

**IT IS ORDERED as set forth below:**

**Date: August 2, 2023**



**Lisa Ritchey Craig**  
**U.S. Bankruptcy Court Judge**

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>IN RE:</b>	)	<b>CHAPTER 11</b>
<b>CLAIRMONT PLACE CONDOMINIUM )</b>	)	
<b>ASSOCIATION, INC.,</b>	)	<b>CASE NO. 21-58123-lrc</b>
	)	<b>(Subchapter V)</b>
	)	

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**ORDER AND FINAL DECREE**

The Court finds that it confirmed Debtor's Plan<sup>1</sup> of Reorganization ("the Plan") [Doc. No. 62, as amended by Doc. No. 180] pursuant to Order (the "Confirmation Order") entered on December 21, 2022 [Doc. No. 221] and that Debtor filed a Final Report and Application for Final Decree, requesting entry of a Final Decree (the "Application") closing the Chapter 11 case on June 29, 2023 [Doc. Nos. 252 and 253].

Based upon a review of the record in this Case, including the representations in the Application, and the Response of No Opposition filed by the United States Trustee [Doc. No.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to the same in the Application and Final Report.

254], it appears that distributions under the Plan have commenced and that the Plan has reached “substantial consummation” as that term is defined in 11 U.S.C. §101(2), there are no remaining matters for which the Court must continue to exercise jurisdiction, and the United States Trustee’s Office has no objection to the entry of a Final Decree pursuant to Fed. R. Bankr. P. 3022, accordingly, it is hereby

ORDERED, that the application for Final Decree be, and the same is hereby, **GRANTED**, and; it is

FURTHER ORDERED that except as provided in 11 USC § 1141(d) the provisions of the Plan bind Debtor, any entity issuing securities under the Plan, any entity acquiring property under the Plan, and any creditor, equity holder or general partner of Debtor, whether or not the claim or interest of such creditor, equity holder or general partner is impaired under the Plan and whether or not such creditor, equity holder or general partner has accepted the Plan. The provisions of the confirmed Plan are binding on all creditors and equity security holders; it is

FURTHER ORDERED that except as otherwise proved in the Plan or Confirmation Order, all property of the estate is vested in Debtor; it is

FURTHER ORDERED that except as otherwise provided in the Plan or Confirmation Order, confirmation of the Plan discharged Debtor pursuant to section 11 USC §1141(d), and that this discharge results whether or not: (a) a proof of claim based on such debt was filed or deemed filed; (b) such claim was allowed under 11 U.S.C. §502; or (c) the holder of such claim accepted the Plan; it is

FURTHER ORDERED that all creditors of, claimants against, and all parties to any executory contracts, and all persons having or claiming an interest of any nature in Debtor’s property and assets, including without limitation equity security holders, members and general

partners, are enjoined and stayed from pursuing or attempting to pursue any action, commencing or continuing any action, employing any process or any act against Debtor or its property, on account of or based upon any right, claim, or interest which any such creditor, claimant, or the other person may have had as of the date of filing of Debtor's Chapter 11 petition, except with respect to claims, rights, or interests arising out of the Plan or Orders of this Court; it is

FURTHER ORDERED, that the Chapter 11 Subchapter V Trustee and the Patient Care Ombudsman are discharged and relieved of their duties in this Case; it is

FURTHER ORDERED, that the Final Report is approved and the Application is *granted*; it is

FURTHER ORDERED, that the Clerk of the U.S. Bankruptcy Court is hereby directed to close this Chapter 11 bankruptcy case and to serve a copy of this Order on Debtor, Debtor's counsel, the SubChapter V Trustee, the Patient Care Ombudsman and the U.S. Trustee.

END OF DOCUMENT

Prepared and submitted by:

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