

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

In re: Maritime Communications/Land Mobile, LLC

Case no. 11-13463

Debtor(s) In Possession

Chapter 11

**OBJECTION TO FIRST AMENDED CHAPTER 11 PLAN OF REORGANIZATION
[DKT. 669]**

Comes now, Henry G. Hobbs, Jr., the Acting United States Trustee for Region 5, "UST," by and through undersigned counsel, and files this objection to the debtor's first amended proposed plan of reorganization, DKT. 669, in the above styled and numbered cause, and in support thereof will show unto the court as follows, to-wit:

I.

The debtor proposes, in its first amended Chapter 11 plan of reorganization, to receive a discharge of all claims through confirmation of the plan. *See* paragraph G, on page 28, of the First Amended Plan of Reorganization. 11 U.S.C. § 1141(d)(3) specifically provides, that the debtor is not entitled to a discharge, if the plan provides for the liquidation of all, or substantially all, of the property of the estate. It is clear, from all aspects of the proposed first amended chapter 11 plan, that this is a liquidating plan. Therefore, the debtor would not be entitled to a discharge, as provided in its proposed plan.

II.

Furthermore, the debtor proposes through the plan, that the "liquidating agent," as referenced on page 19, paragraph 8, of the proposed plan, would be noticed to all parties, on or before ten days of the

confirmation hearing. To date, such notice, of the liquidation agent, has not been provided. The confirmation hearing is scheduled for November 14, 2012.

III.

The debtor is delinquent in the payment of U. S. Trustee fees. Confirmation of the proposed plan is prohibited by 11 U.S.C. §1129(a)(12), unless it can be determined that the debtors have paid all fees payable under §1930 of Title 28.

WHEREFORE, PREMISES CONSIDERED, the United States Trustee submits this objection to confirmation of the proposed plan of reorganization [DKT. 669] filed on behalf of the debtor in possession, and prays that the court will enter an order sustaining this objection. The United States Trustee prays for general relief to which entitled in these premises.

Respectfully submitted,

HENRY G. HOBBS, JR.
Acting United States Trustee
Region 5, Judicial Districts of
Louisiana and Mississippi

by: /s/ Sammye S. Tharp
Sammye S. Tharp,
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CERTIFICATE OF SERVICE

I, Sammye S. Tharp, Trial Attorney for the U. S. Trustee, do hereby certify that a true and exact copy of the foregoing objection to confirmation has been tendered to the individual(s) listed below by U. S. Mail, postage prepaid, and/or CM/ECF this the 7th day of November 2012.

Craig M. Geno, Esq.
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/s/ Sammye S. Tharp
Sammye S. Tharp