

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

In Re: Vanity Shop of Grand Forks, Inc., Debtor.	Case No.: 17-30112 Chapter 11
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**MOTION TO LIMIT NOTICE BY
SERVING ELECTRONIC COPIES OF DEBTOR’S DISCLOSURE STATEMENT AND
SECOND PLAN OF REORGANIZATION**

The Debtor, Vanity Shop of Grand Forks, Inc. (the **“Debtor”**) hereby moves (the **“Motion”**) the Court for entry of an Order limiting notice by serving electronic copies of the Debtor’s Disclosure Statement of date April 9, 2018 [Doc 645], Second Plan of Liquidation of date April 9, 2018 [Doc. 646], and paper copies of the Court’s Order approving the Disclosure Statement that is anticipated to be filed on April 11, 2018, and ballot(s) (the **“Solicitation Documents”**). The Debtor seeks to limit its expenses by serving an electronic copy (flash drive) containing the Disclosure Statement and Second Plan of Reorganization instead of paper copies.

In support of this Motion, the Debtor respectfully represents as follows:

BACKGROUND

1. This case was commenced as a Chapter 11 proceeding by the filing of a petition on March 1, 2017 (the **“Petition Date”**). The Debtor has continued in the management of its business since the Petition Date.

2. The Debtor’s Disclosure Statement dated April 9, 2018 [Doc. 645], Second Plan of Liquidation dated April 9, 2018 [Doc. 646], the Court’s order approving the



Disclosure Statement anticipated to be entered on April 11, 2018, and ballots for voting on the Plan must be served on all of the creditors.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this matter under 28 U.S.C. §§157 and 1334. This is a core proceeding under 28 U.S.C. §157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§1408 and 1409.

REQUEST TO LIMIT FORM OF NOTICE

4. Federal Rule of Bankruptcy Procedure 2002(b) requires service on the trustee and all creditors with the Disclosure Statement, Second Plan of Liquidation, Order Approving the Disclosure Statement and providing notice of the confirmation hearing, and ballots for voting on the Plan (the “**Solicitation Documents**”). Kurtzman Carson Consultants has advised the cost for creating a flash drive containing the Disclosure Statement and Plan is \$6.00. The cost for paper copies is 11 cents per image (69 images on the Plan would be \$7.59 and 28 images on the Disclosure statement would be \$3.08). Additionally, the cost for postal mail of a flash drive vs. approximately 100 pages would be significantly less and KCC can do this quicker than by mailing paper documents. By this Motion, the Debtor seeks only to mail a flash drive containing an electronic copy of the Disclosure Statement [Doc. 645] and Second Plan of Liquidation [Doc. 646] instead of paper copies.

5. The Debtor proposes the Court’s Order approving the Disclosure Statement that is anticipated to be filed on April 11, 2018, and ballot(s) would be mailed in paper form along with the flash drive containing the Disclosure Statement and Plan pursuant to F.R.B.P. 2002(b). Debtor will make a copy of the Disclosure Statement and Plan available by e-mail or other suitable delivery method upon request of (and without charge) any creditor

requesting a copy directed to the undersigned and will also advise in its solicitation letter that copies are available at the KCC website as follows:

<http://www.kccllc.net/vanity/document/list/4489>.

6. The Bankruptcy Court has discretion under Fed. R. Bank. P. 9007 and LR 2002-1(E)(8) to limit notice as it deems proper. The United States Trustee has advised it does not object to mailing a flash drive containing the Disclosure Statement and Plan and this method of service has been approved previously in the United States Bankruptcy Court for the District of Minnesota, *In re The Archdiocese of Saint Paul and Minneapolis*, Case No. 15-30125, Doc. 983. The attorney for the Unsecured Creditor's Committee has also advised the mailing of a flash drive vs. paper copies is often allowed and supports the request.

WHEREFORE, Debtor respectfully requests that this Court enter an order:

- A. Granting this motion, and granting Debtor leave to serve the Solicitation Documents as provided herein; and
- B. Granting Debtor such other relief as the Court deems just and proper.

Dated this 11th day of April, 2018.

VOGEL LAW FIRM

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