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8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 In re

Case No.: 2:___-bk-____-NB

Chapter 11

11
12 _____,
13 Debtor[s].

CASE STATUS REPORT

Date: _____

Time: 1:00 p.m.

Place: Courtroom 1545
255 E. Temple Street
Los Angeles, CA 90012

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17 Instructions. To the above-captioned debtor(s) (collectively, "Debtor"):

18 (1) Keep your answers *brief* but informative (use continuation sheets if necessary, numbered
19 to match this report). Use the latest version of this report (this form was revised 12/23/15).

20 (2) *Do not use this form* for later status reports, which should include only short updates.

21 (3) File this report **at least fourteen (14) days before the status conference** listed above,
22 and serve it as directed in this court's order setting the initial status conference.¹
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27 ¹ Unless the context suggests otherwise, references to a "Chapter" or "Section" ("§") refer to the U.S.
28 Bankruptcy Code, 11 U.S.C. § 101 et seq. (the "Code"), a "Rule" means the Federal Rules of Bankruptcy
Procedure ("FRBP"), Federal Rules of Civil Procedure ("FRCP"), Federal Rules of Evidence ("FRE"), or Local
Bankruptcy Rules ("LBR"), and other terms have meanings provided in the Code and the Rules.

1. OVERVIEW

Petition date: when was the bankruptcy petition filed?

___/___/20__

Background and Exit Strategy. Briefly explain (a) Debtor's business/employment; (b) principal assets/ liabilities; (c) what caused Debtor's bankruptcy; (d) the principal financial and legal issues; and (e) Debtor's strategy for resolving those issues and exiting bankruptcy.

Explain:

Example: "Debtor owns a four-unit apartment building worth approx. \$_____, 1st deed of trust approx. \$_____, 2nd deed of trust approx. \$_____. Debtor lives in one unit and is employed as building manager. Two tenants stopped paying rent. Debtor plans to complete evictions, obtain paying tenants, and strip off second deed of trust."

You may attach relevant documents (e.g., the Real Property Declaration that Debtor submits to the U.S. Trustee as part of Debtor's 7-day package).

Compliance. (a) Has Debtor filed *all* bankruptcy schedules, the Statement of Financial Affairs ("SOFA"), and *all* documents required by Rules 1007 and 1007-1; (b) has Debtor complied with *all* duties set forth in §§ 521 and 1107; and (c) has Debtor complied with *all* applicable guidelines established by the U.S. Trustee?

☐ Yes

☐ No (explain):

2. INDIVIDUAL CHAPTER 11 CASES

☐ Check here and skip this section if Debtor is *not* an individual.

Stay. If Debtor had a previous bankruptcy case dismissed within one year, has Debtor **"completed" a hearing** to continue the automatic stay within **30 days after this case was filed** (and met any other deadlines under § 362(c)(3) or (4) and LBR 4001-2(e))? See local form F4001-1M.IS.

☐ Yes; or

☐ No, this is Debtor's first case within one year.

☐ No, other explanation:

Documents. Has Debtor filed *all* documents required by § 521(f) (e.g., tax returns) with social security numbers, names of minor children, and other sensitive information blacked out/ hidden (if required by, e.g., § 107, § 112, or Rule 9018)?

☐ Yes

☐ No (explain):

2. INDIVIDUAL CHAPTER 11 CASES

Budget. Judge Bason **requires** the use of local form **F2081-1.2.MOTION.BUDGET**. Has Debtor filed that motion?
☐ Yes

☐ No (explain):

3. COMMON "FIRST DAY" MATTERS

☐ Check here and skip this section if (a) you are *sure* that Debtor does not use cash that any party claims as its cash collateral (§ 363(c)), and has no transactions with any insiders (§ 101(31)), and (b) if you determine that the benefits of a utility motion are not worth the costs (note: being current on utility payments might NOT stop service cut-off, 11 U.S.C. § 366(c)(3)(B)(ii)).

Cash collateral stipulations. For each stipulation, (a) did Debtor file local form **F4001-2** (disclosures), which Judge Bason **requires** for all cash collateral stipulations, and (b) did the Court approve that stipulation?

☐ Yes, the motion to approve that stipulation is pending (or the Court has approved it, see Order at docket no. ____).

☐ Other explanation:

Cash collateral motions. For each creditor who does *not* consent to use of its alleged cash collateral, (a) did Debtor file a motion for use of cash collateral and (b) was that motion granted?

☐ Yes, that motion is pending (or the Court granted that motion, see Order at docket no. ____).

Note: Judge Bason **requires** the use of local form **F2081-1.1.MOTION.CASH.COLLATERAL** for individuals, and encourages other entities to use that form.

☐ Other explanation:

Insiders. Has Debtor paid any salary or made any other transfers after this case was filed to (a) any insider, (b) any owner, partner, officer, director or shareholder of Debtor, or (c) any relative of an insider (as defined in § 101(31)) (except as permitted per LBR 2014-1 and form USTLA-12)?

☐ No

☐ Yes (explain):

Utilities (§ 366). If Debtor has determined that a utility motion is needed, was it (1) *filed* within **20 days after this case was filed** and (2) *set for hearing* within **30 days after this case was filed**?

☐ Yes (note: Judge Bason **requires** that individuals use local form **F2081-1.4.MOTION.UTILITIES**; other entities have the option to use that form).

☐ No (explain):

4. LIEN AVOIDANCE

☐ Check here and skip this section if Debtor does not contemplate lien stripping/avoidance.

Lien stripping. Does Debtor intend to avoid any unsecured or under-secured liens under § 506?

☐ No

☐ Yes (explain) (note: for principal residences, Judge Bason **requires** the use of local form **F4003-2.4.MOTION**):

4. LIEN AVOIDANCE

Judicial liens. Does Debtor intend to avoid any judicial liens under § 522(f)? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain) (note: Judge Bason requires the use of local forms F 4003-2.1.MOTION.RP and F4003-2.1.MOTION.PP):
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5. PROFESSIONALS

(a) **Professionals are required** by Judge Bason to use local form **F2014-1 (statement of disinterestedness)**. ☐ Debtor's attorney(s): check here to acknowledge.

(b) Individuals are **required** (and other persons are encouraged) to use local form **F2081-1.5.MOTION.EMPLOYMENT**.

Professional's Name	Empl. App. Filed	Empl. Approved	Type of Employment
EXAMPLES:			
John Doe, Esq.	1/1/2050	1/7/2050	§ 327(a)
Jane Roe et al., LLP	1/4/2050 to UST, app. to be filed		§ 327(e) & 328(a) (special counsel, contingent fee, contract dispute)
Richard Poe, Esq.	1/3/2050	Pending	§ 327(e) (special counsel, hourly, eviction defense)

6. PROPOSED DEADLINES

Proofs of claim. Debtor must not serve any bar date notice until directed to do so by written order (the order will be prepared by the Court, not Debtor, and will be issued after the status conference).	Proposed bar date: __/__/__
Plan of reorganization (or liquidation). Debtor must not serve any proposed plan or disclosure statement on any persons until directed to do so by written order (the order will be prepared by the Court, not Debtor, and will be issued at a later time).	Proposed deadline to file (not serve) a proposed plan and disclosure statement: __/__/__

NOTE: ANSWER ALL APPLICABLE QUESTIONS ON THE ATTACHED PAGES, which deal with very important but less common issues in Chapter 11 cases (e.g., unexpired leases and contracts, more "first day" matters, consumer information that might be confidential, and cases that might be "single asset real estate" cases, or involve "small businesses," or "health care businesses," or employee benefit plans).

Date: _____ Signature of Debtor or attorney: _____
 Type Name: _____

ADDITIONAL QUESTIONS

Instructions: The following matters do not apply in every case, but are very important if they apply to your case. Every section must be completed.

7. LEASES AND CONTRACTS

☐ Check here and skip this section if Debtor is *not* a party to any significant unexpired leases or unexpired ("executory") contracts (e.g., if Debtor is either a landlord or a tenant, describe all significant leases)

Lease or contract (describe):	Intention: <input type="checkbox"/> reject, <input type="checkbox"/> assume, <input type="checkbox"/> assume and assign (per § 365), <input type="checkbox"/> other (explain):
Lease or contract (describe):	Intention: <input type="checkbox"/> reject, <input type="checkbox"/> assume, <input type="checkbox"/> assume and assign (per § 365), <input type="checkbox"/> other (explain):
Lease or contract (describe):	Intention: <input type="checkbox"/> reject, <input type="checkbox"/> assume, <input type="checkbox"/> assume and assign (per § 365), <input type="checkbox"/> other (explain):

8. ADDITIONAL "FIRST DAY" MATTERS

☐ Check here and skip this section if there are no "first day" matters (caution: double-check the types of motions listed below and see LBR 2081-1).

<u>Extension.</u> Will Debtor seek more time to file bankruptcy schedules ("Schedules") or Statement of Financial Affairs ("SOFA")? <input type="checkbox"/> No (not necessary)	<input type="checkbox"/> Yes (explain):
<u>Notice procedures.</u> Will Debtor seek to limit notice (or establish special noticing procedures)? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain):
<u>Payroll.</u> Does Debtor need to pay prepetition payroll/benefits? See Local Form F2081-1.3.MOTION.PAYROLL. <input type="checkbox"/> No, debtor does not have employees; or <input type="checkbox"/> No, Debtor's employees were fully compensated at the time this case was filed	<input type="checkbox"/> Yes (explain):
<u>Customers.</u> Will Debtor seek authority to honor customer deposits/obligations? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain)
<u>Reclamation claims.</u> Will Debtor seek procedures for handling reclamation claims (including claims under §§ 503(b)(9) & 546(c))? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain):
<u>Omnibus hearings.</u> Will Debtor seek regularly scheduled omnibus hearing dates? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain):
<u>Taxes.</u> Will Debtor seek authority to pay taxes incurred before this case was filed? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain):
<u>Sale procedures.</u> Will Debtor seek procedures to sell assets out of the ordinary course of business (see LBR 6004-1)? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain):
<u>Incentive/severance plans.</u> Will Debtor seek to use incentive or severance plans for employees? <input type="checkbox"/> No	<input type="checkbox"/> Yes (explain):

8. ADDITIONAL "FIRST DAY" MATTERS

1	Joint administration. Will Debtor seek joint administration of this case with another case?	<input type="checkbox"/> Other explanation (include all relevant case numbers):
2	<input type="checkbox"/> No, there is no related case	
3	Claims/Noticing agent. Will Debtor seek appointment of a claims/noticing agent (see local form F5075-1.1)?	<input type="checkbox"/> Yes (explain):
4	<input type="checkbox"/> No	
5	Confidential information. Will Debtor seek approval of an information access protocol under § 1102(b)(3), or to file documents under seal (see LBR 5003-2(c))?	<input type="checkbox"/> Yes (explain):
6	<input type="checkbox"/> No	
7	Special committees. Are special committees needed (e.g., retirees) (§§ 1102(a)(2), 1114(d)); or, if this is a small business case, should the Court order that no committee be appointed (§ 1102(d))?	<input type="checkbox"/> Yes (explain):
8	<input type="checkbox"/> No	
10	DIP financing. Does Debtor contemplate seeking post-petition financing (§ 364)?	<input type="checkbox"/> Yes (explain):
11	<input type="checkbox"/> No	
12	Cash management. Is Debtor seeking authority to maintain pre-petition bank accounts, or approval of any other cash management system?	<input type="checkbox"/> Yes (explain):
13	<input type="checkbox"/> No	
14	Other. Does Debtor contemplate any other "first day" motions (whether or not listed in LBR 2081-1) – e.g., a "critical vendor" motion?	<input type="checkbox"/> Yes (explain):
15	<input type="checkbox"/> No	

9. CONSUMERS' CONFIDENTIAL INFORMATION

17	<input type="checkbox"/> Check here and skip this section if (a) Debtor does <i>not</i> have possession, custody, or control of consumers' confidential information (e.g., "personally identifiable information" per § 101(41A)) and (b) that <i>cannot be reasonably disputed</i> (if it could be disputed, explain below)	
18	Ombudsman. Should a "consumer privacy ombudsman" be appointed (§ 332)?	<input type="checkbox"/> No (explain):
19	<input type="checkbox"/> Yes	
20	Costs. How will Debtor arrange and pay for the maintenance, transfer, or destruction of any such information?	<input type="checkbox"/> Explain:
21		

10. SINGLE ASSET REAL ESTATE ("SARE") CASE

23	<input type="checkbox"/> Check here and skip this section if (a) this is <i>not</i> a "single asset real estate" case (§ 101(51B)) and (b) that <i>cannot be reasonably disputed</i> (if it could be disputed, explain below).	
24	Interest payments. Has Debtor commenced paying postpetition interest to secured creditor(s) at the non-default interest rate, on the value of their interest in the real estate?	<input type="checkbox"/> Other explanation:
25	<input type="checkbox"/> Yes	
26	<input type="checkbox"/> No, but Debtor will do so within 90 days after the commencement of this case.	
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10. SINGLE ASSET REAL ESTATE ("SARE") CASE

Plan. Has Debtor filed "a plan of reorganization that has a reasonable possibility of being confirmed within a reasonable time" within the meaning of § 362(d)(3)?

☐ Yes
☐ No, but Debtor will do so within 90 days after the commencement of this case.

☐ Other explanation:

11. SMALL BUSINESS

☐ Check here and skip this section if (a) Debtor is *not* a "small business debtor" (§ 101(51D)) and (b) that *cannot be reasonably disputed* (if it could be disputed, explain below).

Duties. Has Debtor complied with *all* the duties in § 1116 (including but not limited to maintaining adequate insurance and filing its most recent balance sheet, statement of operations, cash-flow statement, and Federal income tax return)?

☐ Yes

☐ No (explain):

Inspection. Has the United States Trustee inspected Debtor's books, records and business premises (per § 1116(7))?

☐ Yes

☐ No (explain):

Interview. Has Debtor completed the "initial debtor interview" with the United States Trustee (28 U.S.C. § 586(a)(7))?

☐ Yes

☐ No (explain):

Reports. What schedule does Debtor propose for filing the "periodic financial and other reports" required by § 308 (e.g., monthly with MORs)?

☐ Monthly
☐ Other (explain):

Stay. Is the automatic stay applicable? See § 362(n)(1) (which might eliminate the automatic stay if Debtor was previously a small business debtor, or acquired substantially all of the assets or business of a small business debtor)?

☐ Yes, the automatic stay applies.

☐ No, the automatic stay does not apply, but Debtor will seek relief under § 362(n)(2).
☐ Yes, other explanation:

12. HEALTH CARE BUSINESS

☐ Check here and skip this section if (a) Debtor is *not* a "health care business" (§ 101(27A)) and (b) that *cannot be reasonably disputed* (if it could be disputed, explain below).

Ombudsman. Is appointment of a patient care ombudsman required (§ 333)?

☐ No

☐ Yes (explain):

Costs. How will Debtor arrange and pay for proper care or transfer of any patients, in the event that Debtor's health care business is closed (see § 704(a)(12), incorporated by § 1106(a)(1))?

☐ Explain:

13. EMPLOYEE BENEFIT PLANS

☐ Check here and skip this section if there is no employee benefit plan (per § 704(a)(11), incorporated by § 1106(a)(1))?

Duties. Was Debtor, or any entity designated by Debtor, an “administrator” of such a plan as of the commencement of this case?
☐ No

☐ Yes (explain):

Compliance. What steps will Debtor take to continue to administer such plan (§§ 521(a)(7), 704(a)(11), & 1106(a)(1))?

☐ Explain:

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document described as **CASE STATUS REPORT** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”) – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) (“LBR”), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

☐ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served):

On _____, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date

Type Name

Signature