

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

**IN RE:**

**Conditional Approval of Disclosure Statements in Small Business Cases**

**STANDING ORDER # 13**

In order to assist practitioners in the implementation of 11 U.S.C. §1125(f), which allows the Court to conditionally approve a disclosure statement in a small business case, it is

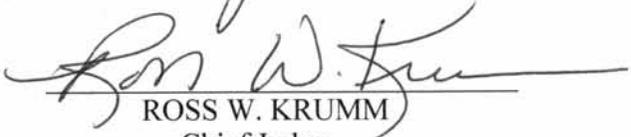
**O R D E R E D**

That in the event that the proponent of a plan in such a case desires conditional approval of a disclosure statement, the following procedures are to be adhered to:

1. Not less than seven (7) days before said plan and disclosure statement is filed with the Court, the proponent shall submit the proposed plan and disclosure statement to the Office of the U.S. Trustee for the Western District of Virginia.
2. The U.S. Trustee shall then provide comments and objections to the proponent of the plan within seven (7) days.
3. The proponent shall then file with the Court a motion for conditional approval of the proposed disclosure statement indicating compliance with this Order and whether or not the disclosure statement is satisfactory to the U.S. Trustee and, if it is not, what areas of disagreement exist. The proponent shall also attach an affidavit attesting to the truthfulness of the contents of said disclosure statement.
4. In the event that there are unresolved issues the Court may either conditionally approve the disclosure statement notwithstanding said disagreement or schedule the matter for expedited hearing.
5. The procedure for conditional approval described herein shall not extend any deadline for filing a plan and disclosure statement previously set by the Court.
6. The proponent of conditional approval shall bear the burden of obtaining final approval of the disclosure statement in accord with the requirements of 11 U.S.C. §1125.
7. Conditional approval of the disclosure statement shall not prohibit any party from making timely objection to final approval of such disclosure statement.

A copy of this Standing Order is directed to be sent to all counsel in the Western District of Virginia who are registered to practice in the United States Bankruptcy Court for the Western District of Virginia, and the Clerk is directed to post a copy of this Order in all Divisional Offices of the Bankruptcy Court for the Western District of Virginia, and on the Court's website.

Enter this 2<sup>nd</sup> day of June, 2010.

  
ROSS W. KRUMM  
Chief Judge