

**ALTERNATIVE ENDINGS FOR CHAPTER 11 CASES:  
STRUCTURED DISMISSALS AND STRUCTURED CONVERSIONS**

*Panelists:*

**HON. TONY M. DAVIS**, *Austin*

Judge, U.S. Bankruptcy Court Western District of Texas

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State Bar of Texas  
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**CHAPTER 12**

<b>Case Name (other, non-standard dismissal provisions)</b>	<b>Release and Exculpation Provisions</b>	<b>Claims Reconciliation Process and Distribution Procedures</b>	<b>Carve outs and "gift" trusts</b>	<b>Survival of prior orders entered</b>	<b>Retention of Court's Jurisdiction</b>	<b>Conditions to Dismissal</b>	<b>Waiver of Debtor Claims/Causes of Action</b>	<b>Continued existence of specified contested matters/adversary cases</b>
<i>In re Coach AM Group Holdings Corp., et al.</i> , Case No. 12-10020 (KG) (Bankr. D. Del.) [Docket No. 1568] (numerous, highly-negotiated dismissal provisions)	X	X	X	X	X	X		X
<i>In re TSIC, Inc.</i> , Case No. 08-10322 (KG) (Bankr. D. Del.) [Docket No. 2475]		X			X	X		
<i>In re Ascendia Brands, Inc.</i> , Case No. 08-11787 (BLS) (Bankr. D. Del.) [Docket No. 1230] (all unliquidated property abandoned)	X	X	X	X	X			
<i>In re G.I. Joe's Holding Corp.</i> , Case No. 09-10713 (KG) (Bankr. D. Del.) [Docket No. 804]	X	X	X	X	X	X		
<i>In re Thompson Prods., Inc.</i> , Case No. 08-10319 (PJW) (Bankr. D. Del.) [Docket No. 542] (waiver of certain Rule 3007 requirements)	X	X		X	X	X		
<i>Pappas Telecasting Inc.</i> , Case No. 08-10916 (PJW) (Bankr. D. Del.) [Docket No. 2132]	X	X	X	X	X			
<i>In re TLG Liquidation Corp.</i> , Case No. 10-10206 (MFW) (Bankr. D. Del.) [Docket No. 314]	X	X	X	X	X			
<i>In re KB Toys, Inc.</i> , Case No. 08-13269 (KJC) (Bankr. D. Del.) [Docket No. 993]	X	X	X	X	X			
<i>In re Foamex Int'l Inc.</i> , Case No. 09-10560 (KJC) (Bankr. D. Del.) [Docket No. 761] (funds set aside to pay wind-wind expenses, including preparation of tax returns)				X	X			
<i>In re CFM U.S. Corp.</i> , Case No. 08-10668 (KJC) (Bankr. D. Del.) [Docket No. 1282]	X	X	X	X	X	X		
<i>In re Wickes Holdings, LLC</i> , Case No. 08-10212 (KJC) (Bankr. D. Del.) [Docket No. 1418]	X	X	X	X	X			X
<i>In re Magnolia Energy, L.P.</i> , Case No. 06-11069 (MFW) (Bankr. D. Del.) [Docket No. 196]		X	X	X	X	X		
<i>In re New Weathervane Retail Corporation</i> , Case No. 04-11649 (PJW) (Bankr. D. Del.) [Docket No. 566] (contested claims objections go to binding arbitration)	X	X	X	X	X			
<i>In re Dawarhare's of Lexington LLC</i> , Case No. 08-51381(JMS) Bankr. E.D. Ky.) [Docket No. 316]	X	X	X	X	X			
<i>In re FPD, LLC</i> , Case No. 10-30424 (PM) (Bankr. D. Md.) [Docket No. 498] (Debtors authorized to sell remaining property)		X		X	X			
<i>In re Omaha Standing Bear Pointe, LLC</i> , Case No. 10-81413 (TJM) (Bankr. D. Neb.) [Docket No. 52]				X	X			
<i>In re 155 Route 10 Associates, Inc.</i> , Case No 12-24414 (NLW) (Bankr. D. N.J.) [Docket No. 627]	X			X	X		X	
<i>In re Nacirema Industries, Inc.</i> , Case No. 11-12339 (RG)	X	X	X		X			X

<b>Case Name (other, non-standard dismissal provisions)</b>	<b>Release and Exculpation Provisions</b>	<b>Claims Reconciliation Process and Distribution Procedures</b>	<b>Carve outs and "gift" trusts</b>	<b>Survival of prior orders entered</b>	<b>Retention of Court's Jurisdiction</b>	<b>Conditions to Dismissal</b>	<b>Waiver of Debtor Claims/Causes of Action</b>	<b>Continued existence of specified contested matters/adversary cases</b>
(Bankr. D. N.J.) [Docket No. 464] (authorization to sell and abandon property)								
<i>In re Princeton Ski Shop, Inc.</i> , Case No. 07-26206 (MS) (Bankr. D. N.J.) [Docket No. 546] (also authorizes abandonment of property)		X		X	X			
<i>Cape May Care Center, Inc.</i> , Case No. 00-41945 (NLW) (Bankr. D. N.J.) [Docket No. 318]	X	X	X		X			
<i>In re Blades Board and Skate, LLC</i> , Case No. 03-48818 (Bankr. D. N.J.) [Docket No. 126]	X	X	X	X				
<i>In re Bag Liquidation, Ltd., et al.</i> , Case No. 08-32096 (SJ) (Bankr. N.D. Tex.) [Docket No. 683]		X						
<i>Al Liebers Golf Equipment, Inc.</i> , Case No. 12-23698 (RDD) (Bankr. S.D.N.Y.) [Docket No. 135]	X	X	X	X	X		X	
<i>In re Harvey Electronics, Inc.</i> , Case No. 07-14051 (ALG) (Bankr. S.D.N.Y.) [Docket No. 177]	X	X	X	X	X			
<i>In re Levitz Home Furnishings, Inc.</i> , 05-45194 (BRL) (Bankr. S.D.N.Y.) [Docket No. 5]	X	X	X	X	X			X
<i>In re CSI Inc.</i> , Case No. 01-12923 (REG) (Bankr. S.D.N.Y.) [Docket No. 284]		X						