

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT TENNESSEE

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US BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE

JUL 08 2021

IN RE:

MODIFICATION TO LOCAL
BANKRUPTCY RULE 2015-2

ADMINISTRATIVE ORDER 2021-2

**ORDER MODIFYING PERIODIC REPORTING REQUIREMENTS IN CHAPTER 11
CASES OTHER THAN SMALL BUSINESS CASES AND SUBCHAPTER V CASES**

The provisions of Local Bankruptcy Rule 2015-2, DEBTOR IN POSSESSION, are hereby amended and superseded, as follow:

- (a) **Chapter 11 Cases other than Small Business Cases and Subchapter V Cases.** Debtors in possession and trustees in cases in which the debtor is not a small business debtor (as defined in 11 U.S.C. § 101(51D) or subchapter V debtor (as defined in 11 U.S.C. § 1182) must file reports in compliance with this order and any requirements established by the United States trustee until the effective date of a confirmed plan, or an order is entered dismissing or converting a case to another chapter.
- (1) **Mandatory Form.** Monthly operating reports must be filed using the mandatory data-enabled form adopted by the United States trustee, without alteration.
- (A) The mandatory form and instructions for its use are available at <https://www.justice.gov/ust/chapter-11-operating-reports> and www.tnmb.uscourts.gov > UST Form 11 MOR – Monthly Operating Report.
- (B) Monthly operating reports must be filed via the court’s CM/ECF system.
- (2) **Jointly Administered Cases.** Each debtor in jointly administered cases must file separate monthly reports on a non-consolidated and non-consolidating basis consistent with any requirements set forth by the United States trustee.
- (3) **Filing Deadline.** The report for each month must be filed by no later than the 21st day of the following month.
- (4) **Service.** At the same time they are filed, monthly operating reports must be served on:
- (A) the United States trustee;
- (B) any official committee appointed under 11 U.S.C. § 1102;

- (C) any governmental unit charged with the responsibility for collection or determination of any tax arising out of the bankruptcy estate's operation;
 - (D) any party in interest requesting to be served; and
 - (E) any other party the court orders to be served.
- (b) **Post-confirmation Reports.** In all chapter 11 cases other than small business cases or cases proceeding under subchapter V, the reorganized debtor or any other party authorized to administer the confirmed plan must file quarterly post-confirmation reports using the appropriate mandatory form until a final decree is entered or the case is dismissed or converted to another chapter.
- (1) **Mandatory Form.** Post-confirmation reports must be filed using the mandatory data-enabled form adopted by the United States trustee, without alteration.
 - (A) The mandatory form and instructions for its use are available at <https://www.justice.gov/ust/chapter-11-operating-reports> and www.tnmb.uscourts.gov > UST Form 11 MOR – PCR – Post-confirmation Report.
 - (B) Post-confirmation reports must be filed via the court's CM/ECF system.
 - (2) **Jointly Administered Cases.** Each reorganized debtor and any other party authorized to administer the confirmed plan in jointly administered cases must file separate post-confirmation reports on a non-consolidated and non-consolidating basis consistent with any requirements set forth by the United States trustee.
 - (3) **Filing Deadline.** The report for each quarter must be filed by no later than the 21st day of the month following the end of the calendar quarter covered by the report.
 - (4) **Service.** At the same time they are filed, post-confirmation reports must be served on:
 - (A) the United States trustee;
 - (B) any governmental unit charged with the responsibility for collection or determination of any tax arising out of the reorganized debtor's operation and the administration of the confirmed plan;
 - (C) any party in interest requesting to be served; and
 - (D) any other party the court orders to be served.

This order is not intended to alter or impact filing requirements for periodic reports for debtors in possession and trustees in the cases of small business debtors (as defined in 11 U.S.C.

§ 101(51D) and subchapter V debtors (as defined in 11 U.S.C. § 1182). Reports in these cases, if any, should continue to be filed in compliance with the form, timing, and service requirements established by 11 U.S.C. § 308, 11 U.S.C. § 1187, FED. R. BANKR. P. 2015(a), and any applicable Local Bankruptcy Rules for the Middle District of Tennessee.

SO ORDERED.

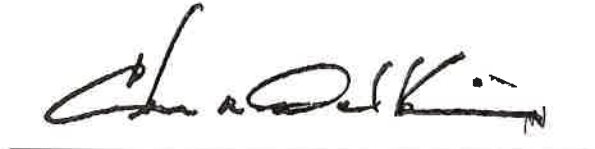
Dated: July 8, 2021



MARIAN F. HARRISON
Chief United States Bankruptcy Judge



RANDAL S. MASHBURN
United States Bankruptcy Judge



CHARLES M. WALKER
United States Bankruptcy Judge