

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

)	
In re:)	Chapter 11
)	
Wordsworth Academy, <i>et al.</i> , ¹)	Case No. 17-14463 (AMC)
)	
Debtors.)	Jointly Administered
)	

**MOTION OF DEBTORS FOR FINAL DECREE CLOSING BANKRUPTCY CASES
AND TERMINATING CLAIMS AND NOTICING AGENT**

The above-captioned debtors (the “Debtors”) hereby move (this “Motion”) this Court for the entry of a final decree closing their bankruptcy cases and terminating the claims and noticing agent. In support of this Motion, the Debtors respectfully represent as follows:

Background

1. On June 30, 2017 (the “Petition Date”), the Debtors filed voluntary petitions for relief with the Court under chapter 11 of title 11 of the Bankruptcy Code.
2. Donlin Recano has served as claims and noticing agent in these cases.
3. The Effective Date of the Debtors’ confirmed plan (the ‘Plan’) occurred as of January 1, 2018. Capitalized terms not defined herein shall have the meaning set forth in the Plan.
4. Following the Effective Date, the Debtors filed four omnibus objections to claims, and those claims objections have been fully resolved.
5. The Debtors have made all Effective Date distributions as required under the Plan.

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: Wordsworth Academy (9031); Wordsworth CUA 5, LLC (0983); and Wordsworth CUA 10, LLC (5980). Wordsworth Academy has an address at 3300 Henry Ave., Philadelphia, PA 19129.

Relief Requested

6. The Debtors request that these chapter 11 cases be closed.

7. Contemporaneously with the filing of this Motion, the Debtor intends to file a Motion to approve the distribution of funds to Class 5 General Unsecured Claims.

8. Upon approval of the distribution schedule, the Debtors shall make distribution of the \$400,000 in Distributable Cash which is to be distributed to Class 5 General Unsecured claims under the Plan.

9. Section 350(a) of the Bankruptcy Code provides that “[a]fter an estate has been administered and the court has discharged the trustee, the court shall close the case.” 11 U.S.C. § 350(a).

10. The Advisory Committee Note to Rule 3022 of the Federal Rules of Bankruptcy Procedure provides a list of factors to be considered in determining whether an estate has been fully administered. These factors include “(1) whether the order confirming the plan has become final, (2) whether deposits required by the plan have been distributed, (3) whether the property proposed by the plan to be transferred has been transferred, (4) whether the debtor or successor of the debtor under the plan has assumed the business or the management of the property dealt with by the plan, (5) whether payments under the plan have been commenced, and (6) whether all motions, contested matters, and adversary proceedings have been finally resolved.” Fed. R. Bankr. P. 3022, Advisory Committee’s Notes (1991).

11. Each of the factors need not be present before a court will enter a final decree. See In re Mold Makers, Inc., 124 B.R. 766, 768 (Bankr. N.D. Ill. 1990); see also Walnut Assocs. v. Sidel, 164 B.R. 487, 492-93 (E.D. Pa. 1994).

12. Here, all relevant factors have been satisfied or will be satisfied prior to entry of an order on this Motion. Specifically, the Order confirming the Plan has become final, the Effective Date of the Plan has occurred, all payments to be made on the Effective Date have been made, the distribution of the Distributable Cash will be made shortly and all other assets in the Debtors' bankruptcy estates have been revested in the reorganized Debtor.

13. Further, all outstanding claims, motions, contested matters, and adversary proceedings have been resolved by the Court, or are expected to be resolved by the date of the hearing on this Motion so that these bankruptcy cases have been fully administered.

14. All post-confirmation reports have been filed, or will be filed, as appropriate, and all US Trustee fees have been paid or will be paid as appropriate.

15. Cause exists to close the Debtors' bankruptcy cases in order to avoid any future administrative obligations, such as the ongoing filing of post-confirmation operating reports and the continued accrual of fees to the Office of the United States Trustee, when no substantive activity remains to be accomplished in the Debtors' bankruptcy cases.

16. The Debtors further seek the following relief as set forth in the proposed Order as such is necessary for the completion of the administration of these Chapter 11 Cases:

(a) within ten (10) days of the entry of the proposed Order, Donlin Recano is to forward to the Clerk of the Court a final claims register in both alphabetical and numerical order along with original proofs of claim and an updated mailing list;

(b) within ten (10) days of the entry of the proposed Order, Donlin Recano is to forward CD-ROMS containing images of all filed claims and a final claims register to the Debtors;

(c) upon entry of the proposed Order, Donlin Recano is to deactivate the case website established for these Chapter 11 Cases; and

(d) upon entry of the proposed Order, with the exception of the original proofs of claim and original ballots, Donlin Recano may destroy any and all physical copies of documents pertaining to these Chapter 11 Cases.

17. The Debtors shall remit payment to Donlin Recano for services previously provided and those provided in execution of its obligations under the proposed Order.

WHEREFORE, the Debtors respectfully request that this Court enter an order substantially in the form attached hereto closing the bankruptcy cases and terminating the claims agent.

Dated: August 29, 2018
Philadelphia, Pennsylvania

/s/ Peter C. Hughes

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