

INTERIM LBR 3014.1
ELECTION UNDER § 1111(b) BY SECURED CREDITOR
IN CHAPTER 9 MUNICIPALITY OR CHAPTER 11
REORGANIZATION CASE

Federal Rule of Bankruptcy Procedure 3014 applies in the Bankruptcy Court for the District of Kansas but, effective February 19, 2020, is amended on an interim basis to state:

An election of application of § 1111(b)(2) of the Code by a class of secured creditors in a chapter 9 or 11 case may be made at any time prior to the conclusion of the hearing on the disclosure statement or within such later time as the court may fix. If the disclosure statement is conditionally approved pursuant to Rule 3017.1, and a final hearing on the disclosure statement is not held, the election of application of § 1111(b)(2) may be made not later than the date fixed pursuant to Rule 3017.1(a)(2) or another date the court may fix. In a case under subchapter V of chapter 11 in which § 1125 of the Code does not apply, the election may be made not later than a date the court may fix. The election shall be in writing and signed unless made at the hearing on the disclosure statement. The election, if made by the majorities required by § 1111(b)(1)(A)(i), shall be binding on all members of the class with respect to the plan.

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Adopted 2/19/20 (*see* S.O. 20-1 and S.O. 20-4).