

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

**R & G Properties, Inc.,
Debtor.**

**Chapter 11 Case
08-10876**

*Appearances: Michelle Kainen, Esq.
Kainen Law Office, PC
White River Junction, VT
For the Debtor*

*Heather Z. Cooper, Esq.
Kenlan, Schwieber, Facey
& Goss, PC
Rutland, VT
For the Moving Creditor*

*Kevin Purcell, Esq.
Office of the U.S. Trustee
Albany, NY
For the U.S. Trustee*

ORDER

DENYING DEBTOR'S MOTION TO APPROVE ADEQUACY OF DISCLOSURE STATEMENT

For the reasons set forth in the memorandum of decision of even date, THE COURT FINDS that the Amended Disclosure Statement fails to satisfy the adequate information standard of § 1125, because it accompanies a Plan that cannot be confirmed pursuant to 11 U.S.C. § 1129, due to improper classification of Capmark's unsecured claim.

Accordingly, IT IS HEREBY ORDERED that the Debtor's motion to approve the Amended Disclosure Statement is DENIED.

SO ORDERED.

July 6, 2009
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge

