Bankruptcy Local Rule 3018-1

CHAPTER 11 BALLOTS - VOTING ON PLANS

All ballots provided for voting on a proposed chapter 11 plan shall indicate the return address of the plan proponent and all ballots cast regarding a proposed chapter 11 plan shall be returned to the plan proponent. Not less than five (5) days prior to the confirmation hearing, the plan proponent shall file the ballots and a written summary of the ballots cast, and shall serve a copy of the summary on the debtor, the United States Trustee, any committee appointed pursuant to the Bankruptcy Code or their authorized agents, and any party that has filed an objection to confirmation or has requested notice. The summary shall contain a separate listing of acceptances and rejections and shall include the following information by class:

(a) the name of each creditor filing an acceptance or rejection, the dollar amount of each claim, and whether the debtor has objected to the claim;

(b) the total dollar amount and number of all allowed claims voted;

(c) the percentage dollar amount of acceptances; and

(d) the percentage number of acceptances.

RELATED AUTHORITY

11 U.S.C. §§ 1126, 1128, 1129
Fed. R. Bankr. P. 3018
LBR 2002-3, 3020-1

Advisory Committee Notes:

Official Form B314 provides the ballot for accepting or rejecting a chapter 11 plan of reorganization. Official Form B313 provides the order for approving disclosure statement and fixing time for filing acceptances or rejections of the plan.

2010 Notes: In order to improve practice under this Rule, a form of Ballot Summary has been developed by the Committee. In addition to providing the information called for in this form, note that the Rule also requires the filing of a separate list of all accepting and rejecting ballots. The Ballot Summary form can be located at www.id.uscourts.gov.

2016 Notes: Plan proponents should note on the ballot summary whether the plan proponent believes there are any ballots that should not be allowed for purposes of confirmation, and indicate the reason(s) for disallowing those ballots.