

SO ORDERED: February 4, 2013.



Basil H. Lorch III
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:) Chapter 11
)
TWG CAPITAL, INC.,) Case No. 12-11019-BHL-11
)
Debtor.)

ORDER ON MOTION FOR ENTRY OF AN ORDER ESTABLISHING PROCEDURES FOR EXPUNGING SATISFIED CLAIMS

This matter is before the Court on the *Motion For Entry of an Order Establishing Procedures for Expunging Satisfied Claims* (the "Motion") (Docket No. 182) filed by TWG Capital, Inc., the debtor and debtor-in-possession (the "Debtor") in the above-captioned Chapter 11 case (the "Chapter 11 Case"), whereby the Debtor seeks entry of an order approving certain notice procedures, including the form and manner of notice, for providing notice to certain holders of satisfied claims that their claims will be expunged. Upon consideration of the Motion, and upon the record of the hearing held on the Motion and the record in the Chapter 11 Case, and being otherwise duly advised, the Court now finds and concludes that:

A. On September 14, 2012 (the "Petition Date"), the Debtor filed with the United States Bankruptcy Court for the Southern District of Indiana, Indianapolis Division (the "Court"), its voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. as amended (the "Bankruptcy Code") commencing the Chapter 11 Case.

B. The Debtor continues to operate its business and manage its properties as a debtor-in-possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code.

C. No trustee, examiner, or committee has been appointed in the Chapter 11 Case.

D. The relief requested in the Motion is in the best interests of the Debtor, its estate, and its creditors.

E. The notice procedures set forth in the Motion are necessary to the efficient administration of the Debtor's estate.

F. Proper and adequate notice of the Motion and the hearing thereon has been provided and no other or further notice is necessary.

G. Good and sufficient cause exists for the granting of the relief requested.

Accordingly,

IT IS HEREBY ORDERED that:

1. The Motion is GRANTED in its entirety.
2. The Satisfaction Notice Procedures¹ as set forth in the Motion are hereby authorized and established in the Chapter 11 Case.
3. The form and manner of notice of the Satisfaction Notice attached to the Motion as Exhibit B are hereby approved.

¹ Capitalized terms not otherwise defined herein shall have the same meaning ascribed to such term in the Motion.

4. The Debtor shall serve a Satisfaction Notice upon all Satisfied Claim Holders within three business days after entry of this Order.

5. The Satisfaction Notice shall set forth the names of the Satisfied Claim Holders who will be purged from the Debtor's creditor list and whose claims will be deemed satisfied and expunged.

6. Any Satisfied Claim Holder who disputes the Debtor's determination that its claim has been satisfied as set forth in the Satisfaction Notice must file a written objection (an "Objection") with the Office of the Clerk of this Court and must serve such Objection upon the counsel for the moving party, so that such Objection is **received** by no later than 21 days after service of the Satisfaction Notice (the "Objection Deadline").

7. Every Objection to a Satisfaction Notice must contain, at a minimum, the following information:

a. The name of the Satisfied Claim Holder and a description of the basis and the amount of the Satisfied Claim;

b. The specific factual basis and any supporting documentation upon which the Satisfied Claim Holder relies in opposing the Satisfaction Notice and the Debtor's determination therein;

c. The name, address, telephone number, and email address of the person(s) (which may be the Satisfied Claim Holder or the Satisfied Claim Holder's legal representative) with whom counsel for the Debtor should communicate with respect to the Satisfied Claim or the Satisfaction Notice and who possesses authority to reconcile, settle, or otherwise resolve any issues related to the Satisfied Claim on behalf of the Satisfied Claim Holder.

8. If an Objection is received on or before the Objection Deadline, the Court shall conduct a hearing on such Objection on **March 7, 2013 at 1:30 p.m. at Room 310, United States Courthouse, 46 East Ohio Street, Indianapolis, Indiana.**

9. If a Satisfied Claim Holder fails to file and serve an Objection by the Objection Deadline (i) the Satisfied Claim Holder is deemed to have consented to the Satisfaction Notice and the Debtor's determination with respect to its Satisfied Claim; (ii) the Satisfied Claim Holder (or any subsequent holder of the Satisfied Claim) will be forever barred, estopped, and enjoined from asserting any claim against the Debtor or its estate related to the Satisfied Claim or any claim related to other past or future commissions due to the Satisfied Claim Holder by the Debtor; (iii) the Satisfied Claim will be expunged from the Debtor's Schedule F; (iii) the Satisfied Claim Holder will be removed from the Debtor's creditor list and will not receive any further notices in the Chapter 11 Case; (iv) the Satisfied Claim Holder will not be entitled to any distribution from the Debtor's estate arising from the Satisfied Claim or any other claim related to past or future commissions due to the Satisfied Claim Holder by the Debtor; and (v) the Debtor will be discharged from any and all indebtedness or liability with respect to the Satisfied Claim.

10. Following the completion of the Satisfaction Notice Procedures, the Debtor shall file an amended Schedule F and creditor list in the Chapter 11 Case to reflect the expunged claims.

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