Appendix One

Bankruptcy Code Sections Made "Not Applicable" under Subchapter V

The Exclusions are made to differentiate the treatment of a Small Business debtor from a non-small business debtor in Chapter 11. Most exclusions are made because Subchapter V makes a differing rule of its own.

Exclusions Set Forth In Sec 1181

SECTION	DESCRIPTION
105(d)	General authority of the Court to Schedule Status Conferences and impose deadlines
1101(1)	Definitions
1104	Appointment of Trustee or Examiner
1105	Termination of Trustee's Appointment
1106	Duties of Trustee or Examiner
1107	Rights, Powers and Duties of Debtor-in-Possession
1108	Trustee May Operate Debtor's Business
1115	Property of the Estate
1116	Duties of Debtor-in-Possession in a Small Business Case
1121	Who May File a Plan
1123(a)(8)	In an individual chapter 11 case, provides for payment of debtor's post-petition income for creditors
1123[c]	Where the plan proponent is not the debtor the plan may not provide for the sale of exempt assets.
1127	Modification of the Plan
1129(a)(15)	In an individual case, where an unsecured debtor has objected, the plan must provide 100% to the objecting creditor or all debtor's disposable income for 5 years to the plan
1129(b)	Conditions for a cram-down confirmation
1129[c]	Court may confirm only one plan except where the plan was modified post-confirmation, or an earlier confirmation has been revoked.

Exclusions Set Forth in Sec 1182

SECTION	DESCRIPTION
1102(b)	Makeup of Committee of Unsecured Creditors
1103	Powers of Committee
1102(a)(1)(2)(4)	Appointment of Committee in the first Place
1125	Disclosure Statement
1141(d)	Confirmation does the following: (i) Operates as a discharge; (ii) wipes out equity, unless: (iii) all assets liquidated, business ceases, debtor would be denied a discharge altogether under chapter 7. NEW SEC 1192 PROVIDES FOR A DISCHARGE AT THE END OF PLAN PAYMENTS IN THE CASE OF A CRAM-DOWN CONFIRMATION; OTHERWISE Sec 1141(d) APPLIES TO A CONENSUAL CONFIRMATION.