

Appendix SubV-4 – Form Notice of Confirmation Hearing

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
_____ DIVISION**

IN RE:

DEBTOR

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§
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CASE NO:

(Chapter 11, Subchapter V)

**NOTICE OF HEARING ON CONFIRMATION OF
SUBCHAPTER V PLAN AND RELATED DEADLINES**

On _____, 202_, the above-referenced Debtor filed a Plan of Reorganization (“Plan”), which is attached hereto as **Exhibit A**. The Debtor hereby provides each creditor entitled to vote with the applicable Ballot, which is attached hereto as **Exhibit B**, to vote whether to accept or reject the Plan. In addition to casting your vote to accept or reject the plan, any party in interest may also object to confirmation of the Plan. Parties in interest must submit their ballot and file any objection to confirmation of the Plan by the deadlines set forth below.

On _____, 202_, the Court entered the Scheduling Order attached hereto as **Exhibit C** setting the following deadlines:

1. _____, 202_ at 5:00 p.m. (CT), at the U.S. Bankruptcy Court, Courtroom #_, _____, is fixed as the time and place of the hearing on confirmation of the Plan and any objections thereto.

2. _____, 202_ at 5:00 p.m. (CT) is fixed as the last day for holders of claims and interests to accept or reject the Plan by submitting a ballot. Such ballots shall be sent to counsel for the Debtor at the mailing or email address set forth in the Plan. Ballots shall not be filed with the Court.

3. _____, 202_ at 5:00 p.m. (CT) is also fixed, pursuant to Bankruptcy Rule 3020(b)(1), as the last day for filing and serving written objections to confirmation of the Plan. Any objections to the Plan shall be accompanied by a memorandum of legal authorities supporting such objection.

4. _____, 202_ at 5:00 p.m. (CT) is the record date by which an equity security holder or creditor whose claim is based on a security must be the holder of record of the security to be eligible to accept or reject the Plan under Bankruptcy Rule 3017.2.

5. By _____, 202_, counsel for the Debtor will file with the Court (a) a ballot summary in the form required by L. Rule 3018-1(b) with a copy of the ballots; (b) a memorandum of legal authorities addressing any unresolved objections filed to the Plan; and (c) under a notice coversheet, a proposed order confirming the Plan (and if such proposed order confirming the Plan

is a modification of the Local Required Form Order then counsel for the Debtor shall also file a redline comparing the revised order to the Local Required Form Order).

6. By _____, 202_, counsel for the Debtor will transmit by first class mail, a copy of this Notice, the Plan, the Scheduling Order, and a ballot conforming with Official Form 314, to all creditors, equity security holders, the trustee, the debtor, and all other parties in interest. Counsel for the Debtor shall promptly file a Certificate of Service with the Court reflecting such mailing.

You are encouraged to carefully review the Plan, including all exhibits and attachments, before deciding how to vote on the Plan. You may wish to consult an attorney about your rights and your treatment under the Plan.

BE ADVISED: If the Plan is confirmed under 11 U.S.C. § 1191(b): [select applicable provision]

- ☐ The Subchapter V Trustee will act as the Disbursing Agent.
- ☐ The Debtor is requesting that the Court allow the Debtor to act as the Disbursing Agent, instead of the Subchapter V Trustee, for cause described in the Plan.

/s/ _____
Attorney for the Debtor

CERTIFICATE OF SERVICE

[Add certificate of service]