

LBR 3019-1

MODIFICATION OF CHAPTER 11 PLAN BEFORE ACCEPTANCE

In the event that the proponent of a Chapter 11 plan files a modification of the plan after transmittal of the disclosure statement and before the time specified for acceptance or rejection of the plan, the proponent shall serve a copy of the plan, as modified, on the debtor, debtor-in-possession, trustee, if any, the United States Trustee, any committee appointed pursuant to the Bankruptcy Code, and any other entity designated by the court. On notice to such entities, the court shall determine, after motion and hearing, whether the modification adversely affects the treatment of the claim of any creditor or the interest of any equity security holder who has not accepted the modification in writing. If the modification is not adverse, the plan, as modified, shall be deemed accepted by the creditors and equity security holders who accept the plan. If the modification is adverse, the requirements of Fed. R. Bankr. P. 3017 shall apply to the modified plan and any amendment to the disclosure statement made necessary by the modification.