

DENIED as MOOT.

Not what the Court ordered. See Page 7, VA1, for instance, which required more information. The Court will not act on this until the Disclosure Statement has been amended, as ordered, and a red-lined copy is submitted with any proposed modified Disclosure Statement.

Dated: April 06, 2011



Sarah S. Curley

**SARAH S. CURLEY
U.S. Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:
RCC SOUTH, LLC,
Debtor.

In Proceedings Under Chapter 11
Case No. 2:10-bk-23475-SSC

**ORDER APPROVING SECOND
AMENDED DISCLOSURE STATEMENT
AND FIXING TIME FOR FILING
ACCEPTANCE OR REJECTION OF
PLAN, COMBINED WITH NOTICE
THEREOF**

**TO: ALL CREDITORS, EQUITY SECURITY HOLDERS, AND OTHER
PARTIES IN INTEREST**

RCC South, LLC ("Debtor"), having filed its "Second Amended Disclosure Statement Relating to Amended Plan of Reorganization" ("Disclosure Statement") on March 16, 2011, referring to the Debtor's "Second Amended Plan of Reorganization" (the "Plan"), also filed on March 16, 2011;

It appearing that the Disclosure Statement now incorporates and addresses the Court's comments and concerns expressed at the hearings regarding approval of the Debtor's disclosure statement.

The Court finding that the Disclosure Statement contains adequate information to support the solicitation of acceptances of the Debtor's Plan, and good cause appearing therefor,

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

A. The Debtor's Disclosure Statement filed by the Debtor on March 16, 2011 is hereby approved.

1 B. The initial hearing to consider confirmation of the Plan and any amendments
2 thereto shall be held at the United States Bankruptcy Court, 230 North First Avenue, Phoenix,
3 Arizona 85003, 7th floor, Courtroom 701, on May 12, 2011 at 10:00 a.m.

4 C. The last day for filing with the Court written acceptances or rejections of the Plan
5 is five (5) business days prior to the hearing date set for confirmation of the Plan.

6 D. Copies of the ballots shall be mailed to the proponent of the Plan in care of: Philip
7 R. Rudd, Polsinelli Shughart, P.C., CityScape Plaza, One East Washington, Suite 1200, Phoenix,
8 AZ 85004.

9 E. Within the time limits imposed by Bankruptcy Rule 2002(b), a copy of this Order,
10 the Plan, the Disclosure Statement (or approved summaries thereof), and a ballot conforming to
11 Official Form No. 14 shall be transmitted by the Plan proponent by mail to all creditors, equity
12 security holders and other parties in interest as provided in Bankruptcy Rule 3017(d). The Plan
13 proponent shall file a certificate or affidavit evidencing such transmission.

14 F. The last day for filing and serving, pursuant to Bankruptcy Rule 3020(b)(1),
15 written objections to confirmation of the Plan is fixed at five (5) business days prior to the hearing
16 date set for confirmation of the Plan.

17 G. The written report by the Plan proponent, as required by Local Bankruptcy Rule
18 3018, is to be filed three (3) business days prior to the hearing date set for confirmation of the
19 Plan.

20 H. If the debtor is an individual, the above hearing date is the last date to file a
21 complaint objecting to the discharge of the debtor pursuant to 111 USC § 1141 & § 727.

22 I. If an objection to confirmation is filed, the Court may utilize the initial hearing to
23 determine the appropriate discovery procedures, the scheduling of a Rule 16 Conference, etc.,
24 under the Federal Rule of Civil Procedure, as amended.

25 J. If no objection to confirmation is filed, the Court may still request that evidence be
26 presented or that counsel present an offer of proof in support of confirmation of the Plan of
27 Reorganization. In re Acequia 787 F.2d 1352 (9th Cir. 1986).

28 **SIGNED AND DATED ABOVE.**