

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
\_\_\_\_\_ DIVISION

In Re:

§  
§  
§  
§  
§

Case No. \_\_\_\_\_

Debtor

Subchapter V

**PLAN BALLOT SUMMARY**

To the Honorable United States Bankruptcy Judge.

The attached Tabulation of Ballots is being submitted in connection with the confirmation hearing on Debtor's Plan of Reorganization for Small Business Under Subchapter V of Chapter 11 filed on Click or tap to enter a date., ECF No. \_\_\_\_\_.

All Ballots cast are attached hereto.

Respectfully submitted

Date: \_\_\_\_\_

/s/ \_\_\_\_\_  
Attorney For Debtor

- 1. Is a cramdown requested under 11 U.S.C. § 1191(b)  Yes  No
- 2. Unimpaired classes (*specify class numbers*): \_\_\_\_\_
- 3. Impaired classes (*specify class numbers*): \_\_\_\_\_
- 4. Has any impaired class not voted?  Yes  No  
(If YES, specify which class or classes): \_\_\_\_\_
- 5. Has any impaired class approved the Plan?  Yes  No  
(If YES, specify which class or classes): \_\_\_\_\_
- 6. Pursuant to 11 U.S.C. § 1126(c), only the actual ballots cast are counted to determine whether a given

**Form No. 11-103**

class has voted to accept or reject the plan. That section further provides that a class will have accepted the plan if voting creditors in such class holding at least **two-thirds in amount** and more **than one-half in number** have voted to accept the plan. Additionally, in accordance with this Court’s opinion in *In re Hot’z Power Wash, Inc.*, 655 B. R. 107 (S. D. Tex. 2023), when an impaired class of creditors fails to cast a ballot, that class will not be counted for purposes of whether 11 U.S.C. § 1129(a)(8) is satisfied.

7. The following is a summary by creditor of the ballots that were returned in a timely manner (an example is included on the following page):

Class	Impaired?	Number			Amount		
		Total number of claims voted by members of class (N)	Number of claims voted in favor of accepting the plan (A) and rejecting the plan (R)	Percentage accepting (A ÷ N)	Aggregate dollar amount of claims voted by members of class (Amt)	Dollar amount of claims voted in favor of accepting the plan (A) and rejecting the plan (R)	Percentage accepting (A ÷ Amt)
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%
		(N)	(A) (R)	0.00%	(Amt)	(A) (R)	0.00%

see attached continuation page

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Debtor, or attorney for Debtor

\_\_\_\_\_  
Printed name of Debtor, or attorney for Debtor

**EXAMPLE OF VOTING SUMMARY TABLE**

The following is an example of a voting summary for an individual debtor’s plan:

Class	Impaired?	Number			Amount		
		Total number of claims voted by members of class (N)	Number of claims voted in favor of accepting the plan (A) and rejecting the plan (R)	Percentage accepting (A ÷ N)	Aggregate dollar amount of claims voted by members of class (Amt)	Dollar amount of claims voted in favor of accepting the plan (A) and rejecting the plan (R)	Percentage accepting (A ÷ Amt)
Class 1(a)	No	(N)	(A) (R)		(Amt)	(A) (R)	
Class 1(b)	Yes	(N) 1	(A) 1 (R) 0	100%	(Amt) \$52,767.98	(A) \$52,767.98 (R) \$0.00	100%
Class 2(a)	Yes	(N) 0	(A) (R)		(Amt)	(A) (R)	
Class 2(b)	Yes	(N) 1	(A) 0 (R) 1	0%	(Amt) \$469,756.40	(A) \$0.00 (R) \$469,756.40	0%
Class 3	No	(N) 0	(A) (R)		(Amt)	(A) (R)	
Class 4	Yes	(N) 11	(A) 7 (R) 4	63.6%	(Amt) \$12,536.84	(A) \$7,511.10 (R) \$5,025.74	59.9%
Class 5	No	(N) 0	(A) (R)		(Amt)	(A) (R)	
		(N)	(A) (R)		(Amt)	(A) (R)	
		(N)	(A) (R)		(Amt)	(A) (R)	
		(N)	(A) (R)		(Amt)	(A) (R)	

Comments: \_\_\_\_\_

Respectfully submitted

Date \_\_\_\_\_

/s/ \_\_\_\_\_  
Attorney For Debtor

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on \_\_\_\_\_, 20\_\_ the following attached creditor matrix was served with a true and correct copy of the foregoing document entitled Plan Ballot Summary via First Class Mail, facsimile, or this Court's CM/ECF system by electronic transmission.

**CERTIFICATE OF TRANSMITTAL  
TO THE U.S. TRUSTEE & SUBCHAPTER V TRUSTEE**

The undersigned certifies that a copy of the Plan Ballot Summary was delivered to the United States Trustee and Subchapter V Trustee on \_\_\_\_\_, 20\_\_ via email and by this Court's CM/ECF system by electronic transmission.

Respectfully submitted

Date: \_\_\_\_\_

/s/  
\_\_\_\_\_  
Attorney For Debtor