

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In Re:)	Case No. 94-30669
)	Chapter 11
FYCON TECHNOLOGIES, INC.,)	
)	
Debtor.)	
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ORDER DISALLOWING MOTION
TO AMEND SCHEDULES AND MATRIX

This matter came before the Court upon the record, sua sponte, upon the Debtor's Motion to Amend Schedules and Matrix dated July 14, 1995. Although this matter was noticed on a no objection basis, after a review of the motion and record, the Court does not feel in good conscience that it can allow the Motion. The Debtor seeks to amend his Schedules and Matrix to add the claims of DM&E Corporation, Gelco Corporation, IBS Graphics, Daniel McConnell, Pioneer Technologies, Inc., and Union Carbide. This Debtor is the subject of a confirmed Chapter 11 Plan. A Final Report and Accounting was filed in this case on May 22, 1995. To allow the Debtor's Motion would bind these creditors to the terms of the Debtor's confirmed plan, even though these creditors received neither the opportunity to vote on the same, nor to object to confirmation. This is particularly inappropriate since the Fourth Circuit has in In re Goodman, 809 F.2d 228, 232 (4th Cir. 1987) ruled that post confirmation jurisdiction by this Court is limited to matters involving implementation or execution of the Plan.

The Motion is hereby DENIED.

This the 16th day of Aug., 1995.


United States Bankruptcy Judge