

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

C SWANK ENTERPRISES, LLC, : **Bankruptcy No. 16-23451JAD**
: **Related to Docs. # 332 and #305**
Debtor(s). : **Chapter 11**

POST-CONFIRMATION ORDER AND NOTICE

AND NOW, at Pittsburgh this **21st** day of **December, 2017**:

All creditors and all other parties in interest are hereby notified that the **Amended Chapter 11 Plan Proposed By Debtor(s) Dated November 13, 2017, at Doc. # 305, as modified by the stipulations**, has been confirmed by Order of Court dated **December 21, 2017**, and that to the extent provided in 11 U.S.C. § 1141, discharges the debtor(s), binds the debtor(s) and other entities, vests property of the estate in the debtor(s) free and clear of claims and interests of creditors and other entities, and voids any judgment and operates as an injunction with respect to any debt discharged. The plan constitutes a new agreement between the debtor(s) and the creditor which is binding and shall be enforceable as any other contract in the courts of the states or United States.

This order is entered to provide a timetable for final action in this case.

IT IS THEREFORE ORDERED:

(1) **ADMINISTRATIVE EXPENSES AND PROFESSIONAL FEES**

All applications for award of compensation or expenses to a trustee, examiner, attorney or other professional person and all other motions for allowance of administrative expenses shall be served and filed within ninety (90) days after the date of this order or ninety (90) days from the Plan's effective date, whichever is later. The failure to timely file, and obtain Court approval, of the allowance and payment of the fees, costs, and expenses may result in the disallowance of the same.

(2) **OBJECTIONS TO CLAIMS**

Any claim objection shall be served and filed within forty-five (45) days after the date of this order. In instances where claims have been filed after the date of this order, objections shall be filed within forty-five (45) days such claims are noted on the Claims Register. The failure to timely object to claims may result in such claims being deemed allowed.

(3) **REPORTS**

Pursuant to 11 U.S.C. § 1106(a)(7), the debtor(s) or trustee shall file, within forty-five (45) days after the date of this order, a status report detailing the actions taken by the debtor(s) or trustee and the progress made in the consummation of the plan. Said reports shall be filed every January 15th and every July 15th thereafter until a final decree has been entered.

(4) **OTHER PROCEEDINGS**

Any other adversary proceeding, contested matter, motion or application shall be filed within forty-five (45) days after the effective date of this order, or within the applicable statute of limitation..

(5) **CLERK'S CHARGES AND REPORT INFORMATION**

Within fourteen (14) days of the date of this order, debtor(s) shall submit a written request to the clerk of court to obtain the sum representing any notice and excess claim charges. Said amount shall be paid in full within forty-five (45) days of the date of this order.

(6) **UNITED STATES TRUSTEE FEES**

Payment of all fees due to the United States trustee must be provided for pursuant to 11 U.S.C. § 1129(a)(12).

(7) **FINAL REPORT AND DECREE**

Within ninety (90) days of consummation of a Plan, the debtor(s) or trustee shall file a Report And Application For Final Decree in accordance with 11 U.S.C. § 1106(a)(7). The report shall include a narrative of the activities taken toward compliance with the plan and the information contained in the Report For Bankruptcy Judges In Cases To Be Closed, attached hereto as Exhibit A. For purposes of this paragraph, "consummation" means the distribution of any deposit required by the plan. If no deposit was required, "consummation" means the payment of the first distribution required by the plan.

(8) **EXTENSIONS OF TIME**

Any time period established in this order may be extended by the court for cause after notice and hearing, but only upon motion filed prior to the deadline established under the relevant paragraph of this order. Nothing in this order shall preclude any proceeding in another court with jurisdiction within time limits which might otherwise be applicable.

(9) **NOTICE**

The debtor(s)'s attorney **shall mail:** **(a)** a copy of the order confirming the plan (a copy of the plan need not be attached); **(b)** this Post-Confirmation Order (Exhibit A, Report for Bankruptcy Judges In Cases To Be Closed, need not be attached); **(c)** and any stipulation entered into and incorporated into the plan as notice thereof to all creditors and all other parties in interest, the debtor(s), debtor(s) attorney, the trustee, if any, all parties who have filed a request for notices, all professionals who may have administrative claims against the estate of the debtor(s), and the United States trustee, and **file** a certificate of service within fourteen (14) days of the date of this order.


(10) **CONTINUATION STATEMENTS**

Judgment holders should revive their liens and secured creditors should file continuation statements, if appropriate, within sixty (60) days of the date of this order for purposes of 13 Pa. C.S.A. § 9515.

(11) **CASE CLOSING**

This case shall be closed six (6) calendar months from the date of the order confirming the plan or upon entry of the final decree. At the expiration of six (6) months, or in the absence of a motion for final decree (or for an extension to file same), the debtor(s) attorney and the clerk shall advise the court as to why the case cannot be closed.

December 21, 2017



JEFFREY A. DELLER jsf
Chief U.S. Bankruptcy Judge

Attachment

**CASE ADMINISTRATOR TO MAIL TO:
Donald R. Calaiaro, Esq.
Office of United States Trustee**

FILED
12/21/17 2:20 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	Bankruptcy No.
	:	
Debtor(s)	:	Chapter 11
	:	
Movant(s)	:	Related to Document No.
	:	
v.	:	
	:	
Respondent(s)	:	

REPORT FOR BANKRUPTCY JUDGES IN CASES TO BE CLOSED

CHAPTER 11 CASES

_____ Plan Confirmed _____ Plan Not Confirmed

If plan was confirmed and the case is still in Chapter 11, what percentage dividend was (or is) to be paid under the plan to the general unsecured class of creditors? _____%

I certify under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge, information, and belief and that all estimated payments have been designated appropriately as such.

DATE

PREPARER

SIGNATURE