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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF IDAHO**

In re: )  
)  
) Case No. \_\_\_\_\_  
)  
) Chapter 11  
Debtor, )

**BALLOT SUMMARY (LBR 3018-1)**

The following is a summary of the ballots submitted that have either accepted or rejected the proposed Chapter 11 Plan filed by [proponent's name] on [date], which plan is scheduled for confirmation hearing on [date].

Pursuant to 11 U.S.C. § 1129(a)(8), in order for a plan to be confirmed, each class of claims or interests must (A) accept as a class the plan, or (B) be a class that is not impaired under the plan.<sup>1</sup> This form therefore notes each class that is not impaired under the plan.<sup>2</sup> This form further provides, for each impaired class, a summary of the ballots cast accepting and rejecting the plan.<sup>3</sup>

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<sup>1</sup> If the requirements of § 1129(a)(8)(A) are not satisfied, [plan proponent] may seek to confirm the plan through compliance with § 1129(b) as to any impaired, non-accepting class.

<sup>2</sup> A class that is not impaired under § 1129(a)(8)(B) is conclusively presumed to have accepted the plan under § 1126(f).

<sup>3</sup> A separate attachment is filed with this form, showing all ballots received, itemized by name of creditor/interest holder, the class under the plan in which such creditor/interest holder is treated, the amount of the claim or interest, and whether the ballot of the creditor/interest holder accepted or rejected the plan.

Pursuant to 11 U.S.C. § 1126(c), only the actual ballots cast are counted to determine whether a given class has accepted or rejected.<sup>4</sup> 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 accepted the plan. The form below tabulates the actual ballots received by class, and for each such class, presents [plan proponent's] assertion of the percentage in number of class members accepting the plan and the percentage of the dollar amount of the class members accepting the plan.

Class (per plan designation)	Class impaired? [Yes/No]	Total ballots filed by members of class; total amount (\$) of ballots filed	Number of filed ballots accepting the plan (A) and rejecting the plan (R)	Percentage of <i>accepting</i> ballots (in number)	Amount of filed ballots accepting the plan (A) and rejecting the plan (R)	Percentage of <i>accepting</i> ballots (in amount)
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[Sample:

Class III (unsecured)	Yes	75 ballots \$425,500	(A) 42 (R) 33	56%	(A) \$222,000 (R) \$203,500	52%
Class IV (secured)	No	n/a	---	---	---	---
Class V (secured)	Yes	1 ballot	A	100%	\$78,999	100%
Class VI (secured)	Yes	1 ballot	R	0%	\$85,675	0%
Class VII (interests)	Yes	12 ballots \$32,000	(A) 7 (R) 5	58%	(A) \$22,000 (R) \$10,000	69%

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<sup>4</sup> See 7 Collier on Bankruptcy ¶1126.04, ¶1129.02[8] (Alan N. Resnick & Henry J. Sommer eds., 16th ed. 2010).