the confirmation hearing)	[DATE]
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<sup>2</sup> See ¶ 3(A); FRBP 2002(b) and 9006(a) and (f).



<b>Deadline for Filing and Serving Fee Applications<sup>3</sup></b> (24 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing and Serving Notice Summarizing All Fee Applications<sup>4</sup> (21 days before the confirmation hearing)</b>	[DATE]
<b>Deadline for Filing Objections to Confirmation<sup>5</sup></b> (14 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Ballots Accepting or Rejecting Plan<sup>6</sup></b> (14 days before the confirmation hearing)	[DATE]
<b>Deadline to File Motions Under Fed. R. Civ. P. 43(a)<sup>7</sup></b> (7 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Proponent’s Report and Confirmation Affidavit<sup>8</sup></b> (3 business days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Local Form 71 “Individual Debtor Certificate for Confirmation Regarding Payment of Domestic Support Obligations and Filing of Required Tax Returns” (individual cases only)<sup>9</sup></b> (3 business days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Exhibit Register and Uploading Any Exhibits a Party Intends to Introduce into Evidence at confirmation hearing<sup>10</sup></b> (3 business days before the confirmation hearing)	[DATE]

**3. Debtor’s Obligations.**

**A. Service of solicitation package.** The Debtor must serve a copy of this Order and the Plan, by the deadline listed above, on all creditors, all equity security holders, the subchapter V trustee, the U.S. Trustee, and all other parties in interest, as required by the Bankruptcy Rules (including those entities described in

<sup>3</sup> See Local Rule 2016-1(C)(1).

<sup>4</sup> See Local Rule 2002-1(C)(9); Fed. R. Bankr. P. 2002 (a)(6), 2002(c)(2).

<sup>5</sup> See Local Rule 3020-1(A).

<sup>6</sup> See Local Rule 3018-1(B).

<sup>7</sup> See ¶ 5(B).

<sup>8</sup> See Local Rule 3020-1(B); see also ¶ 3(B).

<sup>9</sup> See Local Rule 3020-1(B).

<sup>10</sup> See ¶ 3(A).

Bankruptcy Rule 3017(f) and the Local Rules. The Debtor must also serve, along with this order, the Local Form “Ballot and Deadline for Filing Ballot Accepting or Rejecting Plan,” customized as required by Local Rule 3018-1, on all creditors and equity security holders entitled to vote on the Plan. The Debtor must file a certificate of service as required by Local Rule 2002-1(F).

**B. Notice of Fee Applications.** The plan proponent must prepare, file, and serve a notice summarizing all timely filed fee applications by the deadline listed above. The notice must identify the name of and the amount sought by each applicant. The notice must be served on all creditors, all equity security holders, and all other parties in interest as required by the Bankruptcy Rules and Local Rules. The plan proponent must file a certificate of service as required by Local Rule 2002-1(F).

**C. Proponent’s Certificate and Confirmation Affidavit.** The Debtor must file with the Court the Local Form “Certificate of Proponent of Plan on Acceptance of Plan, Report on Amount to be Deposited, Certificate of Amount Deposited and Payment of Fees,” and the Local Form “Confirmation Affidavit,” by the deadline listed above. The Confirmation Affidavit must set forth the facts upon which the Debtor relies to establish that each of the requirements of 11 U.S.C. §§ 1129 and 1191 is satisfied. The Confirmation Affidavit 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 of the Plan. The individual executing the Confirmation Affidavit 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.

**D. Failure to Comply with Order.** 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, removal of the debtor in possession, or conversion at the confirmation hearing at the request of any party or on the Court’s own motion.

**4. Deadline for Filing Fee Applications.** To be considered at the confirmation hearing, fee applications (with all exhibits) must (A) be timely filed and served by the deadline listed above on: (i) the Debtor; (ii) the subchapter V trustee; (iii) all committees that have been appointed; and (iv) the United States Trustee, and (B) include an estimate of additional time and costs to be incurred from the end of the application period through confirmation. Any applicant including estimates of additional time and costs must file a supplement before the confirmation hearing with documentation supporting the estimated time and costs.

**5. Evidence.**

**A. Exhibits and Exhibit Registers.** The Confirmation Hearing is an evidentiary hearing even when confirmation is uncontested.<sup>11</sup> 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 9070-1, by the deadline listed above.<sup>12</sup> Notwithstanding Local Rule 9070-1(A)(3), however, any objections to the admissibility of any proposed exhibits 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 a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Bankruptcy Rule 9017, by no later than the deadline listed above, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

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Submitted by:

[INSERT NAME AND ADDRESS OF  
COUNSEL TO DEBTOR]

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<sup>11</sup> Under Federal Rule of Bankruptcy Procedure 3020(b)(2), the Court may determine that the plan has been proposed in good faith and not by any means forbidden by law without receiving evidence on such issues, if no objection to confirmation is timely filed.

<sup>12</sup> Exhibit registers should include the final Plan as it was served, the final disclosure statement as it was served, the confirmation affidavit, the certificate of plan proponent, 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  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

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 statement<sup>1</sup> pursuant to 11 U.S.C. § 1125, with respect to a plan<sup>2</sup> 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

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<sup>1</sup> ECF No. [#].

<sup>2</sup> 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:

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

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

<sup>4</sup> 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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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

[DEBTOR],

Debtor(s).

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Case No. [#]

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 statement<sup>1</sup> filed by [PLAN PROPONENT] (the “**plan proponent**”) in connection with its chapter 11 plan (the “**plan**”).<sup>2</sup> 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

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<sup>1</sup> ECF No. [#].

<sup>2</sup> ECF No. [#].

**ORDERED**, and **NOTICE IS GIVEN**, that:

1. **Approval of Disclosure Statement**. Pursuant to 11 U.S.C. § 1125(b) and Bankruptcy Rule 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 pro se parties 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 pro se parties 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:

<b>Deadline for Serving this Order, Disclosure Statement, Plan, and Ballots</b> <sup>3</sup> (45 days before the confirmation hearing)	[DATE]
<b>Deadline for Objections to Claims</b> <sup>4</sup> (40 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing and Serving Fee Applications</b> <sup>5</sup> (24 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing and Serving Notice Summarizing All Fee Applications</b> <sup>6</sup> (21 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Ballots Accepting or Rejecting Plan</b> <sup>7</sup> (14 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Objections to Confirmation</b> <sup>8</sup> (14 days before the confirmation hearing)	[DATE]
<b>Deadline to File Motions Under Fed. R. Civ. P. 43(a)</b> <sup>9</sup> (7 days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Proponent’s Report and Confirmation Affidavit</b> <sup>10</sup> (3 business days before the confirmation hearing)	[DATE]
<b>Deadline for Filing Local Form 71 “Individual Debtor Certificate for Confirmation Regarding Payment of Domestic Support Obligations and Filing of Required Tax Returns” (individual cases only)</b> <sup>11</sup> (3 business days before the confirmation hearing)	[DATE]

<sup>3</sup> See FRBP 2002(b) and 9006(a) and (f); Local Rule 3017-1(B)(2); *see also* ¶ 4(A).

<sup>4</sup> See Local Rule 3007-1(B)(1).

<sup>5</sup> See Local Rule 2016-1(C)(1); *see also* ¶¶ 4(B), 6.

<sup>6</sup> See Local Rule 2002-1(C)(9); Fed. R. Bankr. P. 2002 (a)(6), 2002(c)(2).

<sup>7</sup> See Local Rule 3018-1(B); Fed. R. Bankr. P. 3018(a); *see also* ¶ 5.

<sup>8</sup> See Local Rule 3020-1(A).

<sup>9</sup> See ¶ 7(B).

<sup>10</sup> See Local Rule 3020-1(B); *see also* ¶ 4(C).

<sup>11</sup> See Local Rule 3020-1(B).

<b>Deadline for Filing Exhibit Register and Uploading Any Exhibits a Party Intends to Introduce into Evidence at the confirmation hearing<sup>12</sup></b> (3 business days before the confirmation hearing)	[DATE]
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**4. Plan Proponent’s Obligations.**

**A. Service of Solicitation Package.** The plan proponent must serve a copy of this Order, 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 the plan, by the deadline listed above, on all creditors, all equity security holders, and all other parties in interest, as required by the Bankruptcy Rules (including those entities as described in Bankruptcy Rule 3017(f) and the Local Rules. The plan proponent must also serve, along with this Order, the Local Form “Ballot and Deadline for Filing Ballot Accepting or Rejecting Plan,” customized as required by Local Rule 3018-1, on all creditors and equity security holders entitled to vote on the plan. The plan proponent must file a certificate of service as required by Local Rule 2002-1(F).

**B. Notice of Fee Applications.** The plan proponent must prepare, file, and serve a notice summarizing all timely filed fee applications by the deadline listed above. The notice must identify the name of and the amount sought by each applicant. The notice must be served on all creditors, all equity security holders, and all other parties in interest as required by the Bankruptcy Rules and Local Rules. The plan proponent must file a certificate of service as required by Local Rule 2002-1(F).

**C. Proponent’s Report and Confirmation Affidavit.** The plan proponent must file with the Court the Local Form “Certificate of Proponent of Plan on Acceptance of Plan, Report on Amount to be Deposited, Certificate of Amount Deposited and Payment of Fees,” and the Local Form “Confirmation Affidavit,” by the deadline listed above. The Confirmation Affidavit must set forth the facts upon which the plan proponent relies to establish that each of the requirements of 11 U.S.C. § 1129 are satisfied. The Confirmation Affidavit 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 of the plan. The individual executing the Confirmation Affidavit 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.

**D. Failure to Comply with Order.** If the plan proponent does not

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<sup>12</sup> See ¶ 7(A).

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 or on the Court's own motion.

**5. Temporary Allowance of Claims for Voting Purposes.** 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 Bankruptcy Rule 3018(a) temporarily allowing your claim for voting purposes.

**6. Fee Applications.** To be considered at the confirmation hearing, fee applications (with all exhibits) must (A) be timely filed and served by the deadline listed above on (i) the debtor; (ii) the plan proponent (if other than the debtor); (iii) all committees that have been appointed; (iv) any chapter 11 trustee or examiner that has been appointed; and (v) the U.S. Trustee, and (B) include an estimate of additional time and costs to be incurred from the end of the application period through confirmation. Any applicant including estimates of additional time and costs must file a supplement before the confirmation hearing with documentation supporting the estimated time and costs.

**7. Evidence.**

**A. Exhibits and Exhibit Registers.** The Confirmation Hearing is an evidentiary hearing even when confirmation is uncontested.<sup>13</sup> 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 9070-1, by the deadline listed above.<sup>14</sup> Notwithstanding Local Rule 9070-1(A)(3), however, any objections to the admissibility of any proposed exhibits 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 a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Bankruptcy Rule 9017, by no later than the deadline listed above, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

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<sup>13</sup> Under Federal Rule of Bankruptcy Procedure 3020(b)(2), the Court may determine that the plan has been proposed in good faith and not by any means forbidden by law without receiving evidence on such issues, if no objection to confirmation is timely filed.

<sup>14</sup> Exhibit registers should include the final Plan as it was served, the final disclosure statement as it was served, the confirmation affidavit, the certificate of plan proponent, the certificate of service of the solicitation package, LF-71 (individual cases only), and, if applicable, projections, and the liquidation analysis.

# # #

Submitted by:

[INSERT NAME AND ADDRESS OF  
COUNSEL TO PLAN PROPONENT]

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

[DEBTOR],

Debtor(s).

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Case No. [#]

Chapter 11  
(small business)

**ORDER (I) CONDITIONALLY  
APPROVING DISCLOSURE STATEMENT; (II) SETTING  
HEARING ON FINAL APPROVAL OF DISCLOSURE STATEMENT  
AND CONFIRMATION OF CHAPTER 11 PLAN; (III) SETTING VARIOUS  
DEADLINES AND; (IV) DESCRIBING PLAN PROPONENT'S OBLIGATIONS**

On [DATE], [PLAN PROPONENT] (the “**plan proponent**”) filed a [DISCLOSURE STATEMENT] [A COMBINED PLAN AND DISCLOSURE STATEMENT] [A PLAN CONTAINING THE DISCLOSURES REQUIRED BY 11 U.S.C. § 1125(a)]<sup>1</sup> (the “**disclosure statement**”) under chapter 11 of the Bankruptcy Code and Local Rule 3017-2 with respect to a plan under chapter 11 of the Bankruptcy Code<sup>2</sup> (the “**plan**”) filed by plan proponent on [DATE]. The plan proponent has requested that the Court set a hearing to consider final approval of the disclosure statement, confirmation of the plan (the “**confirmation hearing**”), approval of fee applications, and establish the deadlines and requirements relating to

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<sup>1</sup> ECF No. [#].

<sup>2</sup> ECF No. [#].

confirmation consistent with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and Local Rules of this Court. Therefore, based upon this being a small business case,<sup>3</sup> 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 any 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 pro se parties 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 debtor(s), and any attorneys or pro se parties 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.

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<sup>3</sup> 11 U.S.C. § 101(51C).

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

<b>Deadline for Serving this Order, disclosure statement, plan, and ballots<sup>4</sup></b> (30 days before the confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Objections to Claims<sup>5</sup></b> (14 days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Filing and Serving Fee Applications<sup>6</sup></b> (24 days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Filing and Serving Notice Summarizing All Fee Applications<sup>7</sup></b> (21 days before the confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Filing Ballots Accepting or Rejecting plan<sup>8</sup></b> (7 days before confirmation hearing, per Local Rule 3018-1)	<b>[DATE]</b>
<b>Deadline to File Motions Under Fed. R. Civ. P. 43(a)<sup>9</sup></b> (7 business days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Objections to Confirmation<sup>10</sup></b> (3 business days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Objections to Final Approval of the disclosure statement</b> (3 business days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Filing Proponent’s Report and Confirmation Affidavit<sup>11</sup></b> (3 business days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Filing Local Form 71 “Individual Debtor Certificate for Confirmation Regarding Payment of Domestic Support Obligations and Filing of Required Tax Returns” (individual cases only)<sup>12</sup></b> (3 business days before confirmation hearing)	<b>[DATE]</b>
<b>Deadline for Filing Exhibit Register and Uploading Any Exhibits a Party Intends to Introduce into Evidence at</b>	<b>[DATE]</b>

<sup>4</sup> See ¶ 4(A).

<sup>5</sup> See Local Rule 3007-1(B)(1).

<sup>6</sup> See Local Rule 2016-1(C)(1).

<sup>7</sup> See Local Rule 2002-1(C)(9); Fed. R. Bankr. P. 2002(a)(6), 2002(c)(2).

<sup>8</sup> See Local Rule 3018-1(B).

<sup>9</sup> See ¶ 6(B).

<sup>10</sup> See Local Rule 3020-1(A).

<sup>11</sup> See Local Rule 3020-1(B); *see also* ¶ 4(B).

<sup>12</sup> See Local Rule 3020-1(B).

the confirmation hearing <sup>13</sup> (3 business days before confirmation hearing)	
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#### 4. Plan Proponent's Obligations.

**A. Service of Solicitation Package.** The plan proponent must serve a copy of this Order, the conditionally approved disclosure statement, and the plan, by the deadline listed above, on all creditors, all equity security holders, the U.S. Trustee, and all other parties in interest, as required by the Bankruptcy Rules (including those entities described in Bankruptcy Rule 3017(f) and the Local Rules. The plan proponent must also serve, along with this order, the Local Form "Ballot and Deadline for Filing Ballot Accepting or Rejecting Plan," customized as required by Local Rule 3018-1, on all creditors and equity security holders entitled to vote on the plan. The plan proponent must file a certificate of service as required by Local Rule 2002-1(F).

**B. Notice of Fee Applications.** The plan proponent must prepare, file, and serve a notice summarizing all timely filed fee applications by the deadline listed above. The notice must identify the name of and the amount sought by each applicant. The notice must be served on all creditors, all equity security holders, and all other parties in interest as required by the Bankruptcy Rules and Local Rules. The plan proponent must file a certificate of service as required by Local Rule 2002-1(F).

**C. Proponent's Report and Confirmation Affidavit.** The plan proponent must prepare and file with the Court the Local Form "Certificate of Proponent of Plan on Acceptance of Plan, Report on Amount to be Deposited, Certificate of Amount Deposited and Payment of Fees," and the Local Form "Confirmation Affidavit" by the deadline listed above. The Confirmation Affidavit must set forth the facts upon which the plan proponent relies to establish that each of the requirements of 11 U.S.C. § 1129 are satisfied. The Confirmation Affidavit 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 of the plan. The individual executing the Confirmation Affidavit 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.

**D. Failure to Comply with Order.** 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 may also consider dismissal or conversion at the confirmation hearing, at the request of any party or on the Court's own motion.

#### 5. Deadline For Filing Fee Applications.

To be considered at the confirmation hearing, fee applications (with all exhibits) must (A) be timely filed and served by the deadline listed above on (i) the debtor; (ii) the plan

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<sup>13</sup> See ¶ 6(A).



proponent (if other than the debtor); (iii) all committees that have been appointed; (iv) any chapter 11 trustee or examiner that has been appointed; and (v) the U.S. Trustee, and (B) include an estimate of additional time and costs to be incurred from the end of the application period through confirmation. Any applicant including estimates of additional time and costs must file a supplement before the confirmation hearing with documentation supporting the estimated time and costs.

**6. Evidence.**

**A. Exhibits and Exhibit Registers.** The Confirmation Hearing is an evidentiary hearing even when confirmation is uncontested. 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 9070-1, by the deadline listed above. Notwithstanding Local Rule 9070-1(A)(3), however, any objections to the admissibility of any proposed exhibits 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 a motion under Federal Rule of Civil Procedure 43(a), made applicable here by Bankruptcy Rule 9017, by no later than the deadline listed above, setting forth the good cause, compelling circumstances, and appropriate safeguards in place for the Court to permit remote witness testimony.

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Submitted by:

[INSERT NAME AND ADDRESS OF COUNSEL  
TO PLAN PROPONENT]

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

[DEBTOR],

Case No. [#]

Debtor.

Chapter 11

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

On [DATE], [DEBTOR] (the “**plan proponent**”), filed a disclosure statement<sup>1</sup> pursuant to 11 U.S.C. § 1125, with respect to a small business plan<sup>2</sup> filed on [DATE], pursuant to 11 U.S.C. § 1121.

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<sup>1</sup> ECF No. [#].

<sup>2</sup> ECF No. [#].

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 and Local Rule 3017-2 permit 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 statement and plan filed by the plan proponent, and has determined that the disclosure statement cannot be conditionally approved.

The Court will therefore conduct a hearing to consider approval of the disclosure statement ("disclosure hearing"). This order sets the 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:

<b>Proponent’s deadline for serving this order, the disclosure statement, and the plan (“Service Deadline”)</b> <sup>3</sup> (38 days before the disclosure hearing)	[DATE]
<b>Proponent’s deadline for filing a motion under 11 U.S.C. § 1121(e)(3) (the “1121(e)(3) Motion Deadline”)</b> <sup>4</sup> (7 days before the disclosure hearing)	[DATE]
<b>Deadline for filing objections to disclosure statement (“Objection Deadline”)</b> <sup>5</sup> (7 days before the disclosure hearing)	[DATE]

### 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.<sup>6</sup> 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, pursuant to Bankruptcy Rules 2002, and 3017 (including those entities as described in Bankruptcy Rule 3017(f)), and Local Rule 3017-1(B) and including those on a Master Service List required to be filed pursuant to Local Rule 2002-1(H). The plan proponent must file a certificate of service as required under Local Rule 2002-1(F).

(C) At the disclosure hearing, the Court will also consider the plan proponent’s timely-filed 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 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) 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

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

<sup>4</sup> See 11 U.S.C. §§ 1121(e)(3) and 1129(e).

<sup>5</sup> See Local Rule 3017-1(A).

<sup>6</sup> See Bankruptcy Rule 3017(a), and Local Rule 3017-1(B).

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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