

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

IN RE:)
)
DAVID JACKSON GILLIS,) CHAPTER 11 BANKRUPTCY
D/B/A GILLIS AUTO PARTS,) CASE NO. 95-50181
DEBTOR)

ORDER

Debtor has filed a Motion For Extension Of Time To File Disclosure Statement And Plan. The motion recites that the Debtor is currently engaged in stay relief litigation with Trust Company Bank of South Georgia. The Debtor proposes to postpone the filing of the disclosure statement and plan for a period of ninety (90) days.

The pendency of stay relief litigation does not excuse the filing of a disclosure statement and plan regardless of whether such an undertaking would be rendered useless by the granting of the Trust Company Bank's motion for stay relief. The Debtor's obligation to file the disclosure statement and plan exists separately from the pendency of the Trust Company Bank's stay relief motion and is not thereby excused.

Now, therefore it is hereby

ORDERED that the Debtor shall file his disclosure statement and plan within thirty (30) days of the entry of this order; and it is hereby further

ORDERED that the failure of the Debtor to comply with the terms of this order shall be grounds for dismissal of this Chapter 11 case.

Dated this 14th day of September, 1995.

JAMES D. WALKER, JR., Judge
United States Bankruptcy Court