

Rule 3022-1

Final Report/Decree – Chapter 11

(a) Filing of Application for Final Decree. A plan proponent in a Chapter 11 case has the continuing post-confirmation duty of preparing and prosecuting the application for a final decree closing the case. The application must be filed within 120 days of the confirmation of the plan, unless otherwise specified in the order of confirmation. If the application is not filed within the afore-specified time period, the plan proponent must comply with LBR 2015-2(b). At the time of confirmation, the compensation allowed to the attorney for the plan proponent includes compensation for time estimated to be required for performance of these duties. If the attorney fails to perform these duties in a timely manner, the court may order the refund of a portion of the fees so allowed. The case is deemed fully administered at the point of substantial consummation of the plan.

(b) Form of Application for Final Decree. The application for a final decree closing a Chapter 11 case must contain, at a minimum, the following statements:

(1) that the plan of reorganization has been substantially consummated in accordance with the plan, the order of confirmation, and any orders of the court subsequent to confirmation;

(2) that the debtor or trustee has paid all administrative expenses – including court-authorized professional compensation and costs – unless otherwise agreed in writing by the parties or unless otherwise provided for in the confirmed plan, as evidenced by an attached “Exhibit A” listing the names, addresses, and amounts paid to each of the recipients;

(3) that the debtor or trustee has commenced making the distributions prescribed by the plan, as evidenced by an attached “Exhibit B,” listing the names, addresses, and amounts paid to each of the recipients;

(4) that all remaining distributions prescribed by the plan will be made in accordance thereto, as evidenced by an attached “Exhibit C,” containing the names, addresses, and amounts to be paid to each of the recipients; and

(5) if applicable, that distributions have not been made to recipients set forth in an attached “Exhibit D,” listing the names, addresses, and amounts tendered but returned, and the reasons why payments have not been made, despite reasonable attempts.

(c) Objections to Application for Final Decree. Any party in interest, including the United States Trustee, may object to any application for a final decree.

(d) Statistical Report. Together with the application for final decree, the debtor or trustee must file a completed Bankruptcy Closing Report, LBF E as required by the Administrative Office of the United States Courts. The figures set forth in this report must correspond with the figures set forth in the Application for Final Decree.