

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
_____ DIVISION**

IN RE:)	
)	
XXXXXX XXXX XXXXXXXX,)	CASE NO. XX-XXXXXX
)	
Debtor.)	
)	

MEMORANDUM REGARDING POST CONFIRMATION PROCEDURES

This memorandum contains important information regarding general post confirmation procedures for chapter 11 cases in the United States Bankruptcy Court for the Middle District of North Carolina. To the extent any information in this memorandum conflicts with an order entered by the Court, the applicable sections of 11 U.S.C. §§ 101, et seq. (the “Bankruptcy Code”), the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), or the Local Rules for the United States Bankruptcy Court for the Middle District of North Carolina (the “Local Rules”), the order of the Court, Bankruptcy Code, Bankruptcy Rules, or Local Rules, as applicable, control.

A. CONSUMMATION STATUS REPORT(S)

Debtor shall file an initial consummation status report with the Court within 60 days after entry of the order confirming the plan (“Confirmation Order”). Unless otherwise ordered by the Court, subsequent consummation reports shall be filed on a quarterly basis until a final report is filed. At a minimum, each consummation report shall reflect debtor’s progress toward substantial consummation during the period reflected and must include the following information: (i) the amount due to each creditor as provided in the plan, (ii) the amount of each claim due but not paid and the reason such claim has not been paid, (iii) a statement of whether the plan has been substantially consummated, and if not, an explanation of why it has not been substantially consummated and the expected date of substantial consummation, (iv) a description of the steps remaining in the case before a final report can be filed and the expected completion dates of such steps, and (v) the projected date for filing the final report.

B. OBJECTIONS TO CLAIMS

Debtor must file objections to claims within 60 days after entry of the Confirmation Order, unless otherwise provided in the confirmed plan or in an order extending the time to file objections to claims. Each objection to claim must include the name of the claimant, the claim number, and the basis for the objection. Contemporaneously with filing an objection to claim, debtor must complete and file a “Notice of Objection to Claim” (See **Exhibit 1**). Debtor shall complete the notice, setting out the response deadline, tentative hearing date, time, and location. The notice must provide the claimant and other parties in interest at least 30 days from the date of service to respond to the objection and provide for a tentative hearing date that is at least 7

business days after the response deadline. Court dates may be obtained from www.ncmb.uscourts.gov or from the Clerk's Office.

Debtor must serve all objections to claims and notices of objections to claims in accordance with Bankruptcy Rule 3007.

Debtor must file a certificate of service indicating service of the objection to claim **and** notice of objection to claim in compliance with Bankruptcy Rule 3007 and Local Rule 9004-1(b). If Bankruptcy Rule 3007 requires service on the claimant in the manner provided by Bankruptcy Rule 7004, proof of service on the claimant must be made by affidavit. If a response to an objection to claim is not filed, debtor shall submit a proposed order for the Court to consider. If a response is timely filed or the Court so directs, a hearing will be held on the objection to claim.

C. APPLICATIONS FOR FINAL COMPENSATION

All professionals seeking final compensation for services must file an application for final compensation with the Court within 60 days after entry of the Confirmation Order. The final application must request approval of all fees and expenses incurred during the pendency of the case, including those fees and expenses conditionally approved in initial and interim fee applications. The final application shall indicate whether there will be further services provided by the professional, and if so, the approximate number of hours and purpose for these further services. If further services are anticipated, the final application must include a request for authority to file supplemental applications. All final fee applications are set for hearing, and the applicant will be responsible for preparing the proposed order after the hearing unless otherwise directed by the Court. If the Court has authorized the filing of supplemental applications, such language must be included in the order.

D. SUPPLEMENTAL FEE APPLICATIONS

Any supplemental fee applications shall be filed in accordance with the chapter 11 interim fee application procedures as set forth in the Chapter 11 Fee Application Guidelines.

E. FINAL REPORT

Debtor shall file a final report with the Court within 14 days of the finalization of all matters in the case, including final fee applications and supplemental fee applications. The final report must be filed before a final decree will be entered by the Court. The final report must, at a minimum, contain the following information: (i) a breakdown of all fees and expenses paid to all professionals in the case, (ii) the percentage dividend and total amount to be paid to unsecured creditors under the confirmed plan, (iii) the total amount of all court costs, (iv) a list of the creditor classes in the confirmed plan, including a description of each class, and how that class has been or will be paid, and (v) a request for entry of a final decree in the case.

F. FINAL DECREE

After the United States Bankruptcy Administrator reviews the final report, the Court will enter a final decree and the case will be closed.

Debtor shall serve a copy of this memorandum on any party who debtor anticipates will file a final fee application. If you have any questions concerning the contents of this memorandum, please do not hesitate to contact the Clerk's Office or the United States Bankruptcy Administrator.

OFFICE OF THE CLERK

By: _____
Deputy Clerk

EXHIBIT 1

United States Bankruptcy Court

Middle District of North Carolina

In re _____)
[Set forth here all names including married, maiden,)
and trade names used by debtor within last 8 years.])
Debtor) Case No. _____)
Address _____)
_____) Chapter _____)
Last four digits of Social Security or Individual Tax-payer)
Identification (ITIN) No(s), (if any): _____)
_____)
Employer's Tax Identification (EIN) No(s), (if any): _____)

NOTICE OF OBJECTION TO CLAIM

_____ has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then on or before (date), you or your lawyer must file with the court a written response to the objection, explaining your position, at:

U.S. Bankruptcy Court, P.O. Box 26100, Greensboro, NC 27402-6100

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

You must also send a copy to:

{objector's attorney's name and address}

{names and addresses of others to be served}

Attend the hearing on the objection, to be held only if a response is filed or if directed by the court, on (date), (year), at ____ a.m./p.m. in Courtroom____, United States Bankruptcy Court, {address}.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Date: _____

Signature: _____

Name: _____

Address: _____