

In re City of Central Falls,

Case No. 11-13105

Debtor

Chapter 9

**ORDER APPROVING NOTICE OF COMMENCEMENT OF CASE AND
DIRECTING SERVICE AND PUBLICATION**

Upon the oral motion of the City of Central Falls, Rhode Island (“the Debtor”) to approve its proposed manner of publication of the notice of commencement of case required by 11 U.S.C. § 923, and after consideration of the proposed form and manner of notice, the Court hereby **ORDERS** as follows:

1. The Court hereby approves the attached Notice of Commencement of Case Under Chapter 9, Notice of Automatic Stay, Notice of Time and Requirements for Filing Objections to the Petition, and Notice of Time to File Proofs of Claim (the “Notice of Commencement of Case”).
2. On or before August 24, 2011, the Clerk of the Bankruptcy Court shall serve by mail the attached Notice of Commencement of Case upon all creditors, special tax payers, and other parties in interest as identified by the Debtor in the Creditor Mailing List that (by separate order) the Debtor is required to file by August 17, 2011.
3. The Debtor, not the Clerk, shall publish the Notice of Commencement of Case as required by 11 U.S.C. § 923. The publications required by 11 U.S.C. § 923 shall be made once in *The Bond Buyer* and once a week for three successive weeks in *The Providence Journal*. The last publication of the Notice of Commencement of Case shall be not less than twenty-one (21) days prior to the last day to file objections to the petition. The Debtor shall file proofs of the publication required by this paragraph not later than September 9, 2011.
4. On or before August 12, 2011, the Debtor shall serve the Notice of Commencement of Case on interested parties through the facilities of The Depository Trust Company, New York, NY.

Date: August 5, 2011


Frank J. Bailey
United States Bankruptcy Judge

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**NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 9,
NOTICE OF AUTOMATIC STAY,
NOTICE OF TIME AND REQUIREMENTS FOR FILING OBJECTIONS TO THE
PETITION,
AND NOTICE OF TIME TO FILE PROOFS OF CLAIM**

TO: The Creditors, Special Taxpayers and Other Parties in Interest

Notice is hereby given of the following:

1. **Notice of commencement of a case under Chapter 9.** A case under Chapter 9 of the Bankruptcy Code was commenced by the filing of a petition by the City of Central Falls, Rhode Island (“the Debtor”) on August 1, 2011.

2. **Notice of automatic stay.** The filing of the petition operates as a stay applicable to all entities of the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against an officer or inhabitant of the Debtor that seeks to enforce a claim against the Debtor, and the enforcement of a lien on or arising out of taxes or assessments owed to the Debtor, and certain other acts and proceedings against the Debtor and its property as provided in 11 U.S.C. §§ 362 and 922.

3. **Notice of time for filing objections to the petition.** An objection to the petition or motion to dismiss the petition may be filed by a party in interest not later than **September 16, 2011**. 11 U.S.C. § 921(c). Objections and motions to dismiss shall be filed by registered users through ECF and by non-registered users either in person at, or by mail to, the office of the Clerk of the United States Bankruptcy Court for the District of Rhode Island, 380 Westminster Street, 6th Floor, Providence, Rhode Island 02903. A copy of the objection or motion to dismiss shall be mailed to the attorney for the Debtor, Theodore Orson, Esq., Orson and Brusini Ltd., 325 Angell Street, Providence, Rhode Island 02906.

4. **Hearing on petition and objections to petition.** If any timely objection or motion to dismiss the petition is filed with the Court, a hearing will be held on a date to be scheduled by the Court in the United States Bankruptcy Court, located at 380 Westminster Street, 6th Floor, Providence, Rhode Island. At said hearing, the Court may dismiss the petition, subject to 11 U.S.C. § 921(c), if the Debtor did not file the petition in good faith or if the petition does not meet the eligibility requirements of Chapter 9. If no timely objection or motion to dismiss is filed, no hearing will be held, and, pursuant to 11 U.S.C. § 921(d), the Court will order relief under Chapter 9 without further process.

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5. **Requirements for objections and motions to dismiss.** Each objection to the petition (the term “objection to the petition” shall, for purposes of this paragraph, include any motion to dismiss the petition) shall state the facts and legal authorities in support of such objection. Any party whose objection to the petition is based not merely on denials of the City’s averments as to eligibility but on evidence of facts extrinsic to those alleged by the City in support of the petition shall file with its objection to the petition affidavits that shall constitute the direct testimony of its witnesses at the evidentiary hearing on the petition, and such party shall make its affiants available for cross-examination at the evidentiary hearing, failing which the affidavit shall be stricken.

6. **Order for relief.** If the petition is not dismissed, the Court will order relief under Chapter 9.

7. **Notice of time for filing Proofs of Claim.** The Debtor will file a list of claims. Any creditor holding a claim which has not been listed as disputed, contingent, or unliquidated as to amount, may, but need not, file a proof of claim in this case. **Creditors whose claims are not listed or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the case or share in any distribution must file their proofs of claim on or before October 4, 2011.** Any creditor who desires to rely on the list is responsible for determining that the claim is accurately listed. All proofs of claim shall be filed, by registered user through ECF, or by any non-registered user either in person or by mail with the office of the Clerk of the United States Bankruptcy Court for the District of Rhode Island, 380 Westminster Street, 6th Floor, Providence, Rhode Island 02903. Upon issuance of an appropriate order, the Court may allow the filing of a group or committee proof of claim by an attorney who has filed a notice of appearance for members of a group or committee.

8. **Notices.** All notices required by subdivisions (a)(2), (3), and (6) of Rule 2002, Fed. R. Bankr. P., shall be mailed only to the committee(s), if one is formed, or to their authorized agents and to the creditors who file with the Court a request that all notices be mailed to them.

Dated: August 5, 2011

/s/ Susan M. Thurston
Clerk of Court