

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In Re ) Case No. \_\_\_\_\_  
 )  
 ) DEBTOR'S ELECTION FOR TREATMENT  
Debtor(s) ) AS SMALL BUSINESS, AND NOTICE,  
 ) **AND ORDER THEREON**

Pursuant to 11 U.S.C. §1121(e), the debtor elects to be considered a small business. The debtor represents that it is a "small business" within the definition provided in 11 U.S.C. §101 because:

- a. The debtor is a person engaged in commercial or business activities,
- b. The debtor's primary activity is not the business of owning or operating real property and activities related thereto,
- and c. The debtor's aggregate noncontingent liquidated secured and unsecured debts as of the date of the petition do not exceed \$2,000,000.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Debtor Soc. Sec./Tax I.D. #

[To be selected by the judge]:

\_\_\_\_ **IT IS ORDERED AND NOTICE IS GIVEN** that the above-referenced debtor shall be treated as a small business debtor unless, within 12 days of the date in the "Clerk" stamp above, a creditor or party in interest files a written objection to election, SETTING FORTH the specific grounds for such objection, with the Clerk of Court (i.e., if the 5-digit portion of the Case No. begins with "3" or "4", mail to 1001 SW 5th Ave. #700, Portland OR 97204; OR, if it begins with "6" or "7", mail to PO Box 1335, Eugene OR 97440) AND serves a copy thereof on the Debtor at the address shown in the service certificate below.

\_\_\_\_ **IT IS ORDERED AND NOTICE IS GIVEN** that a hearing on the election shall be set in a separate court Notice of Hearing, and testimony may/may NOT (**strike one**) be received [NOTE: If no choice made, testimony may be received].

**IT IS FURTHER ORDERED** that if no objection to the election is filed or any objection to the election is overruled:

1. At least 14 days before filing the plan of reorganization and disclosure statement the debtor shall serve a copy of said documents on the United States Trustee, the chairperson of the creditors' committee, any involved taxing authority, major secured creditors, any entity which has requested special notice and their respective attorneys. These parties shall be given 10 days from the date of mailing by the debtor to inform the debtor of any objections or comments to the disclosure statement.

2. The debtor shall file an original and one copy of the disclosure statement and plan using forms mutually agreed upon by the United States Trustee and the debtor.

3. The disclosure statement and plan filed with the court shall be accompanied by a certificate prepared on LBF #1165.5.

4. If there are no objections or comments made to the disclosure statement or if all such objections or comments have been resolved, the court may conditionally approve the disclosure statement. The court will provide the debtor with an Order of Conditional Approval of the Disclosure Statement and Notice of Confirmation Hearing, on LBF #1175.5, for service as provided therein.

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U.S. Bankruptcy Judge