

1 MESCH, CLARK & ROTHSCHILD, P.C.  
259 North Meyer Avenue  
2 Tucson, Arizona 85701  
Phone: (520) 624-8886  
3 Fax: (520) 798-1037  
4 Email: [ecfbk@mrazlaw.com](mailto:ecfbk@mrazlaw.com)  
[mmcgrath@mrazlaw.com](mailto:mmcgrath@mrazlaw.com)  
[fpetersen@mrazlaw.com](mailto:fpetersen@mrazlaw.com)  
5 By: Michael McGrath, # 6019  
6 Frederick J. Petersen, # 19944  
85091-4/de  
7 Attorneys for Debtors

8 UNITED STATES BANKRUPTCY COURT  
9 DISTRICT OF ARIZONA

10 In re

Chapter 11 Proceeding

11 THE SCHOMAC GROUP, INC.,  
12 TEDCO, INC.,  
13 NSS RV CENTRAL OG LIMITED  
PARTNERSHIP,  
14 SRE INVESTMENTS, L.P.,

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Case No. 4:11-bk-22717-EWH  
4:11-bk-22720-EWH  
4:11-bk-33246-EWH  
4:11-bk-33247-EWH  
**(Joint Administration)**

15 Debtors.

16 This Filing Applies to:

- 17  All Debtors  
18  Specified Debtors

**SECOND NON-ADVERSE  
MODIFICATION (ARIZONA  
DEPARTMENT OF REVENUE) TO  
DEBTORS' JOINT PLAN OF  
REORGANIZATION AS AMENDED  
FEBRUARY, 2012**

20 Pursuant to 11 U.S.C. § 1127(a), The Schomac Group, Inc. ("Schomac"), Tedco, Inc.  
21 ("Tedco"), NSS RV Central OG Limited Partnership ("RV Central"), and SRE Investments,  
22 L.P. ("SRE") hereby modify their Joint Plan of Reorganization as Amended February, 2012,  
23 previously filed with this Court, to incorporate a settlement which has been reached with the  
24 Arizona Department of Revenue. The settlement results in an acceptance of the Plan by the  
25 creditor and avoids litigation over an objection to the Plan. The Debtors seek a  
26 determination that pursuant to 11 U.S.C. § 1127, by filing and serving this modification on

1 the affected party, the Debtors have complied with the disclosure requirements of the  
2 Bankruptcy Code under 11 U.S.C. § 1125, and that the modification is appropriate. Debtors'  
3 Joint Plan of Reorganization as Amended February, 2012 is modified as follows:

4 **Class 26 – Priority Unsecured Claim Owed the City, County and/or**  
5 **State for Sales Tax. Class 26 is comprised of the allowed unsecured**  
6 **priority tax claims for transactional privilege taxes and sales tax.**  
7 *Priority Tax Claims will be allowed in the principal amount of the claim plus*  
8 *interest at the statutory rate. The allowed claim shall not include any*  
9 *penalties. Holders of allowed priority tax claims will receive payments of*  
10 *principal, plus interest calculated at 5% per annum, monthly over a period*  
11 *ending five years from the Effective Date.*

12 This Class is impaired and with this modified treatment, votes to  
13 accept the Plan.

14 In order for this Court to consider confirmation of a modified Plan, a debtor must  
15 comply with §1127 of the Bankruptcy Code. Since the modification described above does  
16 not affect the treatment of any class of creditors' claims, the Debtors do not believe  
17 additional notice or service of this pleading is required.

18 11 U.S.C. §1127 requires that modification of a plan comply with §1125, requiring  
19 that the debtor provide "adequate information" respecting a plan or a modified plan. Debtors  
20 believe that service of this modification on interested parties will satisfy the requirements of  
21 §1125.

22 Case authorities support the proposition that service of a modified plan on affected  
23 creditors constitutes adequate disclosure. *In re American Solar King Corp.*, 90 B.R. 808  
24 (Bkrcty.W.D. Tex. 1988). In the *American Solar* case, the court held that where a plan  
25 modification does not materially and adversely impact parties who previously voted for the  
26 plan, preparation of a new disclosure statement was not necessary. The Debtors have  
modified their Plan with respect to Class 7 – Monterey County Tax Collector. As a result,  
the Debtors seek this Court's order finding that the modification to the Plan is in compliance  
with the Bankruptcy Code, that the Debtors have provided adequate disclosure to make such  
modification, and that the Plan should be confirmed.

1 DATED: March 28, 2012.

2 MESCH, CLARK & ROTHSCHILD, P.C.

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4 By /s/Michael McGrath, #6019

5 Michael McGrath  
6 Frederick J. Petersen  
7 Attorneys for Debtors

8 Copy e-mailed March 29, 2012, to:

9 Denise A. Faulk  
10 Office of the Attorney General  
11 400 W. Congress St., Suite S-315  
12 Tucson, AZ 85701-1340  
13 [Denise.Faulk@azbar.org](mailto:Denise.Faulk@azbar.org)  
14 *Attorneys for ADOR*

15 Office of the U.S. Trustee  
16 230 N. First Ave., Ste 204  
17 Phoenix, AZ 85003  
18 [ustp.region14@usdoj.gov](mailto:ustp.region14@usdoj.gov)

19 /s/Deborah Elkins

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