

UNITED STATES DEPARTMENT OF JUSTICE Form 16-I
OFFICE OF UNITED STATES TRUSTEE Rev. 9/02
First Campbell Square Building
210 First Street - Suite 505
Roanoke, VA 24011

From: Margaret K. Garber
Assistant United States Trustee

September 6, 2012

To: Chapter 11 Debtors, Their Counsel, and Appointed Chapter 11 Trustees

Subj: **Post-Confirmation Reports in Chapter 11 Cases**

1. **Applicability.** Section 1106(a)(7) of the Bankruptcy Code requires that a Chapter 11 Trustee or Debtor-in-Possession (Debtor) file such reports after confirmation of a Plan of Reorganization as are necessary or as the court orders.
2. **Post-confirmation Report.** Local Rule 2015-2 requires that once a chapter 11 plan is confirmed by the Court, the debtor must file a quarterly operating report with the Office of the United States Trustee, on a form prescribed by that office, until the case is closed. A duplicate of the report must be filed with the court. Unless directed otherwise by the Court, the Post-Confirmation Report shall follow U.S. Trustee form 16. Also file a Disbursements Summary, form 9-DS, with the report. Please note that the general operating expenses and plan payments are to be included on the form 9-DS.
3. **When to File.** Chapter 11 Debtors directed by the Court to file Post-Confirmation Reports shall do so on a calendar quarter basis unless directed otherwise by the Court. Reports are due by the 15th day of the month following the period of the report.
4. **Final Report.** Local Rule 3022-1 requires that twelve (12) months after confirmation, the debtor must apply for a final decree and file as an exhibit a final report evidencing compliance to date with the terms of the plan. The debtor should file a Final Report and Application for Final Decree when the Plan of Reorganization has been substantially consummated as defined by 11 U.S.C. §1101(2) and the Debtor has begun making distributions under the Plan. The Final Report should follow U.S. Trustee Form 16-F. File the original report with the Court with copies to the Office of U.S. Trustee and Creditors' Committee, if in existence at the time of confirmation, or to the twenty largest unsecured creditors. Debtor's counsel shall also give twenty-five (25) days notice to all creditors and the United States Trustee of a hearing on the application for final decree and shall certify in writing to the Court compliance with all the noticing requirements. Objections, if any, must be filed not later than five (5) days prior to the hearing on the application for final decree with copies to be served on the debtor(s) and debtors' counsel.