

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In Re:
Legacy Pools, LLC,

**Case No. 6:22-bk-03123-LVV
Chapter 11**

Debtor(s). /

OBJECTION TO CONFIRMATION OF PLAN OF REORGANIZATION (DOC NO. 32)

Comes now Robert Altman, Subchapter V Trustee and files this Objection to Confirmation of the Plan of Reorganization (“Plan”) filed by the Debtor (Doc. No. 32). In support of the objection, the Trustee would state unto the Court as follows:

1. The Plan of Reorganization is not feasible and fails to disclose assets of the estate that could benefit unsecured creditors.
2. The Construction Trust has failed to garner sufficient support to make it viable in relation to the rest of the plan.
3. The debtor has failed to procure the votes necessary to confirm the plan pursuant to 11 U.S.C. §1191(a) and the plan cannot be confirmed pursuant to 11 U.S.C. §1191(b) in that the plan is not fair and equitable with respect to each class of claims or interests that is impaired and has not accepted the plan.
4. The Plan fails to conform 11 U.S.C. §1191(c)(3)(B) in that the plan fails to provide appropriate remedies to protect the holders of claims or interest in the event that payments are not made. Specifically, the Plan does not define disposable income and does not provide a method by which disposable income can be determined and thereby distributed to unsecured claimants.
5. The “Injunction” proposed in Section “S” of the Plan is inappropriate in this case and will not serve the interests of creditors as indicated. Mr. Black has taken actions, both pre-

petition and post-petition, representing a “lack of good faith” and therefore should be considered a “bad actor” in this case. Further, his actions are the continuation of a scheme to defraud creditors.

6. The Court’s Order Prescribing Procedures in chapter 11 Subchapter V Case et al dated September 6, 2022 [Doc No. 11] at paragraph 3 provides for the debtor to pay the Subchapter V Trustee \$1,000.00 per month beginning the 30th day following the filing of the case. To date three (3) payments would be due totaling \$3,000.00. The debtor has failed to make the payments and thereby has failed to comply with the Court’s order.

WHEREFORE, the Subchapter V Trustee requests that the Plan presented to the Court not be confirmed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via U.S. first class mail, postage prepaid or electronic filing CM/ECF to Debtor at 727 North Drive, Suite L, Melbourne, FL 32934 to Debtor’s attorney and to all Local Rule 1007-2 Parties in Interest list attached and all parties receiving service electronically through the Court’s CM/ECF system on December 1, 2022.

/s/ Robert Altman

Robert Altman, Subchapter V Trustee
Florida Bar No. 346861
P.O. Box 922
Palatka, FL 32178-0922
(386) 325-4691 / Fax: (386) 256-1423
robertaltman@bellosuth.net