U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

Ordered
10-3-03

Henry Hale

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	
	§	**CASE NO. 02-80899-HDH-11**
INVA #1, INC.	§	
	§	**(Chapter 11)**
DEBTOR.	§	

FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING DEBTORS' SECOND PLAN MODIFICATION

Came on to be heard this 1st day of October, 2003: a) the Motion for Determination that Debtor's Plan Modification Does Not Adversely Affect any Accepting Creditor that has not Accepted the Modifications in Writing (the "Motion") filed by INVA # 1, Inc. ("Debtor") on July 22, 2003; and b) the Motion to Determine that the Second Plan Modifications Do Not Adversely Affect Any Accepting Creditor Which Has Not Accepted the Modifications in Writing (the "Second Motion") filed by the Debtor on September 26, 2003. The Court, after noting that due notice under F.R.B.P. 2002 has been given to all parties in interest and after the consideration of the evidence submitted and the arguments of counsel, makes following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Adequate information was contained in the original disclosure statement in this case as set forth in Section 1125 of the Code.

2. The plan was not modified, in either modification, in such a manner that either classification or treatment of any creditor was materially altered in an adverse manner.

3. The Modification and the Second Modification do not cause a material adverse change to the treatment of any class of creditors or interests who voted on the Amended Plan of Reorganization proposed by Debtors, who has not changed their ballots by virtue of the Modification.

4. Notice sent to the twenty (20) largest creditors and those requesting notice is sufficient notice for modifications that do not cause a material adverse change to the treatment of creditors or interest holders.

CONCLUSIONS OF LAW

1. The plan as twice modified does not violate Sections 1122 and 1123 of the Code.

2. The plan as twice modified meets all of the requirements of Section 1129 of the Code.

3. The proponents of the plan met the qualifications of Section 1125 of the Code by virtue of the original disclosure statement.

4. All creditors and interest holders who voted in favor of the proponents' plan are deemed to have accepted the Modifications and the Second Modifications.

SO ORDERED

End of Order

Submitted by:

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