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Bruce T Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
November 29, 2017

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:
JACK ROSS INDUSTRIES, LLC,
Debtor.

Case No. BK-N-16-51053-BTB
Chapter 11

**ORDER APPROVING SECOND
AMENDED DISCLOSURE
STATEMENT AND CONFIRMING
DEBTOR'S SECOND AMENDED
PLAN OF REORGANIZATION**

Hearing Date: November 1, 2017
Hearing Time: 2:00 p.m.

Debtor, JACK ROSS INDUSTRIES, LLC, a Nevada limited liability company, ("Debtor"), filed its Second Amended Disclosure Statement on September 12, 2017 [DE 144] (the "Disclosure Statement"). The Disclosure Statement was conditionally approved by Order of the Court on September 14, 2017 [DE 148].

The Debtor filed its Second Amended Plan Of Reorganization on September 12, 2017 [DE 145] (the "Plan").

A hearing on final approval of the Disclosure Statement and confirmation of the Plan was conducted on November 1, 2017. Stephen R. Harris, Esq., appeared on behalf of Jamie Parker and Darlene Ore; Melissa L. Flatley, Esq., appeared on behalf of the Nevada Department Of Taxation; and William B. Cossitt, Esq., appeared on behalf of the Office of

1 the United States Trustee.

2 At the hearing the Court considered the pleadings and papers, the arguments of
3 counsel, the withdrawal of objections by Darlene Ore and Jamie Parker based on certain
4 conditions set forth below, and the satisfaction of the limited objection filed by the Nevada
5 Department of Taxation based on the conditions set forth below.

6 The Court also considered the Ballot Summary [DE 169], which showed 100%
7 acceptance for Classes 1 and 4 of the Plan, as well as the Declaration of Kim Moser-Clark
8 [DE 170], which demonstrated the feasibility of the Plan.

9 After considering all of the above, the Court entered its Findings of Fact and
10 Conclusions of Law on the record at the hearing in accordance with Federal Rule of Civil
11 Procedure 52(a), as incorporated pursuant to Federal Rule of Bankruptcy Procedure 9014(c).
12 Good cause appearing,

13 IT IS HEREBY ORDERED as follows:

- 14 1. The Debtor's Second Amended Disclosure Statement is APPROVED.
15 2. The Debtor's Second Amended Plan is CONFIRMED, subject to the following
16 amendments:

17 A. The personal liability of Chris Parker under all obligations to his ex-wife
18 Jamie Parker pursuant to their divorce decree and related documents shall not be altered in
19 any way by confirmation of the Plan.

20 B. All post-petition taxes owed to the Nevada Department of Taxation shall
21 be current as of the Effective Date (January 1, 2018).

22 C. In the event all taxes to the Nevada Department of Taxation are not paid
23 within the statutory 5-year deadline set forth in 11 U.S.C. §1129(9)(c)(ii), such taxes shall
24 not be discharged, nor shall any statutory liability of responsible individuals be terminated,
25 and the Debtor shall continue making the payments set forth in the Plan until such debt is
26 paid in full with interest as specified in the Plan.

27 D. Chris Parker shall not receive a monthly salary until after the monthly
28 payments under the Plan are made.

1 E. All monthly operating reports shall be current and all fees to the Office
2 of the United States Trustee shall be current as of the Effective Date.

3 In accordance with Local Rule 9021, counsel submitting this document certifies
4 that the order accurately reflects the court's ruling and that (check one):

- 5 I have delivered a copy of the proposed order to all counsel who appeared at
6 the hearing, and any unrepresented parties who appeared at the hearing, and
7 each has approved or disapproved the order, or failed to respond, as
8 indicated below [list each party and whether the party has approved,
9 disapproved, or failed to respond to the document]:

10 Counsel appearing:

11 APPROVED/DISAPPROVED

12 HARRIS LAW PRACTICE, LLC

13 */s/ Stephen R. Harris*

14 By: _____
15 Stephen R. Harris, Esq.
16 Attorney for Jamie Parker and Darlene Ore

17 APPROVED/DISAPPROVED

18 */s/ Melissa Flatley*

19 By: _____
20 Melissa Flatley, Esq.
21 Attorney for Nevada Department of Taxation

22 Unrepresented parties appearing: **NONE.**

23 Trustee:

24 APPROVED/DISAPPROVED

25 UNITED STATES TRUSTEES OFFICE

26 */s/ William B. Cossitt*

27 By: _____

28 IT IS SO ORDERED

RESPECTFULLY SUBMITTED BY:

LAW OFFICES OF ALAN R. SMITH

By: */s/ Alan R. Smith*
ALAN R. SMITH, ESQ.
Attorney for Debtor

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