

In the United States Bankruptcy Court
for the
Southern District of Georgia

FILED

FEB 27 4 50 PM '95

GENERAL ORDER NUMBER 1995-2

U.S. BANKRUPTCY COURT
SAVANNAH, GA.

The Court has considered the effect upon administration of cases in this District resulting from the adoption of 11 U.S.C. Section 502(b)(9) which provides that claims of governmental units shall be timely filed "if filed before 180 days after the date of the order for relief." Adoption of this Code provision allows governmental entities to file timely claims later than all other creditors in Chapter 13 cases who are obligated to file claims "within ninety (90) days after the first date set for the meeting of creditors" pursuant to the provisions of Bankruptcy Rule 3002(c). In order to provide for the payment of all timely filed governmental claims without delaying the administration of cases filed under Chapter 13, IT IS HEREBY ORDERED that:

- 1) In preparation for hearings on confirmation, the Trustee shall incorporate the amount and priority of governmental claims as filed, or in the absence of a filed claim, as scheduled by debtors in their original or amended petition and schedules.
- 2) The Trustee shall file a motion to dismiss or convert every case in which an estimated claim is timely filed by a governmental entity.
- 3) Upon the filing by a governmental entity of a timely claim for a liquidated sum, the Trustee shall recompute the adequacy of the confirmed plan payments to fully fund all allowed administrative, secured and priority claims in full with interest as applicable, together with the confirmation percentage of all unsecured claims. If the plan remains adequately funded the Trustee is directed to submit to the Court an amended confirmation order to include said claim.
- 4) Not later than thirty (30) days after the filing of a claim by a governmental entity, if the plan is underfunded, the Trustee is ordered to file an appropriate motion seeking an increase in plan payments, conversion to another chapter, or dismissal.
- 5) In all cases confirmed on or after the date of this Order, debtors are required to include in their plans the following language:

Vacated:
General Order 2005-3
10.13.05

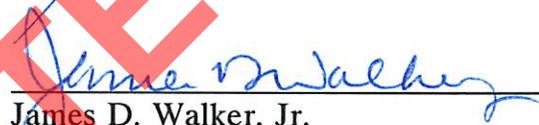
Debtor hereby agrees to increase the plan payments in an amount sufficient to fund all claims of governmental entities in accordance with their classification, upon the allowance of said claims, and subject to reasonable notice of the necessity for such an increase.



Lamar W. Davis, Jr.
Chief United States Bankruptcy Judge



John S. Dalis
United States Bankruptcy Judge



James D. Walker, Jr.
United States Bankruptcy Judge

Dated at Savannah, Georgia

This 24th day of February, 1995.

VACATED