

# United States Bankruptcy Court

\_\_\_\_\_ District Of \_\_\_\_\_

**In re**

Case No. \_\_\_\_\_

**Debtor\***

Address:

Chapter 11

Social Security No(s):

(Small Business)

Employer's Tax I.D. No(s). [if any]:

## ORDER FINALLY APPROVING DISCLOSURE STATEMENT AND CONFIRMING PLAN

The plan under chapter 11 of the Bankruptcy Code filed by \_\_\_\_\_, on \_\_\_\_\_ having been transmitted to creditors and equity security holders together with a copy of the disclosure statement conditionally approved by court on \_\_\_\_\_; and

It having been determined after notice and a hearing that the requirements for final approval of the disclosure statement have been satisfied, and it having been determined after a hearing on notice that the requirements for confirmation of the plan under 11 U.S.C. § 1129 have been satisfied;

IT IS ORDERED that:

The disclosure statement filed by \_\_\_\_\_ on \_\_\_\_\_ is finally approved, and

The plan filed by \_\_\_\_\_, on \_\_\_\_\_, [If appropriate, include dates and any other pertinent details of modifications to the plan] is confirmed.

A copy of the confirmed plan is attached.

Dated: \_\_\_\_\_

BY THE COURT

\_\_\_\_\_  
*United States Bankruptcy Judge.*

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\*Set forth all names, including trade names, used by the debtor within the last 6 years. (Fed. R. Bankr. P. 1005). For joint debtors, set forth both social security numbers.

**ORDER FINALLY APPROVING DISCLOSURE STATEMENT  
AND CONFIRMING PLAN**

**Applicable Law and Rules**

1. Section 1125(f) of the Bankruptcy Code (11 U.S.C. § 1125(f) states that when a chapter 11 debtor has elected to be considered a small business under section 1121(e), the court may conditionally approve the disclosure statement, subject to final approval after notice and a hearing. Acceptances and rejections of the plan may be solicited based on the conditionally approved disclosure statement and the hearing on the disclosure statement may be combined with the hearing on confirmation of the plan.
2. Fed. R. Bankr. P. 3017.1(c)(3) states that "[i]f a timely objection to the disclosure statement is filed, the court shall hold a hearing to consider final approval before or combined with the hearing on confirmation of the plan." The Committee Note to the rule states that a hearing on final approval is not necessary if no objection to the disclosure statement is filed.
3. The requirements for confirmation of a chapter 11 plan are set out in section 1129 of the Bankruptcy Code (11 U.S.C. § 1129).
4. Fed. R. Bankr. P. 3020(c) states that:

**Order of Confirmation.** The order of confirmation shall conform to the appropriate Official Form and notice of entry thereof shall be mailed promptly as provided in Rule 2002(f) to the debtor, the trustee, creditors, equity security holders, and other parties in interest. Except in a chapter 9 municipality case, notice of entry of the order of confirmation shall be transmitted to the United States trustee as provided in Rule 2002(k).

5. Fed. R. Bankr. P. 2002(f) states "the clerk, or some other person as the court may direct, shall give the debtor, all creditors, and indenture trustees notice by mail of . . . entry of an order confirming a chapter 9, 11, or 12 plan."
6. Section 1129 of the Bankruptcy Code (11 U.S.C. § 1129) sets out the effects of confirmation of a chapter 11 plan.
7. See Form 13S for additional information on pertinent law and rules.

**General Information for the Clerk**

This form may be used as a confirmation order in a case in which a chapter 11 debtor has elected to be considered as a small business under section 1121(e) of the Bankruptcy Code. Because section 1125(f) of the Code permits the court to conditionally approve a disclosure statement in such a case and then hold a combined hearing on the disclosure statement and confirmation of the plan, this form provides for both final approval of the disclosure statement and confirmation of the plan.

This form is based on Official Form B 15. In the case of an individual chapter 11 debtor, Official Form B 18 may be adapted for use with this form.