UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF LOUISIANA, LAFAYETTE DIVISION

In re Logan Christopher Hisaw

No. 25-50479 (Bankr. W.D. La. June 5, 2026) · No. 25-50479 · Decided June 5, 2026

SUMMARY

This memorandum decision addresses confirmation of Logan Christopher Hisaw's Third Amended Plan of Reorganization under Subchapter V of Chapter 11. The court denied consensual confirmation under 11 U.S.C. § 1191(a) because two impaired classes did not vote, but determined that the plan could be confirmed nonconsensually under § 1191(b), subject to amendments. The court permitted a temporary injunction protecting closely related non-debtor parties, rejected the proposed monthly savings fund, and required discharge to be delayed until completion of the five-year plan period.

CASE DETAILS

COURT	United States Bankruptcy Court for the Western District of Louisiana, Lafayette Division
WRITING FOR THE COURT	John W. Kolwe
JURISDICTION	United States Bankruptcy Court for the Western District of Louisiana, Lafayette Division
DECIDED	June 5, 2026
DOCKET	25-50479
DISPOSITION	other
PROCEDURAL POSTURE	Chapter 11 Subchapter V confirmation proceeding on the Debtor's Third Amended Plan of Reorganization, following objections by the United States Trustee and resolution of objections by two creditors.
STANDARD OF REVIEW	The court applied the statutory requirements for confirmation under 11 U.S.C. §§ 1191, 1129, 1126, and related provisions; no separate appellate standard of review was stated.
PRECEDENTIAL VALUE	Unknown

TOPICS

chapter 11 · reorganization · statutory interpretation · equitable relief · discharge

PRACTICE AREAS

bankruptcy | Chapter 11 reorganization | plan confirmation | bankruptcy remedies

QUESTIONS PRESENTED

1. Whether a Subchapter V plan may be confirmed consensually under 11 U.S.C. § 1191(a) when an impaired class does not cast any votes.
2. Whether the plan may be confirmed nonconsensually under 11 U.S.C. § 1191(b) despite the absence of affirmative acceptance by two impaired classes.
3. Whether the plan may include a temporary injunction against creditors pursuing closely related nondebtor guarantors, Insiders, and Affiliates.
4. Whether the Debtor may retain projected disposable income in a Savings Fund rather than dedicate it to plan payments.
5. Whether the Debtor may receive a discharge after three years when the plan requires payments for five years.

HOLDINGS

1. An impaired class that casts no votes has not accepted the plan, and the plan therefore cannot satisfy 11 U.S.C. § 1129(a)(8) or be confirmed consensually under § 1191(a).
2. The plan may be confirmed nonconsensually under 11 U.S.C. § 1191(b), subject to deletion of the Savings Fund provisions and amendment of the discharge provision.
3. A temporary third-party injunction may be included in a Chapter 11 plan when the debtor demonstrates that the injunction is necessary to the viability of the plan.
4. The proposed Savings Fund could not be approved because the Debtor failed to show that the deposits were necessary for the continuation, preservation, or operation of the business and failed to establish statutory support for withholding projected disposable income from plan payments.
5. When a Subchapter V plan confirmed under § 1191(b) provides for five years of payments, discharge must be delayed until completion of the five-year plan period.

KEY QUOTATIONS

> *"If there are no votes within a class, then it cannot be said that the class has accepted the plan."* (Analysis § 1(a))

> *"The Debtor must show the class accepts, not merely that the class "doesn't reject." Nothing in the Code allows the Court to equate abstention of a class with acceptance."* (Analysis § 1(a))

> *"Thus, this Court holds that temporary third- party injunctions may be allowable in a Chapter 11 plan provided the debtor shows that the injunction is necessary to the viability of the plan."* (Analysis § 2)

> *"Simply put, the Debtor has cited no statutory support for applying this novel policy in this Chapter 11 case."* (Analysis § 3)

FACTUAL BACKGROUND

The Debtor proposed a Third Amended Subchapter V Chapter 11 plan containing eleven classes, including seven impaired classes. Five impaired classes voted to accept, while two impaired classes did not cast ballots. The plan also proposed a temporary injunction protecting closely related nondebtor guarantors, Insiders, and Affiliates, monthly deposits into a Savings Fund, and discharge after three years despite five years of payment obligations.

PROCEDURAL HISTORY

The court held a confirmation hearing on April 28, 2026, which was later continued for the court to announce its ruling. A&D Mortgage, LLC and Advancial Federal Credit Union resolved their objections, leaving the United States Trustee's objections concerning consensual versus nonconsensual confirmation, a temporary third-party injunction, a proposed savings account, and discharge timing. The court ruled that the plan could not be confirmed consensually under 11 U.S.C. § 1191(a), but could be confirmed nonconsensually under § 1191(b) if the savings-fund provisions were deleted and discharge was delayed until completion of the five-year plan period. The court permitted the temporary injunction and ordered amendment of the plan.

DISPOSITION

other

REMAND INSTRUCTIONS

The court will enter an order requiring the Debtor to amend the plan by deleting the Savings Fund provisions and delaying discharge until completion of the five-year plan period. The amended plan may then be confirmed as a nonconsensual plan under § 1191(b).

CASES CITED

- In re Franco's Paving LLC, 654 B.R. 107 (Bankr. S.D. Tex. 2023)
- In re Hot'z Power Wash, 655 B.R. 107 (Bankr. S.D. Tex. 2023)
- In re Thomas Orthodontics, S.C., No. 23-25432, 2024 WL 4297032 (Bankr. E.D. Wis. 2024)
- In re Florist Atlanta, Inc., No. 24-51980, 2024 WL 3714512 (Bankr. N.D. Ga. Aug. 7, 2024)
- In re M.V.J. Auto World, 661 B.R. 186 (Bankr. S.D. Fla. 2024)
- In re Sushi Zushi of Texas, LLC, 2025 WL 957792 (Bankr. W.D. Tex. Mar. 28, 2025)
- In re 5 Star Home Care, Inc., 2026 WL 1127906 (Bankr. D.S.C. Apr. 24, 2026)
- Johnson v. Norris, 190 F. 459 (5th Cir. 1911)
- In re Kane, 127 F. 552 (7th Cir. 1904)
- Truvillion v. King's Daughter's Hosp., 614 F.2d 520 (5th Cir. 1980)
- Feld v. Zale Corp. (In re Zale Corp.), 62 F.3d 746 (5th Cir. 1995)
- In re Eng'g Recruiting Experts, 2025 Bankr. LEXIS 2169 (Bankr. M.D. Fla. Sept. 2, 2025)
- In re Miracle Rest. Grp., LLC, 2025 WL 1400915 (Bankr. E.D. La. May 13, 2025)
- Patton v. Bearden, 8 F.3d 343 (6th Cir. 1993)

- S.E.C. v. Drexel Burnham Lambert Grp., Inc. (In re Drexel Burnham Lambert Grp., Inc.), 960 F.2d 285 (2d Cir. 1992)
- A.H. Robins Co. v. Piccinin, 788 F.2d 994 (4th Cir. 1986)
- Harrington v. Purdue Pharma L.P. (In re Purdue Pharma), 603 U.S. 204 (2024)
- Highland Capital Management Fund Advisors, L.P. v. Highland Capital Management, L.P. (In re Highland Capital Management, L.P.), 132 F.4th 353 (5th Cir. 2025)

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