

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE: _____)
)
,) Case No.
)
Debtor.) Chapter 11

ORDER AND NOTICE OF HEARING ON DISCLOSURE STATEMENT

To the debtor, its creditors, and other parties in interest:

A disclosure statement under Chapter 11 of the Bankruptcy Code having been filed by

_____ on _____,

IT IS ORDERED and notice is hereby given, that:

1. Written objections to the disclosure statement are due on or before _____.

Written objections should be limited to whether the disclosure statement contains “adequate information” to allow an informed judgment about voting on the proposed plan. The Court encourages objectors and the plan proponent to communicate in an effort to resolve any objection before the disclosure statement hearing. Under Fed. R. Bankr. P. 3016(a), objections must be “served” on: (a) the debtor, (b) any appointed trustee, and (c) any committee appointed under the Bankruptcy Code. When these parties are e-filers on the Court’s CM/ECF System, service of the objection is done electronically without the need to mail a paper copy of the objection.

2. The hearing to consider the approval of the disclosure statement shall be held at:

_____, on _____, at _____

o'clock __.m.

3. In the absence of any timely filed objection, the Court may cancel the disclosure

statement hearing, enter an order approving the disclosure statement, and issue notices of the confirmation hearing on the proposed Chapter 11 plan. The Court may reschedule an in-court disclosure statement hearing for a telephonic hearing, limiting notice of the telephonic hearing only to those parties that have filed an objection.

4. The Clerk is directed to issue this Order and Notice to the following individuals or entities, as applicable to this case: (a) the debtor, (b) the Chapter 11 trustee, (c) all creditors and indentured trustees, (d) equity security holders, (e) any Committee appointed under the Bankruptcy Code or its authorized agents; (f) the Security and Exchange Commission, (g) the Internal Revenue Service, (h) the U.S. Attorney for the Northern District of West Virginia, (i) the Secretary of the Treasury, and (j) the Regional Office of the United States trustee. As applicable, all the above parties should be listed on the mailing matrix for this case. If a party entitled to receive this Order and Notice is not listed on the mailing matrix, the disclosure statement proponent is responsible for mailing this Order and Notice to the missing party within 7 days of the issuance of this Order and Notice.

5. The Clerk is directed to issue this Order and Notice and attach the disclosure statement to, as applicable: (a) the debtor, (b) the Chapter 11 trustee, (c) any Committee appointed under the Bankruptcy Code or its authorized agents, (d) the Security and Exchange Commission (see Fed. R. Bankr. P. 2002(j)); (e) any party that entered an appearance in the case and requested notices; and (f) the Regional Office of the United States trustee. Mailing of the disclosure statement and proposed plan may be excused when the recipient previously received a copy as an e-filer through the Court's CM/ECF System.

6. Copies of the disclosure statement and proposed plan are available on PACER, and at the public terminal in the Clerk's Office in Wheeling and Clarksburg. Requests for copies of the disclosure statement and plan should be directed to:

Attorney for Plan Proponent

Law Firm

Address

Tele. No.

7. No solicitation of votes on a proposed plan may occur until such time as the Court has approved the disclosure statement. If the Court approves the disclosure statement, a separate

order and notice will be entered regarding confirmation of the proposed plan.