

Not Intended for Publication or Citation

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)	CASE NO.	10-13875
)	CHAPTER	11
THREE AMIGO'S BROADCASTING, INC.)	REG/jd	
)		
Debtor)		

**DECISION AND ORDER DENYING
MOTION FOR AN EXTENSION OF TIME**

At Fort Wayne, Indiana, on May 24, 2011

The debtor previously filed a disclosure statement in this Chapter 11 case and the court held a hearing on April 13, 2011, to consider its adequacy. No creditor objected to the proposed disclosure statement, but objections did come from the United States Trustee. The court's order of April 19, memorialized the results of the disclosure statement hearing. It directed the debtor to file an amended disclosure statement within seven (7) days, serving a copy upon the U.S. Trustee. The U.S. Trustee was then given fourteen (14) days within which to file objections to the amended disclosure statement; absent further objection from the U.S. Trustee, the amended disclosure statement was to be approved without further notice or hearing. (The order also put a procedure in place for resolving any objections that might be filed). On May 5, the court granted the parties' motion for an extension of time, giving the U.S. Trustee an additional fourteen (14) days within which to file objections to the amended disclosure statement. On May 18, the parties then filed a second motion for still more time, this time giving the U.S. Trustee an additional thirty (30) days within which to file objections.

The deadline the court put in place did not require the parties to conduct discovery or to do anything terribly complicated. It only required the U.S. Trustee to decide whether or not it has an

objection to the adequacy of the information contained in the debtor's amended disclosure statement. It has had almost thirty (30) days within which to do that and now seeks an additional thirty (30) more. Having already had as much time as the rules contemplate for objecting to a disclosure statement, see, Fed. R. Bankr. P. Rule 2002(b) (parties get twenty-eight (28) days notice of deadline for objections to a disclosure statement), why does the U.S. Trustee need to double it? The motion does not really say. While the court can appreciate that the appointment of a trustee in a related case might have some impact on the decision, that took place a week ago, giving the U.S. Trustee sufficient time to react, especially since the appointment was made at its behest. Overall, the court is left with the impression that the U.S. Trustee is making the issue of the adequacy of the debtor's proposed disclosure statement more complicated and more protracted than it needs to be. It took less time to approve the disclosure statements in GM and Chrysler's cases than it has here and they were far more complicated than this relatively small and simple chapter 11.

In the court's opinion, the U.S. Trustee has had plenty of time to decide whether or not it has objections to the debtor's amended disclosure statement and there is no good reason why it should need thirty (30) more days to do so. The joint motion for an extension of time is DENIED.

SO ORDERED.

/s/ Robert E. Grant
Chief Judge, United States Bankruptcy Court