

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:

The Budd Company, Inc.

Debtor

)

) Case No. 14 B 11873

) Chapter 11

) Honorable Jack B. Schmetterer

)

ORDER ON DRAFT OF DISCLOSURE STATEMENT (Docket No. 1229)

1. On motion of court *sua sponte*, paragraphs 2 and 4 of the “Disclaimer” at beginning of the Draft Disclosure Statement is entirely stricken for the following reasons:

a. The second paragraph says essentially that creditors may not rely on the Disclosure Statement for accuracy and consistency with the Plan and related documents, but must also read the Plan and related documents and find any inconsistencies. Pursuant to 11 U.S.C. § 1255(a)(1) and (b) the Disclosure Statement itself must contain “adequate information” that’s so complete and accurate as to enable creditors to rely on it. Drafters have the burden of making sure that the Disclosure Statement is fully consistent with the Plan and related documents. If there are inconsistencies, the Disclosure Statement must be read to mean what the Plan drafter intended.

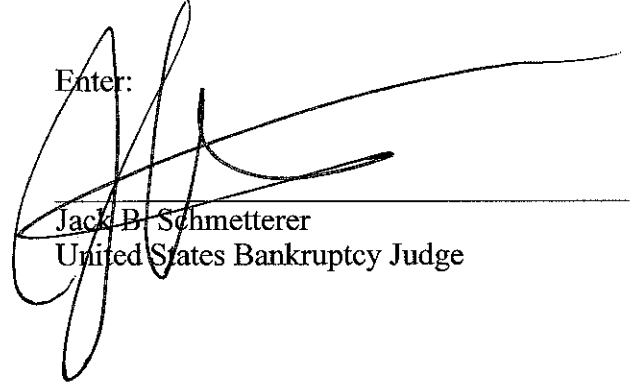
b. The fourth paragraph attempts to make evidentiary rulings in possible future cases, rulings that cannot and will not be made by this Court.

2. The parties shall prepare an introductory section containing definitions of the many acronyms used in the Disclosure Statement.

3. In the introduction, there should also be clear statements as to whether or not, and if so how exactly, the healthcare and retirement benefits are to change, the sources of funding for each, and a statement as to how long money to pay healthcare and retirement benefits are projected to last and what such projection is based on.

D. In the introduction there should also be a clear statement as to the procedure for resolving asbestos claims and the sources of funds available to pay allowed claims.

Enter:



Jack B. Schmetterer
United States Bankruptcy Judge

Dated: November 23 2015

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