



ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the order of the Court.

Signed July 8, 2004.

United States Bankruptcy Judge

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

In re:

DENISE KAY MCNAMARA,

DEBTOR.

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CASE NO. 03-36551-SAF-11

**FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING
CONFIRMATION OF AMENDED PLAN OF REORGANIZATION**

CAME ON for confirmation hearing on the 8th day of July, 2004, the Amended Plan of Reorganization, filed by Denise Kay McNamara (the “Debtor”) on May 6, 2004 and modified on June 9, 2004, such modification being approved by a separate order (the “Plan”). The following Findings of Fact and Conclusions of Law are entered pursuant to Federal Rules of Bankruptcy Procedure 9052 and 9014. Such findings may be characterized as conclusions or conclusions as findings, where appropriate.

Findings of Fact

1. The Plan has been proposed in good faith under Section 1129(a)(3) by the Debtor and those who are to participate in the funding of the Plan and not by any means forbidden by law and all such parties are entitled to the protections of Section 1125 (e).

2. Payments made or to be made by the Debtor for services or for costs and expenses in or in connection with the Plan or case have been approved by or are subject to the approval of this Court.

3. No governmentally regulated rates are involved in these cases.

4. There are no dissenting classes of claims or interests. All classes of claims entitled to vote, voted in favor of the Plan, after due consideration of which creditors who voted are insiders of the Debtor. Class 1 is unimpaired and is deemed to have accepted the Plan. Classes 2-4 are impaired and have voted in sufficient number and dollar amounts to have accepted the Plan.

5. Claims entitled to priority under 11 U.S.C. § 507(a)(1)-(7) will be paid in accordance with Bankruptcy Code or as per the provisions of the Plan.

6. The Debtor's Plan is feasible and the confirmation of the Plan is not likely to be followed by the liquidation, or need for further financial reorganization of the Debtor except where liquidation is required by the Plan.

7. All fees payable under 28 U.S.C. § 1930 have been paid or the Plan provided for the payment of such fees on the Plan Closing Date.

8. There are no retiree benefits involved in this case.

9. Notice of the confirmation hearing has been given to all of those creditors and parties in interest listed in the mailing matrix for these cases. The continued confirmation hearing was announced in open Court at a previously fully noticed confirmation hearing set for June 16, 2004.

Conclusions of Law

10. The Court has jurisdiction over this matter as a core proceeding pursuant to 28 U.S.C. § 157 (b)(2)(A)-(L), and (O).

11. The Plan complies with all of the applicable provisions of Title 11 of the United States Bankruptcy Code.

12. The Debtor has complied with the applicable provisions of the Bankruptcy Code in proposing the Plan.

End of Order

Submitted by:

E. P. Keiffer
SBN: 11181700
HANCE SCARBOROUGH WRIGHT
GINSBERG & BRUSILOW, LLP
The Elm Place Building
1401 Elm Street, Suite 4750
Dallas, TX 75202
Phone: (214) 651-6500
Fax: (214) 744-2615
E Mail: pkeiffer@hswgb.com

ATTORNEYS FOR DENISE KAY McNAMARA