

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
 Bankruptcy Judge
 Sacramento, California

January 21, 2015 at 1:00 p.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.
3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.
4. If no disposition is set forth below, the matter will be heard as scheduled.

1.	14-24788-D-11 CHRISTIAN/AMANDA BADER RLC-4	CONFIRMATION OF PLAN OF REORGANIZATION FILED BY DEBTORS 11-20-14 [78]
----	---	---

Final ruling:

This is the debtors' motion to confirm their Chapter 11 plan. The debtors filed this case on May 6, 2014, indicating on their petition that the case is a small business debtor case pursuant to § 101(51)(d) of the Bankruptcy Code ("Code"). Debtors then timely filed a plan of reorganization on August 29, 2014 pursuant to § 1121(e)(2) of the Code. However, more than 45 days have passed since the filing of the plan and confirmation of the plan at this point is contrary to § 1129(e). The debtors' brief in support of confirmation does not address this issue. Accordingly, the confirmation hearing is continued to February 18, 2015 at 1:00 p.m. The debtors are to file a brief on or before February 2, 2015 addressing the court's ability to confirm a plan in light of the fact that the debtors have failed to comply with the time requirement of § 1129(e) of the Code. No appearance is necessary on January 21, 2015.