

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

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Case No:

Chapter: 11

Debtor.

REPORT BY SBRA DEBTOR FOR STATUS CONFERENCE HELD PURSUANT TO 11 U.S.C. § 1188(c)

Bankruptcy Code § 1188(c), requires a Small Business Reorganization Act (“SBRA”) Debtor to, not later than 14 days before the status conference scheduled under § 1188(a), file with the court and serve on the trustee and all parties in interest a report that details the efforts the Debtor has undertaken, and will undertake, to attain consensual plan confirmation. Pursuant to this requirement, the Debtor hereby REPORTS as follows:

1. Deficient Filings:

- There are no outstanding deficiencies in the filings required by a SBRA debtor
- The following documents are deficient (choose all that apply):

2. Disclosure Statement:

- The Debtor does not anticipate the need to file a disclosure statement
- A disclosure statement is necessary in this case.

Date disclosure statement filed (or anticipated to be filed):

3. Pending or Anticipated Litigation:

- The Debtor does not anticipate filing any adversary proceeding or engaging in other litigation outside of the plan confirmation process, OR the Debtor is engaged in litigation or anticipates litigation that will not materially impact the confirmation of the Debtor’s anticipated or proposed plan.
- The Debtor is currently engaged in litigation, or anticipates engaging in litigation, which will have an impact on the terms of the debtor’s plan and whether the plan may be confirmed. The litigation is briefly described below:

4. **Status of Filed Motions / Applications:**

- There are no pending motions for the Court to consider in advance of the anticipated confirmation hearing date.
- The following matters are awaiting resolution by the court in advance of the anticipated confirmation hearing date (briefly describe matters pending court resolution):

5. **SBRA Plan:**

- The Debtor has already filed the proposed plan. The date first set for the confirmation hearings is:
- The Debtor has not yet filed a plan and recognizes that, pursuant to 11 U.S.C. § 1189(b), the proposed plan must be filed not later than 90 days after the order for relief, except that the Court may extend the period if the need for an extension is attributable to circumstances for which the Debtor should not be held justly accountable.
- The Debtor anticipated filing a plan on or before:
- The Debtor is NOTIFIED and is aware that a failure to file a proposed Chapter 11 Plan on or before the deadline set forth by 11 U.S.C. § 1189(b) may result in the administrative dismissal of this case.
- The Debtor is hereby requesting an extension of the 90-day deadline as set forth in § 1189(b) based on the grounds listed below. The Debtor is seeking an extension of time to file the plan until:
- Basis for requesting the extension:

6. Report on Consensual Confirmation:

A. Unclassified, Administrative Claims

- The Debtor anticipates paying all administrative claims, in full, pursuant to 11 U.S.C. § 1191(e).
- The Debtor anticipates negotiating with one or more administrative claim holders to provide for a different treatment. The name of the administrative claim holders and the anticipated negotiation is listed below:

B. Priority Tax Claims:

- The Debtor anticipates paying all priority tax claims in full, pursuant to 11 U.S.C. § 1191(e).
- The Debtor anticipated negotiating with the holder of one or more priority tax creditors to provide for a different treatment. The name of the priority tax creditor and the anticipated negotiation is listed below:

C. Secured Claims:

- The Debtor does not anticipate that any secured claims holder will be impaired under the anticipated proposed plan.
- The Debtor anticipates negotiating with the holder of one or more secured claims. The name of the creditor, the collateral, and the anticipated negotiation is listed below.

D. General Unsecured Claims:

- The unsecured claims bar date for non-governmental creditors is:
- The Debtor does not anticipate that any unsecured claim holder will be impaired under the anticipated or proposed plan.
- The Debtor anticipates that unsecured creditors will be impaired under the anticipated or proposed plan, and:

Anticipates obtaining consensual confirmation because the financial projections to be filed with the Debtor's proposed plan show that payments under the plan will be the Debtor's best efforts and will equal or exceed what unsecured creditors could expect to receive in a Chapter 7 liquidation.

- The Debtor has engaged in, or intends to engage in other negotiations with general unsecured creditors to obtain consensual confirmation of the plan as follows:

E. Leases and Executory Contracts:

- The Debtor does not anticipate including any lease or executory contract in the anticipated plan.
- The following executory contracts and/or executory leases are subject to cure and or assumption in the anticipated plan, and the Debtor states that the Debtor is negotiating any cure and/or modification agreements with the counter-party in good faith.

7. Discharge:

- The Debtor is not seeking a discharge under the Plan pursuant to 11 U.S.C. § 1141(d).
- The Debtor is seeking a discharge under the Plan pursuant to 11 U.S.C. § 1141(d).

8. Other Information: The Debtor hereby includes this additional information to inform the Court and parties in interest regarding the efforts the Debtor has undertaken and will undertake to attain consensual plan confirmation:

Signature:

Name:

Address:

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this ___ day of _____, _____, I served the the REPORT BY SBRA DEBTOR FOR STATUS CONFERENCE HELD PURSUANT TO 11 U.S.C. § 1188(c) upon all registered users of the Court's CM/ECF system that have requested electronic notices in this case, and upon the following entities by first class mail, postage pre-paid, unless otherwise indicated below:

Signature:

Name:

Address:

Service List: