

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	:	Chapter 11
	:	
AMERICAN BANKNOTE	:	Case No.: 05-10174 (PJW)
CORPORATION,	:	
	:	
	:	
Debtor.	:	

Objection Deadline: November 25, 2005 at 4:00 P.M.
Hearing Date: December 2, 2005 at 2:30 P.M.

**MOTION FOR ENTRY OF FINAL DECREE CLOSING DEBTOR'S CHAPTER 11
CASE**

American Banknote Corporation, the above-referenced reorganized debtor (the "Debtor"), hereby files its Motion for Entry of Final Decree Closing Case (the "Motion"), and in support thereof shows as follows:

JURISDICTION

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.
2. This Motion is brought pursuant to 11 U.S.C. § 350(a) and Rule 3022 of the Federal Rules of Bankruptcy Procedure.
3. No prior Motion has been filed seeking the relief requested herein.

BACKGROUND

4. On January 19, 2005 (the "Petition Date"), the Debtor filed its petition for relief pursuant to chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), commencing the instant bankruptcy case. After the Petition Date, the Debtor continued to operate its business and manage its properties as a debtor-in-possession.
5. No trustee or examiner has been appointed in this Chapter 11 case and no official committee of unsecured creditors has been appointed.

6. On April 8, 2005, the Bankruptcy Court entered an order (the “Confirmation Order”) confirming the Debtor’s Amended Plan of Reorganization Under Chapter 11 of the Bankruptcy Code (the “Plan”). The Effective Date¹ of the Plan occurred on April 15, 2005.

RELIEF REQUESTED AND AUTHORITY

7. By this Motion, the Debtor seeks entry of a final decree closing its chapter 11 case.

8. Section 350 of the Bankruptcy Code provides that “[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case.” 11 U.S.C. § 350. Further, Bankruptcy Rule 3022 provides that “[a]fter an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case.” FED. R. BANKR. P. 3022. Bankruptcy Local Rule 5009-1(b) provides that “upon written motion, a party in interest may seek entry of a final decree at any time after the confirmed plan has been substantially consummated...” DEL. BANKR. LR 5009-1(b).

9. The Debtor submits that such requirements to obtain a final decree closing its case have been met. Specifically, (i) the Confirmation Order became final on April 8, 2005; (ii) the Effective Date occurred on April 15, 2005; (iii) all of the distribution required to be made under the Plan have been made;² (iv) as of the date of this Motion, all fees under 28 U.S.C. § 1930 with respect to the Debtor’s case have been paid; and (v) the Debtor will file a final report at least 15 days prior to the hearing on this Motion.

¹ Unless otherwise defined herein, capitalized terms shall have the meanings ascribed to them in the Plan.

² On December 2, 2005, precedent to the hearing on this Motion, the Court will hear the Debtor’s remaining omnibus claim objections which the Debtor contemplates will dispose of the only remaining contested claims against the Debtor’s estate.

10. Under the foregoing circumstances, and in accordance with the Confirmation Order, the Debtor has concluded that it is appropriate to seek entry of a final decree closing its chapter 11 case. If this case remains open, the reorganized Debtor will be subjected to unnecessary liabilities, including quarterly fees of the United States Trustee. Accordingly, the relief requested in this Motion is in the best interest of the reorganized Debtor and its creditors and should be granted.

11. Notwithstanding the closure of the Debtor's chapter 11 case, the Court will expressly retain jurisdiction to: (a) enforce any of its orders issued in the Debtor's case; (b) enforce the terms and conditions of the Plan; and (c) consider any proper request to reopen the Debtor's case under section 350(b) of the Bankruptcy Code.

NOTICE

12. Notice of this Motion has been given to: (a) the United States Trustee and (b) all parties listed on the Debtor's Rule 2002 list. The Debtor submits that the aforesaid notice provides notice to all parties-in-interest who have an actual or potential interest in the subject matter of this Motion.

WHEREFORE, the Debtor respectfully requests that this Court enter a final decree closing its case.

Dated: Wilmington, Delaware
November 2, 2005

AMERICAN BANKNOTE CORPORATION

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-and-

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