



**ORDERED in the Southern District of Florida on December 24, 2017.**

A handwritten signature in black ink, appearing to read "Robert A. Mark", written over a horizontal line.

Robert A. Mark, Judge  
United States Bankruptcy Court

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re: Case No. 16-12988-BKC-RAM  
SEAN MCGREGOR COUTTS, Chapter 11  
Debtor.

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**ORDER GRANTING DEBTOR'S MOTION TO TEMPORARILY CLOSE  
BANKRUPTCY CASE PRIOR TO ENTRY OF ORDER OF DISCHARGE**

THIS CAUSE came on before the Court on October 24, 2017 at 11:30 a.m., upon the Debtor's Motion to Temporarily Close Bankruptcy Case Prior to Entry of Order of Discharge (the "Motion"), and the Court, having heard arguments of counsel, noting that the Debtor has filed all required Post-Confirmation Quarterly Operating Reports and represented that all United States Trustee quarterly fees have been paid pursuant to 28 U.S.C. § 1930, and being otherwise duly advised in the premises, **ORDERS** as follows:

1. The Motion is GRANTED, as provided herein.
2. This bankruptcy case shall be closed upon entry of this Order, without prejudice to the Debtor filing a motion to reopen this bankruptcy case upon the satisfaction of all payments

required under the First Amended Plan of Reorganization (the "Plan") [ECF No. 213] to Class 1A, 1C, 2D, 4F, 5D, 6C and 8 creditors and seeking the entry of an Order of Discharge at that time.

3. During the time that this bankruptcy case is temporarily closed, the provisions of this Court's Order Confirming First Amended Plan of Reorganization of Sean McGregor Coutts and Setting Bar Date for Lease and Executory Contract Rejection Claims and Administrative Claims (the "Confirmation Order") [ECF No. 276] shall remain in effect with respect to the treatment of creditor claims that existed as of March 1, 2016, the bankruptcy petition date, as long as the Debtor continues to be in compliance with the Plan and the Confirmation Order, and as long as the Debtor timely makes all of the payments to the creditors contemplated under the Plan, subject to any default provision(s) set forth in the Plan.

4. If and when the Debtor chooses to file a motion to reopen this bankruptcy case, any Clerk of Court fees associated with the filing of the motion to reopen shall be waived. The motion to reopen shall be served upon all creditors, the United States Trustee, and parties in interest, and shall demonstrate and verify that the Debtor has made all of the payments contemplated under the Plan to Class 1A, 1C, 2D, 4F, 5D, 6C and 8 creditors.

5. Upon the re-opening of this bankruptcy case, the Debtor shall promptly file a Final Report of Estate and Motion for Final Decree Closing Case on the Court-approved local form in effect at that time, which shall certify, among other things, that all payments required under the Plan have been made. The Court may then grant the Debtor a discharge, pursuant to 11 U.S.C. § 1141(d)(5) if all other conditions are satisfied.

6. The entry of this Order is also without prejudice to any creditor, the United States Trustee, or other party in interest in filing a motion to reopen this case to enforce the terms of the Plan, the Confirmation Order, or for other appropriate relief.

7. The Court retains jurisdiction to enforce any and all terms of the Plan, the

Confirmation Order and this Order.

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**Submitted by:**

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**Copies to:**

**All parties and creditors listed on the court matrix.**

**Attorney Shelomith is directed to serve copies of this order on all parties above and to file a certificate of service.**