

January 10, 2003

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Re: A.J.C. Apartments, Inc.  
Chapter 11 Case No. 01-63387

### **LETTER DECISION AND ORDER**

Midwest Holdings Corporation (“MHC”), a secured creditor having filed a First Amended Disclosure Statement (“Amended DS”) herein on September 30, 2002 and a hearing having been scheduled to approve the Amended DS and said hearing having been thereafter adjourned on numerous occasions and a final hearing having been held at Syracuse N.Y. on January 7, 2003 and objections to the

Amended DS having been filed by the Debtor and a secured creditor, Gerald Jordan and the Court having considered said objections, now therefore it is

ORDERED, that the Amended DS shall be further supplemented/amended as follows:

- a) Article V, ALTERNATIVES TO THE AMENDED PLAN at page 27- shall be supplemented with adequate information disclosing to creditors the additional option that the Debtor may also attempt to reorganize under Chapter 11 and providing to creditors whatever information may be available to MHC with regard to the income and expense streams of each of the properties referred to in Exhibit B attached to the Amended DS since the date of the filing of this case;
- b) The last sentence of the penultimate paragraph on page 11 of the Amended DS should be deleted;
- c) Article I, paragraph 6, Secured Claims at page 14, should reflect to the extent it is known from documents filed in the case, any payments made by the Debtor to other secured/priority creditors during the pendency of the case;
- d) Article II, paragraph F, Treatment of Classes under the Plan, Class 2- Secured Claims of Secured Creditors, at page 21, provide supplemental information as to the manner and timing of an “opt out” by a secured creditor referred to in said paragraph;
- e) Article II, paragraph F, Treatment of Classes under the Plan, Class 3- General Unsecured Claims Against Debtor, at page 23, provide supplemental information with regard to the probability that there will be “remaining proceeds of the disposition of all property” with which to pay general unsecured creditors “up to ten percent “ of their allowed claims; and it is further

ORDERED, that the supplemental information to be provided pursuant to this Order shall be designated as an “Addendum” to the Amended DS and shall be filed with the Court and served upon

Debtor's counsel, the counsel for Gerald Jordan and the U.S. Trustee on or before February 3, 2003  
or at such later time as the Court may order on an appropriate application.

IT IS SO ORDERED.

Dated at Utica, New York

this 10th day of January 2003

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STEPHEN D. GERLING  
Chief U.S. Bankruptcy Judge