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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

In re:

Chapter 11

Case No. _____

Debtor(s).

ORDER SETTING AND NOTICE OF:

- 1. HEARING TO CONSIDER APPROVAL OF DISCLOSURE STATEMENT; AND**
- 2. DEADLINE FOR FILING PROOF OF CLAIM**

TO: ALL CREDITORS AND OTHER PARTIES IN INTEREST:

The Court having been advised that _____ (“Proponent”) has filed a disclosure statement (“Disclosure Statement”) and plan of reorganization (“Plan”) under Chapter 11 of the Bankruptcy Code, and good cause appearing;

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

1. **HEARING ON DISCLOSURE STATEMENT**: The Court will consider the approval of the Disclosure Statement at a hearing on _____, 20____, at ____:____.m. (“Disclosure Statement Hearing”). The Disclosure Statement Hearing will be held in Courtroom No. _____, _____, Arizona.¹

¹ Hearings in Phoenix are held at 230 N. First Ave., Phoenix, AZ 85003. Hearings in Tucson are held at 38 S. Scott Ave., Tucson, AZ 85701.

1 2. **OBJECTION DEADLINE:** Any party desiring to object to the Court’s approval of
2 the Disclosure Statement must file a written objection with the Court via the Electronic Court
3 Filing System or, if the objecting party is not an authorized user of the System, then by
4 delivering the objection to the Court Clerk of the Court.² The objection must be filed by
5 _____ (which date is at least seven (7) calendar days prior to the Disclosure
6 Statement Hearing). Any party that files an objection to the Disclosure Statement must serve a
7 copy of the objection on the Proponent at the following address:

8 *[Name of Proponent or its Attorney]*
9 *[Name of Firm, if applicable]*
10 *[Proponent or Firm Street Address]*
11 *[Proponent or Firm City, State and Zip Code]*

12 3. **PROOF OF CLAIM BAR DATE:**³ The Court has set _____, **20__**, as
13 **the deadline for creditors to file proof of claims.** To be timely, a completed proof of claim
14 must be received by the Court at the address listed in paragraph 2.

15 4. **HOW TO PREPARE AND FILE A PROOF OF CLAIM:** Information regarding
16 how to file a proof of claim, and a proof of claim form (Bankruptcy Form B 410), can be found
17 on the Court’s website at <http://www.azb.uscourts.gov/proof-claim-form-and-instructions>.

18 5. **CREDITORS NEEDING TO FILE CLAIMS:** The Debtor has *[Debtors have]*
19 filed with the Court its *[their]* schedules of assets and liabilities (“Schedules”). The Schedules
20 contain lists of creditors, the Debtor’s *[Debtors’]* statement as to the type and amount of each
21 their claims, and whether the Debtor *[Debtors]* believes *[believe]* each claim is disputed,
22 contingent or unliquidated.

23 A. **Unscheduled Creditors:** Any creditor whose claim is not listed in the Schedules

24 Hearings in Flagstaff are held at AWD Building, 123 N. San Francisco St., Flagstaff, AZ 86001.
25 Hearings in Yuma are held at U.S. Bankruptcy Court, 98 W 1st St., 2nd Floor, Yuma, AZ 85364.
26 Hearings in Bullhead City are held at Superior Court, Courtroom R, 2225 Trane Rd., Bullhead City, AZ 86442.

27 ² Clerk’s office in Phoenix is located at the U.S. Bankruptcy Court, 230 N. First Ave., Suite 101, Phoenix, AZ
28 85003 and the Clerk’s office in Tucson is located at the U.S. Bankruptcy Court, 38 S. Scott Ave., Suite 100, Tucson,
AZ 85701.

³ Insert the date of the Disclosure Statement hearing. If the Court has previously set a proof of claim bar date, then paragraphs 3, 4 and 5 should be deleted.

1 **must file a proof of claim** to share in any distribution in this case.

2 B. **Scheduled Creditors listed as disputed, contingent or unliquidated:** Any creditor
3 whose claim is listed in the Schedules as disputed, contingent or unliquidated, **must file a proof**
4 **of claim** or its claim may be disallowed.

5 C. **Other Scheduled Creditors:** Any creditor holding a claim that is listed in the
6 Schedules that is not listed as disputed, contingent or unliquidated, **may, but need not, file a**
7 **proof of claim** to share in any distribution in this case. Failure to file a proof of claim will be
8 deemed the creditor's consent to the Debtor's [*Debtors'*] statement as to the type and amount of
9 the claim.

10 6. **DEADLINE FOR BANKRUPTCY CODE 1111(B) ELECTION:**

11 Unless otherwise ordered by the Court, the conclusion of the Disclosure Statement
12 Hearing is the deadline for a secured creditor to make a written election to have its claim treated
13 pursuant to Bankruptcy Code Section 1111(b)(2).

14 7. **SERVICE OF THIS ORDER:**

15 Pursuant to Bankruptcy Rule 3017(a), the Proponent shall serve a copy of this Order **on**
16 **all creditors and interested parties.**

17 8. **SERVICE OF THE DISCLOSURE STATEMENT AND PLAN:** Pursuant to
18 Bankruptcy Rule 3017(a), in addition to this Order, the Proponent shall serve copies of the
19 Disclosure Statement and the Plan on:

- 20 a. the Debtor, unless it is the Proponent;
- 21 b. any committee appointed pursuant to § 1102 of the Bankruptcy Code;
- 22 c. the Securities and Exchange Commission, Attn: Bankruptcy Counsel, 444 S. Flower
23 Street, Suite 900, Los Angeles, CA 90071;
- 24 d. the United States trustee; and,
- 25 e. any party in interest that has requested or requests in writing a copy of the Disclosure
26 Statement and Plan.

27 9. **REQUEST FOR COPIES:** Any creditor or party in interest may obtain a copy of
28 the Disclosure Statement and Plan by sending a written request for the copies to the Proponent

1 at the address listed in paragraph 2 above.

2 10. **TIMING OF SERVICE**: Pursuant to Bankruptcy Rule 2002(b), the Proponent
3 shall provide service as detailed in paragraphs 6 and 7 above so that all parties shall have not
4 less than twenty-eight (28) days after receipt (or, pursuant to Bankruptcy Rule 9006(f), thirty-
5 one (31) days if the Plan Documents are served by mail) to file objections to the Disclosure
6 Statement or a proof of claim.

7 11. **CERTIFICATE OF SERVICE**: Promptly after serving the documents required by
8 this Order, the Proponent shall file with the Court a certificate or affidavit evidencing such
9 service.

10 **DATED AND SIGNED ABOVE**

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