

Ballot for Accepting or Rejecting Plan of Reorganization

General Information

Official Form 314 is used as a ballot for accepting or rejecting the plan(s) of reorganization. The ballot is to be used by general creditors (including secured, priority unsecured, and nonpriority unsecured creditors), bondholders, debenture holders, other debt security holders, and equity security holders who are entitled to vote on the plan(s).

Directions

Directions or blanks for the proponent (the person who filed the disclosure statement and plan of reorganization) to complete the text of the ballot are enclosed in brackets on the Official Form. Only the applicable language from the alternatives shown on the Official Form should be included in the ballot, but the ballot may be modified to the particular requirements of the case. The form is designed to be customized by the proponent so that each class of creditor, debt security holder, or equity security holder under the plan will receive a ballot that only applies to that class. Holders of claims or equity security interests in more than one class may receive, and are entitled to vote, more than one ballot.

If more than one plan of reorganization is to be voted upon, the form of the ballot should be adapted to permit holders of claims or equity interests (a) to accept or reject each plan being proposed, and (b) to indicate preferences among the competing plans. *See* 11 U.S.C. § 1129(c).

The portion of the text labeled “Acceptance or Rejection of the Plan” includes three versions of a statement to be completed by persons entitled to vote on the plan. One version is for holders of secured, priority, or unsecured nonpriority claims. The second version is for holders of bonds, debentures, or other debt securities. The third version is for holders of equity interests. The proponent should include only the applicable language for the person receiving the ballot.

Applicability of Rule 9009(a)

Rule 9009(a) provides that “[t]he Official Forms prescribed by the Judicial Conference of the United States shall be used without alteration, except as otherwise provided ... in the national instructions for a particular Official Form.”

Alterations may be made to this form.