



SO ORDERED,

Judge Katharine M. Samson
United States Bankruptcy Judge
Date Signed: July 8, 2016

The Order of the Court is set forth below. The docket reflects the date entered.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

In re:)	
)	
MISSISSIPPI PHOSPHATES)	
CORPORATION, <i>et al.</i> ¹)	CASE NO. 14-51667-KMS
)	Chapter 11
)	
Debtors)	Jointly Administered
)	

ORDER (1) APPROVING DISCLOSURE STATEMENT TO ACCOMPANY THE JOINT CHAPTER 11 PLAN OF DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS; (2) ESTABLISHING RECORD DATE FOR VOTING; (3) FIXING TIME FOR FILING ACCEPTANCES OR REJECTIONS TO THE JOINT CHAPTER 11 PLAN; (4) AUTHORIZING SOLICITATION PROCEDURES; AND (5) NOTICE OF HEARING ON JOINT CHAPTER 11 PLAN OF DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

[Dkt. ## 1168; 1169]

This matter came on for hearing by the Court pursuant to the *Order and Notice for Hearing on Disclosure Statement* [Dkt. # 1133], the *Disclosure Statement to Accompany the Joint Chapter 11 Plan of Debtors and the Official Committee of Unsecured Creditors* [Dkt. # 1130] (the “*Disclosure Statement*”) for the *Joint Chapter 11 Plan of Debtors and the Official Committee of Unsecured Creditors* [Dkt. # 1128] (the “*Joint Plan*”) proposed by the Debtors and the Official Committee of Unsecured Creditors (the “*Committee*”). The Court was advised that any objections to the Disclosure Statement have been resolved by the changes contained in, and the filing by the Debtors of, the *First Amended Joint Chapter 11 Plan of*

¹ The chapter 11 cases of the following affiliated Debtors have been administratively consolidated for joint administration pursuant to that certain *Order Granting Motion of the Debtor for Order Directing Joint Administration of Affiliated Cases Pursuant to Bankruptcy Rule 1015(b)*, dated October 29, 2014 [Dkt. # 62]: Mississippi Phosphates Corporation (“*MPC*”), Case No. 14-51667, Ammonia Tank Subsidiary, Inc. (“*ATS*”), Case No. 14-51668 and Sulfuric Acid Tanks Subsidiary, Inc. (“*SATS*”, and, collectively with MPC and ATS, the “*Debtors*”), Case No. 14-51671. These chapter 11 cases are sometimes referred to herein as the “*Bankruptcy Cases*.”

Debtors and the Official Committee of Unsecured Creditors [Dkt. # 1168] (the “**First Amended Plan**”) and the *First Amended Disclosure Statement* [Dkt. # 1169] (the “**First Amended Disclosure Statement**”), both dated and filed on July 1, 2016. The Court has determined that due and proper notice was given in accordance with Bankruptcy Rule 3017 and that the First Amended Disclosure Statement contains adequate information as required by 11 U.S.C. §1125:

IT IS THEREFORE ORDERED, AND NOTICE IS HEREBY GIVEN, THAT:

- (1) The First Amended Disclosure Statement is hereby approved.
- (2) **August 22, 2016** (the “**Ballot Deadline**”) is fixed as the last day for the submission of ballots of acceptance or rejection of the First Amended Plan to BMC Group, Inc. (“**BMC Group**”), the Claims and Noticing Agent for the Debtors. Ballots must be actually received by BMC Group by the Ballot Deadline in order to be counted.
- (3) A corporation, partnership, trust, or other business entity, other than a sole proprietorship, may not appear or act on its own behalf without counsel except for limited purposes. MISS. BANKR. L.R. 9010-1(b)(2)(C). One of these limited purposes allows such an entity to file a ballot without counsel.
- (4) **August 22, 2016** is fixed as the last day for filing written objections to confirmation of the First Amended Plan (the “**Plan Objection Deadline**”). A copy of any objection also shall be served *via* e-mail upon the following counsel for the Debtors and the Committee by such Plan Objection Deadline:

Stephen W. Rosenblatt (Miss. Bar No. 5676)
BUTLER SNOW LLP
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
Telephone: (601) 985-4504

ATTORNEYS FOR DEBTORS

-and-

Derek F. Meek
BURR & FORMAN LLP
420 North 20th Street, Suite 3400
Birmingham, AL 35203
Telephone: (205) 458-5471

ATTORNEYS FOR COMMITTEE

- (5) **A hearing on confirmation of the First Amended Plan will be held on September 1, 2016, beginning at 10:00 a.m.**, before Judge Katharine M. Samson, in the Bankruptcy Courtroom, 7th Floor, Dan M. Russell, Jr. United

States Courthouse, 2012 15th Street, Gulfport, Mississippi. Testimony will be taken. Witnesses should attend.

- (6) The date for determining which parties are entitled to vote on the First Amended Plan (the “*Record Date*”) is **July 15, 2016**.
- (7) The Debtors, through BMC Group, shall serve upon all creditors and parties-in-interest, by first class United States Mail, postage prepaid, the following:
 - (A) this Order;
 - (B) the First Amended Disclosure Statement;
 - (C) the First Amended Plan; and
 - (D) the appropriate Ballot(s) to those entitled to vote, which should be returned to BMC Group, and not the Court.

(collectively, the “*Solicitation Materials*”).

- (8) BMC Group is authorized to send a CD-ROM or a thumb drive containing the First Amended Disclosure Statement and the First Amended Plan to all creditors and parties-in-interest in lieu of mailing a paper copy, however, *any party in interest may request that a paper copy of the First Amended Disclosure Statement and the First Amended Plan be mailed to them by contacting BMC Group by telephone at (888) 909-0100 or by email at bmc-mpc@bmcgroup.com. Further, this Order, the First Amended Disclosure Statement, and the First Amended Plan will be posted to and made available for download from BMC Group’s website at www.bmcgroup.com/mpc.*
- (9) Any questions concerning the Ballot(s) should be addressed with BMC Group.
- (10) The mailing of the Solicitation Materials by BMC Group shall be completed within five (5) days of the date of the entry of this Order.
- (11) BMC Group shall file a Certificate of Service with the Court, listing the name and address of each party served, within three (3) business days after the mailing of this Order, with the enclosures specified herein.

###END OF ORDER###

ORDER PREPARED AND SUBMITTED BY:

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ONE OF THE ATTORNEYS FOR THE DEBTORS

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