

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

THE KELLY FIRM, P.C.  
Andrew J. Kelly, Esq.  
1011 Highway 71, Suite 200  
Spring Lake, NJ 07762  
(732) 449-0525  
[akelly@kbtlaw.com](mailto:akelly@kbtlaw.com)

Joyce W. Lindauer  
State Bar No. 21555700  
Sarah M. Cox  
California Bar No. 245475  
Joyce W. Lindauer Attorney, PLLC  
12720 Hillcrest Road, Suite 625  
Dallas, Texas 75230  
Telephone: (972) 503-4033  
Facsimile: (972) 503-4034

ATTORNEYS FOR DEBTOR

In Re:

Shree Swaminarayan Satsang Mandal, Inc.  
Debtor.

Case No.: 17-34558

Chapter: 11

Judge: Kaplan

**MOTION TO EXTEND EXCLUSIVITY  
PERIOD**

Hearing Date: February 26, 2018

Oral Argument is Waived

**TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:**

SHREE SWAMINARAYAN SATSANG MANDAL, INC., Debtor in the above-referenced bankruptcy case (“Debtor”), by and through its counsel The Kelly Firm, P.C., Andrew J. Kelly, Esq. appearing, and Joyce W. Lindauer Attorney, PLLC, Joyce W. Lindauer, Esq. appearing, files the instant Motion to extend exclusivity period pursuant to 11 U.S.C. §1121(d) and would respectfully show the court as follows:

### **JURISDICTION**

1. The Court has jurisdiction under 28 U.S.C. § 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper under 28 U.S.C. § 1409.

### **BACKGROUND**

2. On September 26, 2017 (“Petition Date”) the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code 11 U.S.C. § 101*et seq.* (the “Bankruptcy Code”).

3. Debtor is a New Jersey religious organization and owner of a Hindu temple.

4. 11 U.S.C. § 1121(b)-(c) provides the Debtor with the exclusive right to file a plan if it files a plan within 120 days from the petition date; and such plan is accepted by each class of claims or interests that is impaired under the plan before 180 days after the petition date.

5. 11 U.S.C. § 1121(d) states that the Debtor may increase the Debtor’s exclusivity period for cause if such request is made within the exclusivity period. Cause exists to increase the exclusivity period to allow the Debtor to have the disclosure statement approved and confirm a plan.

6. The 120 day exclusive period runs on January 24, 2018.

7. Debtor and its largest creditor are planning to attend mediation, at the suggestion of the Court. However, the earliest mediation is likely to occur is late February. Debtor is hopeful the parties can reach a comprehensive agreement that will either allow the case to be dismissed, or allow the speedy confirmation of a plan by the Debtor.

8. Debtor therefore requests the Court extend the Debtor’s exclusivity period for an additional 90 days, to April 22, 2018.

I hereby certify that the foregoing statements made by me are true and that if any of the statements are found to be willfully false, I am subject to punishment.

**THE KELLY FIRM, P.C.**  
**Attorneys for Debtor**

By  /s/ Andrew J. Kelly  
ANDREW J. KELLY, ESQ.

Dated: January 23, 2018