

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re:

LEGACY POOLS, LLC,

**CASE NO. 6:22-bk-03123-LVV
CHAPTER 11**

Subchapter V Election

Debtor.

_____ /

**NOTICE OF FILING FOURTH MODIFICATION TO THE
SUBCHAPTER V PLAN OF REORGANIZATION FOR LEGACY POOLS, LLC**

LEGACY POOLS, LLC (the “Debtor”) hereby gives notice of filing:

1. **FOURTH MODIFICATION TO SUBCHAPTER V PLAN OF REORGANIZATION
FOR LEGACY POOLS, LLC.** (Doc. No. 32).

RESPECTFULLY SUBMITTED this 18th day of February, 2023.

/s/ Daniel A. Velasquez

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**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the **NOTICE OF FILING FOURTH MODIFICATION TO THE PLAN OF REORGANIZATION FOR LEGACY POOLS, LLC** has been furnished either electronically and/or by U.S. First Class, postage prepaid mail to; all parties receiving notice via CM/ECF; all parties in interest identified in the attached mailing matrix; the Office of the United States Trustee, c/o Bryan E. Buenaventura., 400 West Washington Street, Suite 1100, Orlando, Florida 32801, and the Subchapter V Trustee, Robert Altman, PO Box 922, Palatka, Florida 32178, robertaltman@bellsouth.net; this 18th day of February 2023.

/s/ Daniel A. Velasquez

Daniel A. Velasquez, Esq.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

LEGACY POOLS, LLC,

CASE NO. 6:22-bk-03123-LVV
CHAPTER 11

Subchapter V Election

Debtor.

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**FOURTH MODIFICATION TO SUBCHAPTER V PLAN OF REORGANIZATION FOR
LEGACY POOLS, LLC**

COUNSEL FOR DEBTOR

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February 18, 2023

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

LEGACY POOLS, LLC,

CASE NO. 6:22-bk-03123-LVV
CHAPTER 11

Subchapter V Election

Debtor.

FOURTH MODIFICATION TO SUBCHAPTER V PLAN OF REORGANIZATION
FOR LEGACY POOLS, LLC

LEGACY POOLS, LLC (the “Debtor”), by and through its undersigned counsel, and pursuant to 11 U.S.C. § 1193(a), files the following modification to the Subchapter V Plan of Reorganization (Doc. No. 32) (the “Plan”). All terms of the Plan not altered by the modifications herein, and the modifications at Doc. Nos. 80, 147 and 158 shall remain as set forth in the Plan unless such modifications are further modified herein.

ARTICLE VI – MEANS OF IMPLEMENTATION.

Article VI, Section D(1) is amended to read as follows:

D(1). The Litigation Committee.

The Plan contemplates that, upon entry of the Confirmation Order, a Litigation Committee will be formed, the litigation fees and costs of which will be funded with \$10,000.00 from the Plan Consideration provided by the Insiders. The Litigation Committee shall prosecute any Causes of Action the Debtor may have against the Insiders and shall distribute net proceeds from Causes of Action initiated against the Insiders, after payment of Post-Confirmation Fees and Expenses, in accordance with the Plan.

The Litigation Committee shall be represented by **Jeffrey S. Ainsworth, Esq., of Branson Law, PLLC, 1510 E. Concord Street, Orlando, Florida 32803** (hereinafter the “Litigation Agent”). Notwithstanding the terms of the Conditional Injunction outlined herein, the

Litigation Agent shall be empowered to take any action he deems necessary, appropriate, and in the best use of Litigation Committee funds, to reserve and preserve any remedies, claims or equitable lien rights which may be asserted in connection with Causes of Action commenced against the Insiders. In connection with the confirmation of this Plan, and so long as the Conditional Injunction outlined herein remains in place, the Insiders stipulate and agree not to transfer or assign any interest they retain in real property.

Following confirmation of the Plan, the Reorganized Debtor will issue a “*Request for Applications*” to all holders of general unsecured claims (which shall not include the claim of any insider or affiliate) who are interested and willing to serve on a 3-person oversight board which will oversee and manage the Litigation Committee. Upon completion of the application process, the Reorganized Debtor will select three representatives of the holders of Allowed Class 13 Claims who submitted applications to serve on the 3-person oversight board (the “Oversight Board”). The Oversight Board will work with and receive guidance from the Litigation Agent with respect to the pursuit of Causes of Action against the Insiders. All members of the Oversight Board shall be fiduciaries for those parties retaining Allowed Class 13 Claims.

On the date the Causes of Action against the Insiders are fully resolved by Final Order of the Bankruptcy Court, and after all Distributions required to be made by the Litigation Committee are completed, the Litigation Committee shall have no further obligations under the Plan and shall dissolve the Litigation Committee and relinquish all powers and authority. If at any time Allowed Class 13 Claims are satisfied in full, The Litigation Committee shall have no further obligations under the Plan and shall be dissolved.

The Litigation Committee shall make Payments and Distributions as follows:

- 1) First, to pay the costs and expenses incurred by the Litigation Agent, including without limitation, the costs and expenses incurred by the Litigation Committee.

- 2) Second, to make Distributions to creditors as provided in the Plan; and
- 3) Third, to the Reorganized Debtor.

<End of Modification>

Label Matrix for local noticing
113A-6
Case 6:22-bk-03123-LVV
Middle District of Florida
Orlando
Sat Feb 18 07:47:51 EST 2023

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End of Label Matrix	
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Bypassed recipients	1
Total	42