

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH CAROLINA

IN RE:

Foxwood Hills Property Owners
Association, Inc.,

Debtor(s).

C/A No. 20-02092-HB

Chapter 11

**ORDER REGARDING
11 U.S.C. § 1102**

TAKE NOTICE that due to significant disputes between Debtor Foxwood Hills Property Owners Association, Inc. and parties deemed “Equity Interests: Membership Interests” in the Chapter 11 Plan and Disclosure Statement, the Court is considering entry of an order pursuant to 11 U.S.C. § 1102(a)(2) directing the Office of the United States Trustee to appoint one or more committees of such equity interest holders to assure adequate representation of such parties in this matter and to facilitate communication and resolution of disputes.¹ Section 1102(a)(3) provides “[u]nless the court for cause orders otherwise, a committee of creditors may not be appointed in a small business case or a case under subchapter V of this chapter.”² However, based on the pleadings filed in this case and the record of the hearing held on April 6, 2021, the Court finds ample cause to make such an order. **Any pleadings in support or opposition to entry of such an order must be filed and received by the Court on or before April 19, 2021.** Thereafter, the Court will consider any such responses and issue an appropriate order.

The Clerk shall provide notice of this Order (by NEF or BNC notice) to the United States Trustee and any party in interest that has filed an appearance or pleading in the above-captioned

¹ Section 1102(a)(2) provides “[o]n request of a party in interest, the court may order the appointment of additional committees of creditors or of equity security holders if necessary to assure adequate representation of creditors or of equity security holders. The United States trustee shall appoint any such committee.”

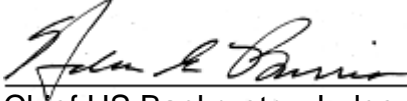
² Although the parties are equity interest holders, they were also listed on Debtor’s Schedule E/F.

case.³ The Debtor shall promptly make its best efforts to post this Order on any available forum (electronic or otherwise) it maintains to give notice of matters in this bankruptcy case.

AND IT IS SO ORDERED.

**FILED BY THE COURT
04/08/2021**




Chief US Bankruptcy Judge
District of South Carolina

Entered: 04/08/2021

³ This directive is limited to this Chapter 11 main bankruptcy case.

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Date Created: 4/8/2021

Case: 20-02092-hb

Form ID: pdf01

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intp	Sheri Kimball, Trustee for Trust B Under the Will of James Perry Kimball, dated January 13, 2003			158
	Seclusion Court	Lexington, SC 29072		
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