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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

In re:

Chapter 11

Case No. _____

Debtor(s).

ORDER SETTING AND NOTICE OF:

- 1. APPROVAL OF THE DISCLOSURE STATEMENT;**
- 2. SETTING CONFIRMATION HEARING; AND**
- 3. FIXING DEADLINES TO**
 - (i) OBJECT TO PLAN,**
 - (ii) VOTE ON PLAN and**
 - (iii) OBJECT TO DISCHARGE**

TO: ALL CREDITORS AND OTHER PARTIES IN INTEREST:

The Court has considered the _____ (“Disclosure Statement”) filed by _____ (“Proponent”) and has determined that the Disclosure Statement contains adequate information to allow creditors to make informed decisions regarding the Proponent’s _____ (“Plan”), and good cause appearing;

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

- 1. **APPROVING THE DISCLOSURE STATEMENT**: The Disclosure Statement is approved;
- 2. **HEARING ON CONFIRMATION OF THE PLAN**: The Court will consider whether to confirm the Plan at a hearing on _____, 201__, at __:__ .m.

1 (“Confirmation Hearing”). The Confirmation Hearing will be held in Courtroom ___ at 230 N.
2 First Avenue, ___th floor, Phoenix, Arizona [*Tucson, Flagstaff, Yuma, Bullhead City*].

3 3. **DEADLINE TO OBJECT TO THE PLAN**: Any party desiring to object to
4 confirmation of the Plan must file a written objection with the Court via the Electronic Court
5 Filing System or, if the objecting party is not an authorized user of the System, then by
6 delivering the objection to the Court Clerk of the Court.¹ The objection must be filed by
7 _____ (which date is at least seven (7) calendar days prior to the initial
8 confirmation hearing). Any party that files an objection to confirmation of the Plan must serve
9 a copy of the objection on the Proponent at the following address:

10 *[Name of Proponent or its Attorney]*
11 *[Name of Firm, if applicable]*
12 *[Proponent or Firm Street Address]*
13 *[Proponent or Firm City, State and Zip Code]*

14 4. **DEADLINE TO VOTE**: The Proponent shall provide creditors with a copy of a
15 ballot conforming to Official Form No. 14 (“Ballot”). Any creditor desiring to vote for or
16 against confirmation of the Plan must complete and sign a Ballot. To be timely, a completed
17 Ballot must be delivered to the Proponent at the address listed in paragraph 3 above by
18 _____ (which is at least five (5) business days prior to the Confirmation
19 Hearing).

20 5. **DEADLINE TO OBJECT TO DISCHARGE**: The Confirmation Hearing is the
21 deadline for any creditor to file a complaint objecting to the discharge of the debtor pursuant to
22 11 U.S.C. § 1141.

23 6. **BALLOT REPORT**: The Proponent shall file a report, consistent with Local
24 Bankruptcy Rule 3018-1, no later than three (3) business days prior to the Confirmation
25 Hearing.

26 7. **SERVICE OF THIS ORDER, DISCLOSURE STATEMENT, PLAN**
27 **AND BALLOT**: Pursuant to Bankruptcy Rule 3017(d), the Proponent shall serve a copy of this
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1 Order, the Plan, the Disclosure Statement (or approved summaries thereof), and a Ballot
2 (collectively, the “Plan Documents”) on:

- 3 a. All creditors;
- 4 b. the United States trustee; and,
- 5 c. the Debtor, unless it is the Proponent.

6 8. **TIMING OF SERVICE**: Pursuant to Bankruptcy Rule 2002(b), the Plan
7 Documents shall be served so that creditors have not less than twenty-eight (28) days after
8 receipt (or, pursuant to Bankruptcy Rule 9006(f), thirty-one (31) days if the Plan Documents are
9 served by mail) to file objections to confirmation and to vote on the Plan.

10 9. **CERTIFICATE OF SERVICE**: Promptly after serving the Plan Documents, the
11 Proponent shall file with the Court a certificate or affidavit evidencing such service.

12 10. **PROCEDURE IF A PLAN OBJECTION IS FILED**: If a party objects to
13 confirmation of the Plan, the Confirmation Hearing will be a non-evidentiary hearing at which
14 the Court will determine the appropriate manner to address and resolve any objection.

15 11. **PROCEDURE IF NO PLAN OBJECTION IS FILED**: If no party objects to
16 confirmation of the Plan, the Court may confirm the Plan at the Confirmation Hearing if the
17 Proponent presents sufficient evidence (e.g., witness testimony, declaration, or documents) to
18 allow the Court to make the findings required by Bankruptcy Code § 1129.

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20 **DATED AND SIGNED ABOVE**
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28 ¹ Clerk’s office in Phoenix is located at the U.S. Bankruptcy Court, 230 N. First Ave., Suite 101, Phoenix, AZ 85003 and the Clerk’s office in Tucson is located at the U.S. Bankruptcy Court, 38 S. Scott Ave., Suite 100, Tucson, AZ 85701.