

CHAPTER 13 ADMINISTRATION GUIDELINES SOUTHERN DISTRICT OF CALIFORNIA

A. Policy Regarding Debtor's Attendance At Meeting Of Creditors:

Debtors are expected to attend the initial Meeting of Creditors and, unless excused by the Trustee, any continued Meeting of Creditors. The Chapter 13 Trustee does not have the authority to excuse the debtor from attending his or her initial Meeting of Creditors. Special accommodations that are acceptable to the United States Trustee may be available where the debtor is unable to attend his or her initial Meeting of Creditors due to the following:

1. The debtor is incarcerated; or
2. The debtor is unavailable due to extended military assignment (i.e., at sea or stationed overseas); or
3. The debtor is seriously ill and the Trustee has received evidence of such from the debtor's attending physician.

Please notify the U.S. Trustee of the date, time and location of the 341 Meeting (or continued 341 Meeting) and the specific circumstances respecting why the debtor cannot attend the Meeting of Creditors. The Chapter 13 Trustee should be copied on such email request.

B. Identification: At the 341(a) Meeting, pursuant to 11 USC § 521 (h)(1) and (2), each individual debtor must present original government issued photo identification and confirmation of the social security number. Any document used must be an original except that a copy of a W-2 Form, an IRS Form 1099, third-party prepared Federal income tax return or a recent payroll advice may be accepted to confirm debtor's social security number. Acceptable forms of picture identification (ID) include: driver's license, U.S. government ID, state ID, passport (and current U.S. visa, if not a U.S. citizen), military ID, resident alien card, and identity card issued by a national government authority. Acceptable forms of proof of Social security number include: social security card, medical insurance card, pay advice, W-2 Form, IRS Form 1099, third-party prepared Federal income tax return and Social Security Administration (SSA) Statement.

C. Attorney Responsibilities: Attorney representing debtors at the Meeting of Creditors must have the debtor's file and backup documents and be familiar with the case to assist the debtors in responding to questions of the Trustee and/or creditors.

The use of special appearance counsel for a debtor is highly discouraged. In the rare instance where an attorney makes a special appearance for debtor's counsel, the attorney appearing specially on behalf of a debtor must fulfill the following requirements for the matter to proceed to examination:

1. Must be fully prepared and knowledgeable of the particular facts and issues in the debtor's case;
2. Must be in possession of the original file of the debtor in the case;
3. Must have discussed the case with the attorney of record;
4. Must have met with the debtor prior to the time of the scheduled creditor meeting at a place and time other than the 341(a) room environs just prior

the 341(a) Meeting. “Meeting with the debtor” does not include telephonic meetings.

If the special appearance attorney cannot comply with all of the above conditions the meeting may be continued for the attorney of record to appear.

D. Supporting Documentation Must Be Sent Via E-DOC² to Trustee As Soon After Case Filing as Possible But At Least Seven (7) Days Prior to the 341(a) Meeting:

5. Proof of Income: Copies of all pay advices, or other documentation of the debtor upon which the computation of trailing six (6) month income was based (if debtor is self-employed copies of profit & loss statements and bank statements). **If debtor(s) are wage-earners – the last paycheck in the pay period seven months prior to filing and the last paycheck for December (where applicable) end of year prior to filing and the last paycheck in the month prior to filing with YTD information – see Exhibit “A”.**

6. Value of Vehicles: Written documentation as to the basis for valuation of motor vehicles. In this regard a Statement of Value can be easily obtained via Internet at www.kbb.com or www.nadaguides.com and is the preferred source of valuation.

7. Value of Real Property: A Broker’s Price Opinion is the preferred method of providing current valuation of real property. Although not preferred, current valuation information may also be obtained from a few online resources. Debtors and debtors’ attorney are directed to the Internet where it is possible obtain comparable sales as to San Diego County properties by going to the County of San Diego web site (www.sdcounty.ca.gov), clicking on “Property Sales Search” on the debtor’s street, etc., and entering the street name (not the full address) to discover recent sales. If the County Assessor information does not have a current date, the Trustee may request the use of additional sites such as, Bank of America (<http://realestatecenter.bankofamerica.com>), Zillow (www.zillow.com) or Cyberhomes (www.cyberhomes.com). Comparable reports are acceptable only if reasonable ranges of value are presented with recent identifiable comparable properties.

8. Trust Documents: Copies of any Trust instruments in which the debtor has an interest of any type, i.e., beneficial or fiduciary;

9. Proof of Insurance-Motor Vehicles and Real Property: Copy of proof of insurance, (i.e., declarations page, etc.) documenting the extent of coverage on motor vehicles and real property. The Proof of Liability Insurance card is insufficient to demonstrate full coverage;

10. Business Operations: Six (6) months Profit and Loss Statements and corresponding bank statements demonstrating receipts and disbursements for the previous six (6) months prior to filing; copy of proof of insurance for any debtor operating a business including liability, casualty, workers compensation and error and omissions if self employment continues, business questionnaire (**Exhibit “B”**) and last two (2) years of business tax returns. For defunct corporations, copy of corporate status from Department of Corporations. If applicable, provision for quarterly operating reports to the Trustee;

² For Trustee Billingslea continued §341 matters only, please submit Supporting Documents via email at legalmail@thb.coxatwork.com.

11. Domestic Support Orders (DSO): In order for the Trustee to fulfill his or her duties pursuant to 11 USC §§704(10)(a) and 1302(d), provide the name, address and telephone number of a support claimant, as well as a copy of the Domestic Support Order. The debtor should affirm in writing that such information is correct. **Where applicable, provide a copy of the Marital Settlement Agreement and Qualified Domestic Relations Order. All DSO creditors must be scheduled on Schedule E even if payments are current.**

12. Tax Returns: Copy of last two years federal income tax returns **and last W2 and/or 1099s, if any. If applicable, copy of last two years of business tax returns.**

13. Retirement accounts: Copy of most recent statement showing balances held in retirement accounts and, most importantly, the current balance of any loans against 401(k) or similar retirement accounts. **When completing the B22 the mandatory deduction for retirement loan accounts is the payoff balance divided by 60 months.**

14. Payoff balances – real and personal property: The most recent billing statement/ invoice showing the principal balance due on any arrears, equity line, vehicle loan, etc. **When completing the B22 the deduction is the payoff balance on the real property arrears and/or personal property divided by 60.**

15. Disclosure of When Debtor Incurred Debt: Schedules D, E, & F require the debtor to provide “date claim was incurred.”

16. Claim of Exemption: CCP 703.140(a)(2) requires a married debtor filing without the spouse to elect the exemptions under CCP 704 et.seq., unless the non-filing spouse executes a written waiver. A sample Waiver form is attached as **Exhibit “C.”** The Waiver is to be filed with the Court and served upon the Trustee.

17. Questionnaires to be Completed and Delivered at Creditors Meeting: A Questionnaire has been developed for individual debtors (**Exhibit “D”**) and Partnership/Corporate debtor (**Exhibit “E”**) to address certain inquiries that the Trustees believe will facilitate the examination of debtors. Debtors must personally execute (fill out) the appropriate Questionnaire and deliver such to the Trustee at the Creditor Meeting.

18. Unincorporated Self-Employed, Professionals, and Business Cases:
- a. Evidence of current insurance coverage in connection with the operation the business;
 - b. Evidence of current Worker Compensation insurance in connection with the operation of the business, if applicable
 - c. Evidence of current Error and Omissions insurance coverage, if applicable.

19. Where the Chapter 13 debtor is a Partner/Member of an LLC or Shareholder:
- a. Minute Book should be available for inspection;
 - b. Tax returns of the entity for the past two years;
 - c. Income and Expense and Balance Sheet for past one (1) year;
 - d. Bank Statements and check register for past six (6) months.

E. Guidelines for Pre-Confirmation and Post-Confirmation Chapter 13 Plan

Modification Forms: These forms are intended to be used for last minute simple interlineations to a Plan. As such, the form should only be used in situations where interlineation without notice is appropriate. Notice is not required to change the terms of a Plan when the modification benefits all parties. If the proposed modification will adversely affect any party, a new modified Plan must be filed and served in accordance with local rules.

Examples when a modification will benefit all parties include but are not limited to:

- (i) Increasing the Plan payment;
- (ii) Increasing the percentage and/or pro rata to be paid on allowed unsecured claims;
- (iii) Providing interest to be paid on all unsecured claims; and,
- (iv) Increasing the interest rate to a secured claim where the percentage to be paid on unsecured claims was (0%) zero.

Examples when a modification will not benefit all parties include but are not limited to:

- (i) Decreasing the Plan payment or percentage to unsecured claims;
- (ii) Excluding a claim from the Plan;
- (iii) Adding a claim to any numbered paragraph of the Plan and,
- (iv) Any change which will result in extending the commencement of distributions to any other claims.

F. Policy on Barebones Filings: When the Chapter 13 Schedules and Plan are received by the Chapter 13 Trustees concurrently with the Petition, the Clerk of Court via the National Noticing Center (i) serves notice to the creditors that a Petition has been filed; (ii) serves a photocopy of the Plan; (iii) indicates the §341(a) Hearing Date; and (iv) provides a blank Proof of Claim form for each creditor.

However, the same is not true when the Schedules or Plan is received by the Chapter 13 Trustee at a later date than the Petition. Under those circumstances, the Clerk of Court only notices that a Petition has been filed. It is up to the debtor or his/her attorney to ensure service of: (1) a copy of the Plan; (2) notice of a pending 341(a) hearing; and (3) a blank Proof of Claim upon added creditors at least 28 days prior to the scheduled 341(a) hearing date. A Proof of Service will need to be submitted to the Trustee's office prior to the 341(a) hearing.

As numerous reported cases have made it clear, the debtor bears the burden of proof that a Plan is being proposed in good faith. A debtor who does not wish to notice a Plan to parties in interest is, in both offices' view, not acting in good faith.

G. Calculation of First Payment Date in Bare Bone Filing Post BAPCPA: With respect to a bare bone filing, the first payment is due 30 days after the case is filed §1326(c)(1).

H. Pay Stubs-Notation of Pay Period: Paycheck stubs for the last 60-day period are required of all debtors with W-2 incomes. Unless it is clear from the documents, please indicate on the paycheck stub whether the pay period is weekly, bi-weekly, bi-monthly, etc. Note – in Chapter 13 cases, pay information for the six (6) month preceding the filing is required. Not every pay stub is needed if year-to-date (YTD) information can be used to

calculate the six months of income (see Paragraph **D 1** above). **Separate pay advices covering a 60-day period must be submitted if the year to date is less than 70 days.**

I. Recreational Expenses in Zero or Nominal Percentage Plans: Recreational expenses in zero or nominal percentage plans are highly scrutinized. Also including a recreational asset in the Plan may not be appropriate and payment for such related expenses does not count towards meeting the minimum pro-rata distribution to unsecured creditors.

J. B22 Considerations:

1. Expenses on B22 Part IV: Provide evidentiary proof of all expenses listed in Part IV which exceed the local standards and/or where such evidence has not otherwise been provided to the Trustee.

2. Determinations of Applicable Commitment Period (ACP) and Disposable Income: The pro rata provided to unsecured creditors is determined from line 59. Line 59 is multiplied by 60 months where the debtor is above-median. If line 59 is negative, according to *In re Maney v. Kagenveama*, 541 F.3d 868 (9th Cir. 2008) there is no commitment period; however **CAVEAT**, *In re Hamilton v. Lanning*, 130 S.Ct. 2464 (2010) allows the courts to view projected disposable income where a change is virtually certain to affect the remainder of the plan. In such situations, the Trustee will require current pay information from the date of filing to the date of the changed circumstance and up to the date of any continued hearing. The income on the B22 should not differ substantially from the income on Schedule I absent competent documentary evidence to the contrary. Any additional expenses on the B22 which are subject to proof, will be scrutinized and documentary evidentiary proof must be provided to the Trustee. Where the debtor is below-median, the ACP is 36 months. Where there is a significant pre-confirmation change in circumstances that will affect the debtor's income and expenses during the plan, the Trustee will require competent evidentiary proof, including but not limited to current pay information with YTD information, current proof of disability, workers' compensation, etc. (see "Statement of the U.S. Trustee Program's Position on Legal Issues Arising Under Chapter 13 Disposable Income Test" (Rev'd on April 20, 2010) **Exhibit "F"**)).

K. Excluding a Creditor: If you properly exclude a creditor from Paragraph 15, the Trustee may want a step-up in plan payment after the obligation to such excluded creditor is paid. Only fully secured creditors can normally be excluded, provided however if the claim is impaired, the Trustee will request that the claim be provided for in the Plan. *In re Fulkrod v. Barmettler*, 126 B.R. 584 (9th Cir. BAP 1991).

L. Reject and Return/ Surrender of Collateral: These expenses may not be claimed in B22 Part IV at line 47 or 48.

M. Self-Employed Debtors:

1. Trustee's Pre-Confirmation Report- §1302(c) Statement of Investigation: Following submission of review of the above information, the Trustee may file with the Court a Statement of Investigation indicating the scope of his review and any items which remain outstanding.

Size Threshold: Generally, the Trustee will not file the Statement unless the debtor is self-employed, *incurs trade debt* and at least 51% of his or her gross earnings are derived from self-employment.

2. Debtor's Completion of Semi-Annual Business Operating Report: Where requested by the Chapter 13 Trustee, the debtor shall also respond and complete the Annual Business Operating Report **Exhibit "G"**. Such completed Report shall be returned to the Trustee within sixty (60) days of the end of the designated reporting period for that given case. The Trustee may bring a motion for material breach in the event the debtor fails to deliver to the Trustee such completed Report. See 11 U.S.C. §1307.

Size Threshold: A self-employed debtor with monthly gross earnings of \$10,000 or more, or who employs more than five employees, may be required to complete such Report annually. Other self-employed debtors may also be requested to complete the Annual Business Operating Report during the pendency of their case.

N. Ex-Parte Attorney Fee Application:

1. Dismissed Cases: Where a case has been dismissed for failure of the debtor to appear at the 341(a) Meeting, or continued meeting, the debtor's attorney must submit any Ex-Parte Attorney Fee Application within two (2) days of the hearing at which the case was dismissed. Such application shall seek the acquiescence of the Chapter 13 Trustee who may indicate that he has "no opposition" to such request. The Chapter 13 Trustee will only hold funds on hand where he has (i) been timely served such fee application and (ii) has indicated "no opposition" on such application. In the absence of the foregoing, the debtor's counsel may seek payment of awarded fees from the debtor directly.

2. FRBP 2002(a)(6) provides for at least 20 days notice to Creditors and the Trustee for requests for compensation if the request exceeds \$1,000. The Chapter 13 Trustee will review and sign-off on ex-parte fee applications that seek less than a \$1,000 for matters such as Relief From Stay Motions, Motions to Dismiss, Objections to Claims, etc. that settle prior to a hearing. The application must pray for a fee that meets the Southern District of California Bankruptcy Court Guidelines re Chapter 13 Attorney Fees or include an itemized account of services perform and time expended.

O. Motions to Dismiss for Non-Payment—Debtor Cure: If a Motion to Dismiss has been filed, and subsequently the debtor becomes current, *it is the debtor and Debtor's counsel's responsibility to notify the Trustee's office that the debtor is no longer in arrears and to request that the Motion to Dismiss be withdrawn.* Once a Motion to Dismiss has been filed, in the absence of it being withdrawn, the debtor must request a hearing date. Where the debtor fails to request a hearing date or has failed to obtain in writing or by e-mail Trustee's agreement to withdraw the Motion, a dismissal order will still be submitted to the Court notwithstanding any cure by the Debtor of Plan payments. **Caveat: the Trustee may not always agree to withdraw a Motion to Dismiss even if all payments are brought current.**

P. Request for Discharge and Certification of Eligibility for Completed BAPCPA Case: After the Trustee files his Interim Final report (but not before), the debtor should file a Notice of Motion for Discharge and Certification of Eligibility for Discharge with service upon all interested parties. Form CSD 2120 should be used.

Q. Application for Confirmation of Plan; Order Confirming Plan and Allowing

Attorney's Fees. BLR 3015-10 requires the Attorney for the debtor to prepare and upload to the Chapter 13 Trustee at the conclusion of the §341(a) meeting the proposed Order Confirming the Chapter 13 Plan. If a hearing on objections to confirmation results in the plan being confirmed, Debtor's Attorney is required to upload the proposed Confirmation Order to the Chapter 13 Trustee at the conclusion of the hearing. Because the Order Confirming the Plan is also a fee application the Chapter 13 Trustee will not submit an order to the Court that provides for fees in excess of the Southern District of California Bankruptcy Court Guidelines re Chapter 13 Attorney Fees. If the order provides for fees in excess of the guidelines fees the order will be returned to the Attorney for appropriate correction. If no order is received that can be submitted to the Court, the Trustee may upload an order confirming the plan without a fee award and the Attorney will then be required to bring an appropriate fee application. Please review the Court's website and online CM/ECF Manual on instructions for the uploading (or electronically filing) of Confirmation Orders. Forms CSD 1177 or 1178 should be used as updated by the Court. The Trustee's office will also confirm the actual Order for the Motion to Value (Lien Strip) has been entered on the docket. If not yet entered, the E-Order cannot be accepted. The Trustee's office will also verify that the date on the Plan and/or PCM in the E-Confirmation Order reconciles with that of the filed pleadings. (A common error is to reference the docket entry date or to include the date of the initial plan that has been superseded by a subsequent amended plan). **If you fail to timely upload your order for confirmation, the Chapter 13 Trustee will consider bringing a sanctions motion or OSC.**

EXAMPLE FOR MEANS TEST INCOME CALCULATION
USING PAYSTUB YEAR TO DATE FIGURES

FILE CASE MONTH:	<u>MAY</u>	
6 MONTH PERIOD: 1 ST MONTH:	<u>NOV. 2008</u>	
PRIOR TO FILING 6 TH MONTH:	<u>APR. 2009</u>	
Y.T.D. last pay-stub 6 th month	<u>12,000</u>	4/24/09
Total for Jan-Apr 09	<u>12,000</u>	
Y.T.D. last pay-stub 2008 (Dec.)	<u>37,500</u>	12/26/08
Y.T.D. last pay-stub OCT	<u>29,200</u>	
Total for Nov-Dec 08	<u>8,300</u>	

Jan-Apr 2008 income	12,000
Nov-Dec 2009 income	<u>+ 8,300</u>
TOTAL 6 month income	20,300

Average income $20,300 / 6 = \$3,383.33 / \text{month}$

ATTACH PAY-STUBS THAT WERE USED FOR Y.T.D. CALCULATION

Medicare	}	.085 of income is approximate total
Soc Sec		
SDI		

CHAPTER 13 STANDING TRUSTEE

Questionnaire for Chapter 13 Business Owners

Print Name of Debtor(s): _____ Case No.: _____

Print Name of Business: _____

List separate Federal Identification Number for business, if applicable:

1. Do you own your own business as a sole proprietor?

Provide a brief statement of what services your business performs: _____

Do you have any partners?

Is your business incorporated?

2. How many employees do you have? _____

3. a. List any years that you have unfiled federal income tax returns:

b. List any years that you have unfiled state income tax returns:

c. List any quarters that you have unfiled payroll tax returns:

d. List any periods that you have unfiled sales or used tax returns:

e. Did you have any payroll tax liability (IRS Form 940/941) at the time you filed your bankruptcy?

4. Have you set aside a reserve for post petition federal and state estimated tax liabilities including federal self-employment tax? _____

Please establish a separate bank account for your post petition tax reserves.

5. a. Do you have business assets with a gross fair market value in the aggregate over \$100,000? _____

b. If so, list the name of the insurance carrier for the replacement cost property damage policy and liability policy in effect at this time:

c. List the name of your Worker's Compensation Insurance carrier: _____

d. Have you pledged your receivables, rents, profits or other cash as collateral for any loans?

e. What would you estimate the market value of your inventory to be?

f. What would you estimate the market value of your Accounts Receivable to be? _____

You may be requested to supply an aging of such Accounts Receivable (i.e. showing the dollar amount of Accounts Receivable which is over 30, 60 and 90 days old, respectively).

g. List the names of the banks where you maintain accounts:

6. List the licenses necessary to operate your business:

7. During the last three months, who prepared your monthly financial statements?

8. Do you use any hazardous waste or toxic materials in your business?

I declare under penalty of perjury that the foregoing is true and correct:

Dated: _____

Debtor's Signature: _____

Co-Debtor's Signature: _____

**MUTUAL WAIVER OF RIGHT TO CLAIM STATE EXEMPTIONS, OTHER
THAN THOSE PROVIDED IN CALIFORNIA CODE OF CIVIL PROCEDURE
SECTION 703.140(b), DURING PENDENCY OF BANKRUPTCY CASE
(California Code of Civil Procedure §703.140(a)(2))**

1. IDENTIFICATION OF PARTIES. This mutual waiver is made by

_____ and _____, husband and wife.

2. *PURPOSE OF THIS WAIVER.* This waiver is made to satisfy the requirement set forth in California Code of Civil Procedure §703.140(a)(2) regarding the election of exemptions pursuant to §703.140(b) by married debtors who file an individual Bankruptcy petition.

3. *LEGAL RIGHTS WAIVED.* California Code of Civil Procedure §703.140(a)(2) provides:

IF A PETITION IS FILED INDIVIDUALLY, AND NOT JOINTLY, FOR A HUSBAND OR A WIFE, THE EXEMPTIONS PROVIDED BY THIS CHAPTER OTHER THAN THE PROVISIONS SUBDIVISION (b) ARE APPLICABLE, EXCEPT THAT, IF BOTH HUSBAND AND WIFE EFFECTIVELY WAIVE IN WRITING THE RIGHT TO CLAIM, DURING THE PERIOD THE CASE COMMENCED BY FILING THE PETITION IS PENDING, THE EXEMPTIONS PROVIDED BY THE APPLICABLE EXEMPTION PROVISIONS OF THIS CHAPTER, OTHER THAN SUBDIVISION (b), IN ANY CASE COMMENCED BY FILING A PETITION FOR EITHER OF THEM UNDER TITLE I OF THE UNITED STATES CODE, THEN THEY MAY ELECT INSTEAD TO USE THE APPLICABLE EXEMPTIONS SET FORTH IN SUBDIVISION (b).

4. RIGHT TO HAVE INDEPENDENT COUNSEL REVIEW WAIVER. Both parties acknowledge that they have been informed of their right to consult an attorney regarding the effect of this waiver on them.

5. MUTUAL WAIVER. Both parties, by executing this agreement below, hereby waive their right to claim any state exemptions, other than those provided in California Code of Civil Procedure §703.140(b), during the pendency of the Chapter 13 Bankruptcy of _____, filed in the U.S. Bankruptcy Court for the Southern District of California. The foregoing is agreed to by:

Dated:

Debtor

Dated:

Spouse

341(a) Meeting of Creditors
Questionnaire

Name: _____ Case No: _____

INTRODUCTION AND INSTRUCTIONS

YOU HAVE A DUTY TO COOPERATE: As part of your Bankruptcy, the Trustee must examine and investigate your financial affairs and related information. **Under the law, it is your duty to fully cooperate with and assist the Trustee in this investigation.** These are standard questions that each debtor must answer. You may receive further requests for additional documents from the Trustee. The Trustee may conduct further investigation as needed. You are obligated to provide this additional information and documents as well.

YOUR ANSWERS MUST BE TRUE, COMPLETE AND ACCURATE: It is important that all your answers to the questions are true, complete and accurate. If you have made any mistakes in your bankruptcy documents, it is absolutely essential that you inform your Trustee by correcting those mistakes NOW. Failure to do so may result in severe consequences. **IT IS A FEDERAL CRIME TO INTENTIONALLY GIVE FALSE OR MISLEADING INFORMATION AND TESTIMONY TO YOUR BANKRUPTCY TRUSTEE.**

ALL YOUR PROPERTY IS NOW THE PROPERTY OF THE ESTATE: Please note that until such time that your case is closed or notices of abandonment become effective, the Trustee is responsible for the administration of all of your property (real estate, cars and all other property you owned before you filed bankruptcy.) **Until your case is closed or notices of abandonment have become effective, you cannot sell, refinance, or further encumber any of your property.**

IF YOU HAVE QUESTIONS: If you have any questions or require further information, you should consult with your attorney or other legal source as the Trustee cannot give you legal advice.

Please respond to the following questions. You should discuss your response with your attorney for any clarification:

1. Have you reviewed your Petition, Schedules and Statement of Financial Affairs and, if represented by counsel, were they explained to you by that counsel before you signed them?

Yes _____ No _____, or

I am representing myself and have reviewed and understand them.

Yes _____ No _____

2. Do you understand you are required to disclose all pre-bankruptcy rights to property (even if you will realize the property after filing bankruptcy such as lottery tickets and earned but unpaid commission as non-exclusive examples) and to money to the Trustee and to not do so could result in denial of your discharge of debts and civil, as well as criminal penalties?

Yes _____ No _____

3. Do you understand that Aproperty@ means anything of any value, whether a present, future or contingent interest?
Yes _____ No _____
4. Do you understand that you are to report to the Court and Trustee, by formal written Amendment filed with the Court, any right to an inheritance, property settlement agreement, or life insurance proceeds that occur within 180 days of the date your case was filed?
Yes _____ No _____
5. If married, have you disclosed all property interests of your spouse that was acquired during your marriage (regardless of the title or possession), whether separated or living together?
Yes _____ No _____ N/A _____
6. Are you a beneficiary under a will or insurance policy where someone has died?
Yes _____ No _____
7. Are you the beneficiary or trustee of a trust?
Yes _____ No _____
8. Within one year of the filing of your bankruptcy have you made any payments, or transferred any property, on a debt to a family member, friend, business associate, or anyone or any entity that has influence over you in excess of \$1,000.00?
Yes _____ No _____
9. Have you made any payments or transferred any property, other than regular periodic contract required payments, to any person or entity, within four years of filing bankruptcy?
Yes _____ No _____
10. Do you have, or have you had in the past four years, any interests in any corporations, partnerships, LLP=s and or LLC=s?
Yes _____ No _____
11. Do you now or have you had in the past five years any interests in offshore accounts, i.e., accounts outside the borders of the United States?
Yes _____ No _____
12. Are you seeking recovery in any current lawsuits, or do you have a belief you have grounds to file a lawsuit or counter suit, whether you desire to do so or not, SEEKING DAMAGES?
Yes _____ No _____
13. Are you owed any money?
Yes _____ No _____
14. Have you identified all disputed creditor claims in your Schedule D, E or F?
Yes _____ No _____
15. Have you listed accurate claim amounts in your Schedule D, E or F to the best of your knowledge?
Yes _____ No _____

16. Please read the following:

Disclosure of When Debtor Incurred Debt

Schedules D, E & F require the debtor to provide Adate claim was incurred. @ This information is necessary for Trustee to evaluate certain issues pursuant to 18 USC ' 3057(a) and 11 USC ' 727.

The required information is not the initial date a credit account was established. The Trustees= interpretation of the term Adate claim was incurred@ is the period between which the Aamounts claimed@ were estimated to be actually incurred. This will require Counsel, or debtors in Pro Per, to adequately perform their research duties under Bankruptcy Rule 9011, to provide the period of time that the current claim was incurred.

Does the information in your Schedule D, E and F, accurately estimate the dates of claims disclosed in those schedules?

Yes _____ No _____

17. Are you obligated to pay on a Domestic Support Order, defined as a separation agreement, divorce decree, property settlement agreement, Court order, or determination by a governmental unit?

Yes _____ No _____

18. If your response was yes to question 17, please provide:

Name of claimant: _____

Address of claimant: _____

Telephone number of claimant: _____

19. Do you understand the Trustee is relying on your responses in this questionnaire, as well as all other documents and statements you are making to administer the case?

Yes _____ No _____

20. Have you continually resided in the State of California for the two years prior to the filing of your case?

Yes _____ No _____

21. Did you receive or are you entitled to an income tax refund for the previous or current tax year?

Yes _____ No _____

22. If your response to question 21 was yes, approximately how much was, or is, your Federal and State refund?

Federal _____

State _____

Not Applicable _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE
HEREIN ARE TRUE AND CORRECT.

Dated: _____

Debtor

Dated: _____

Co-Debtor

Attorney of Record Statement

I have discussed with the debtor(s) the content of this Questionnaire, reviewing each
question and debtor(s) response thereto, to ensure full understanding by the debtor(s):

Dated: _____

Attorney for Debtor

**CORPORATE, LLC, OR PARTNERSHIP DEBTOR QUESTIONNAIRE
AND DOCUMENT REQUIREMENTS**

**THIS FORM MUST BE COMPLETED, SIGNED AND RETURNED
TO THE TRUSTEE AT THE TIME OF YOUR EXAMINATION**

INTRODUCTION AND INSTRUCTIONS

YOU HAVE A DUTY TO COOPERATE: As part of your Bankruptcy, the Trustee must examine and investigate your financial affairs and related information. **Under the law, it is your duty to fully cooperate with and assist the Trustee in this investigation.** These are standard questions that each debtor must answer. You may receive further requests for additional documents from the Trustee. The Trustee may conduct further investigation as needed. You are obligated to provide this additional information and documents as well.

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IF YOU HAVE QUESTIONS: If you have any questions or require further information, you should consult with your attorney or other legal source as the Trustee cannot give you legal advice.

Name: _____ Case Number: _____

Briefly describe the nature of the debtor's business:

1. Have the bankruptcy schedules in this case been reviewed and explained to you by counsel?
Yes _____ No _____

2. Has the business entity made any payments to corporate officials, investors, shareholders, or partners, or to the family members of corporate officials, investors, shareholders, or partners within two years of filing for bankruptcy?
Yes _____ No _____

3. Has the business entity made any payments to creditors in excess of \$5,000.00 cumulative on a pre-bankruptcy debt within three months of filing for bankruptcy?
Yes _____ No _____

4. Has the business entity transferred money, security interest, or anything of value to another entity or person within four years of filing the chapter 13 debtor for bankruptcy outside the ordinary course of business?
Yes _____ No _____
5. Is the business entity seeking recovery in any current lawsuits, or is there a belief grounds exist to file a lawsuit or counter suit seeking damages?
Yes _____ No _____
6. Does the business entity have any claims against any insurance company for any losses or damages to any personal or real property?
Yes _____ No _____
7. Were any loans made by the business entity to any individual persons or entities?
Yes _____ No _____
8. Is the business entity entitled to any tax refunds or loss carry-backs?
Yes _____ No _____
9. Were any vehicles utilized in the business entity's operations?
Yes _____ No _____
10. Does the business entity have any rights or interest in intellectual property?
Yes _____ No _____
11. Have any records of the business entity been destroyed?
Yes _____ No _____
12. Are there any know environmental and/or contamination issues or problems arising out of or relating to this business entity?
Yes _____ No _____
13. Has the business ever tendered a claim to an insurance company that has been denied?
Yes _____ No _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE HEREIN ARE TRUE AND CORRECT.

Dated: _____

Debtor: _____

Co-Debtor: _____

**STATEMENT OF THE U.S. TRUSTEE PROGRAM'S POSITION ON LEGAL ISSUES
ARISING UNDER THE CHAPTER 13 DISPOSABLE INCOME TEST***

Following is a line-by-line summary of Form 22C and various recurring disposable income issues likely to arise in chapter 13 under the BAPCPA provisions of 11 U.S.C. § 1325(b). The summary gives the position of the United States Trustee Program (USTP) on these issues. For ease of reference, the USTP positions are listed in summary fashion without citation to legal authority. The referenced lines are those on the Form 22C. Unless a circuit court has decided an issue to the contrary, United States Trustees should maintain these positions when interpreting section 1325(b).

Many of the issues listed below are identical to issues arising in the chapter 7 means test under 11 U.S.C. § 707(b). However, several of the issues below are unique to the chapter 13 disposable income test. The USTP positions listed below reflect an intent to harmonize the chapter 7 means test with the chapter 13 disposable income test for above-median debtors.

Line 2, Gross wages, salary, tips, bonuses, overtime, commissions.

- Includes pay/shift differentials.
- Includes income, whether or not taxable.
- Figures are gross amounts, before any deductions.

Lines 3 & 4, Business and real property income and expenses.

- Must be "ordinary and necessary," i.e., a reasonable operating expense.
- Depreciation is not included.
- Line "c" cannot be a negative number.

Line 5, Interest, dividends, and royalties.

- Includes automatic dividend reinvestment program.

Line 6, Pension and retirement income.

- Does not include Social Security payments.
- Include all other retirement, including government, 401(k), and IRA.

Line 7, Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child or spousal support.

- Includes payments made monthly, quarterly, or annually.
- Includes payments regardless of written agreement with contributor.
- Includes payments from roommate, partner, parent, or relative, regardless of whether living with debtor.
- Includes payments made directly to creditors on behalf of debtor, e.g., rent, car,

* For updated revisions, please consult the U.S. Trustee website: www.justice.gov/ust/ea/bapcpa/index.htm. Reviewed April 20, 2010 from the U.S. Trustee website.

- insurance, or tuition.
- Does not include payments from non-filing spouse (which are already included as income in Column B).

Line 8, Unemployment compensation.

- Unemployment compensation is not a "benefit under SSA" and should be included; USTP opposes any entry in the boxes to the left of Columns A and B.

Line 9, Income from all other sources.

- Includes net gambling, cash gifts, litigation proceeds, and trust income.
- Includes private disability income.
- Does not include SSA benefits.
- Does not include tax refunds.
- Does not include loan proceeds.
- Whether it meets IRS test for income could be relevant, but whether it is taxable income or non-taxable income is not a factor.

Line 13, Marital adjustment.

- For purposes of determining the "applicable commitment period," section 1325(b)(4) refers to the income of "the debtor and debtor's spouse combined." By using line 13, a debtor contends that the income of a spouse should not be included as chapter 13 income in a non-joint case for purposes of determining the applicable commitment period. The USTP position is to oppose any amount listed on line 13.

Line 16, Applicable median family income.

- "Applicable state" is state of residence at filing.
- If married and two different households, residence is where most family members reside.
- If no plurality of family members are in any one state, use state of spouse with highest income.
- "Household size" is the debtor, debtor's spouse, and any dependents that the debtor could claim under IRS dependency tests. The USTP uses the same IRS test for the definition of both "household" and "family." IRS Publication 501 explains the IRS tests for "dependent."
- The USTP departs from the IRS dependent test (as does the IRS when it determines family size for collection purposes) in cases justifying "reasonable exceptions" (e.g. a long standing economic unit of unmarried individuals and their children). However, if an individual is counted as a family member for median income purposes, that individual's income should be included as income on Part I of Form 22C.

Line 17, Application of § 1325(b)(4).

- The USTP has not adopted a position on whether the “applicable commitment period” is a “length of time” or “multiplier.”

Line 19, Marital adjustment.

- All income of the non-debtor spouse should be included, except the following expenses of the non-debtor spouse may be excluded:
 - withholding taxes;
 - student loan payments;
 - prior support obligations;
 - debt payments on which only the non-filing spouse is legally liable and where the consideration for the loan exclusively benefit the non-filing spouse.
- A car payment on the non-debtor spouse’s car cannot be excluded if the car is counted as a family car for the purpose of lines 28 and 29.

Line 24A, National Standards: food, apparel and services, housekeeping supplies, personal care, and miscellaneous.

- The following expenses are covered by the National Standards and may not be counted separately elsewhere:
 - apparel and services (includes shoes and clothing, laundry and dry cleaning, and shoe repair);
 - meals at home or away (unless unreimbursed business expenses);
 - housekeeping supplies (includes laundry and cleaning supplies; other household products such as cleaning and toilet tissue, paper towels and napkins; lawn and garden supplies; postage and stationery; and other miscellaneous household supplies);
 - personal care products and services (includes hair care products, haircuts and beautician services, oral hygiene products and articles, shaving needs, cosmetics, perfume, bath preparations, deodorants, feminine hygiene products, electric personal care appliances, personal care services, and repair of personal care appliances)
 - miscellaneous personal expenses.
- National Standard amount that may be claimed is based on the debtor, the debtor’s dependents, and the debtor’s spouse in a joint case if the spouse is not otherwise a dependent.

Line 24B, National Standards: health care.

- National Standard amounts may be claimed based on debtor, debtor’s dependents, debtor’s spouse, and the age of household members.
- Actual amounts expended by the debtor exceeding the National Standards that are

required for the health and welfare of the debtor, debtor's dependents, and debtor's spouse, which are not reimbursed by insurance or paid by a health savings account, may be claimed on line 36.

Line 25A, Local Standards: housing and utilities; non-mortgage expenses.

- Based on county of residence; see line 16 for resolving multiple residences.
- The following expenses are covered by the Local Standards and may not be counted elsewhere:
 - maintenance and repair;
 - homeowner association dues;
 - condominium fees;
 - gas, electricity, water, heating oil, bottled gas, trash and garbage collection, wood and other fuels, septic cleaning;
 - basic telephone and cell phone service.

Line 25B, Local Standards: housing and utilities, mortgage/rent expense.

- Based on county of residence; see line 16 for resolving multiple residences.
- The following are included in the Local Standard and may not be counted elsewhere, except as provided on lines 47 and 48:
 - principal and interest on mortgage loan;
 - rent;
 - homeowners/renters insurance;
 - local property taxes.
- Line 25B(b) is the same figure as line 47 for house payments.
- Debtor may not "double dip," that is take the full amount of the Local Standard for mortgage/rent on line 25B(a) and then fail to deduct the monthly mortgage payment on line 25B(b). The overall effect of disallowing double-dipping is to allow the debtor to take only the higher of the actual mortgage payment or the Local Standard.
- If the home is being surrendered, the debtor may not include the mortgage payment on lines 47 and 48, and may not deduct the mortgage payment on line 25B(b). The debtor may, however, claim the full amount of the Local Standard for housing on line 25A.
- Debtors and joint debtors are entitled to only one Local Standard mortgage/rent payment, even if maintaining two separate households.
- Vacation homes do not entitle a debtor to the Local Standard on line 25B.
- Debtor may not claim a Local Standard on line 25B when the debtor:
 - is and has been living with a friend or relative for an extended period of time at no cost;
 - is and has been living in military or other employer-paid housing.

Line 26, Local Standards: housing and utilities; adjustment.

- This line is often used improperly by debtors to claim housing expenses in excess of the IRS standards; USTP policy is to object to that use of line 26.

- This line is occasionally used by debtors who claim that the form incorrectly captures the separation of the IRS housing Local Standard into two components, a mortgage component and a non-mortgage component; the USTP will object to that use of line 26.

Line 27A, Local Standards: transportation, vehicle operation/public transportation expense.

- Based on metro area or region.
- See line 16 to resolve multiple residences.
- The Local Standard for vehicle operation may be taken when the debtor owns, leases, or pays the operating expenses on a vehicle.
- The Local Standard for vehicle operation for zero vehicles may be taken if the debtor does not own, operate, or pay operating expenses on any vehicle.
- A vehicle must be "street ready" and licensable.
- A vehicle designed without an engine does not qualify, e.g., camper or trailer.
- Debtors located outside of the Fifth, Seventh, and Eighth Circuits who operate vehicles not subject to a loan or lease may deduct an additional \$200 if the vehicle is owned by the debtor, and is older than six (6) model years or has more than 75,000 miles.

Line 27B, Local Standards: transportation, additional public transportation expense.

- If debtor claims vehicle operating expense for one or more vehicles on Line 27A, debtor may only claim additional public transportation expense if reasonable and necessary for the health and welfare of the debtor, debtor's dependents, and debtor's spouse, or for the production of income.
- If additional public transportation expense is applicable, it is capped by Local Standard amount for public transportation.

Lines 28 & 29, Local Standards: transportation ownership/lease expenses.

- Outside the Fifth, Seventh, and Eighth circuits, debtor cannot claim the vehicle ownership expense if the debtor does not have a secured loan or a lease on the vehicle.
- In the Fifth, Seventh, and Eighth circuits debtor may claim this expense if the debtor owns a vehicle regardless of whether the debtor has a loan or lease payment. However, if the debtor owns a vehicle free and clear the USTP position is that the lack of any actual ownership expense may be considered in calculating projected disposable income under section 1325(b)(1)(B).
- If the vehicle is being surrendered without replacement, the debtor may not claim the expense. *But see* discussion regarding line 47.
- If the vehicle is borrowed, the debtor may not claim the expense.
- Debtor may not "double dip," that is take the full amount of the vehicle ownership expense on line 28(a) and then fail to deduct the monthly lien payment on line 28(b). The overall effect is to allow the debtor to take the higher of the actual loan or lease payment and vehicle ownership expense.

- A debtor whose household contains a single driver is generally entitled to an ownership expense for only one vehicle.

Line 30, Other Necessary Expenses: taxes.

- Based on monthly amount of actual taxes owed, not taxes withheld.
- Includes FICA, Social Security, Medicare, state and local taxes.
- Non-debtor spouse's taxes not included if "backed out" on line 19.

Line 31, Other Necessary Expenses: involuntary deductions for employment.

- Includes retirement, union dues, uniform costs, work shoes.
- Does not include voluntary 401(k) contributions, voluntary 401(k) loan repayments, or other voluntary retirement or profit sharing deductions.
- Does not include United Way or charitable contributions.
- Does not include elective insurance.
- But see line 55 for exclusion of retirement payments and loan repayments in chapter 13.

Line 32, Other Necessary Expenses: life insurance.

- Includes only amounts for term insurance on the debtor's life.
- If the policy is whole life, debtor must determine what portion of the premium is attributable to term coverage.
- Does not include premiums on policies for non-debtor spouse or children.

Line 33, Other Necessary Expenses: court-ordered payments.

- Includes the current monthly amount of support and alimony, not the past due amounts, which are entered on line 49.
- Does not include purely voluntary amounts for which there is no legal obligation.

Line 34, Other Necessary Expenses: education for employment or for a physically or mentally challenged child.

- Employment education must be as a condition of employment.
- Expenses for challenged children must be for "health or welfare."
- Expenses for challenged children cannot be otherwise provided by public school system.
- Expenses for challenged children cannot be already included on line 35 or 43.

Line 35, Other Necessary Expenses: childcare.

- These are actual expenses only.
- Includes babysitting, nursery school, daycare, preschool.
- Premium daycare may be permitted, depending on the justification.
- May not be permitted if one parent is "stay at home;" depends on the circumstances.

Line 36, Other Necessary Expenses: health care.

- Includes only unreimbursed, out-of-pocket expenses, exceeding the National Standard amounts provided for at line 24B, including items traditionally reimbursable through a flexible spending or "cafeteria" medical-saving plan. For example:
 - deductibles
 - medications
 - therapy
 - co-pays
- Does not include payments for health insurance or health savings account; those are covered by line 39.
- Does not include elective or cosmetic surgery.
- May not duplicate items on line 39.

Line 37, Other Necessary Expenses: telecommunication services.

- Does not include basic phone or cell service, which is included in the Local Standards on line 25A.
- Pagers, call waiting, long distance, caller ID, and internet may be included, depending on amount and circumstance; test is whether "necessary for health and welfare or production of income."
- Does not include business expenses already deducted on line 3b or 4b.

Line 39, Health Insurance, Disability Insurance, and Health Savings Account Expenses.

- Includes actual expense for debtor, spouse, and dependents.
- Does not include flexible spending account or "cafeteria" medical saving plan contributions, which should be deducted as excess costs on line 31 to the extent they exceed to line 19B IRS standard amounts.

Line 40, Continued contributions to the care of household or family members.

- Includes only actual, not anticipated expenses.
- Family member must live with the debtor or be a member of the debtor's immediate family, i.e., parent, grandparent, sibling, child, grandchild.
- Elderly, chronically ill, or disabled person must be unable to pay the expense.

Line 41, Protection against family violence.

- Include only ongoing expenses related to a real threat.
- Legal costs related to a restraining order may qualify.
- Home security system costs will not qualify in all cases.
- Nature of expense, but not the amount, must be kept confidential by the court.

Line 42, Home energy costs.

- Insert the amount by which the twelve-month average home energy costs exceed line 25A.
- Amount claimed is unlimited, but must be documented.

Line 43, Education expenses for dependent children under 18.

- Includes public or private elementary or secondary education.
- Does not include college or preschool education.
- Child must be under 18 at filing.
- Amount may not exceed \$147.92 per child.
- Expenses must be documented.
- Cannot duplicate expenses claimed on line 35.
- Does not include school lunches, which are included in National Standards on line 24.
- Can include home schooling expenses.

Line 44, Additional food and clothing expense.

- The USTP Web site breaks out the food/clothing standard for application of the 5 percent limit.
- Expenses must be actual, not merely anticipated.
- Special dietary and allergy restrictions can be covered.
- Documentation is required.

Line 45, Continued charitable contributions.

- Contribution is limited to 15 percent of gross income.
- The USTP position is that charitable contributions under section 1325(b)(2)(A)(ii) are available to both below median and above median debtors. The Religious Liberty and Charitable Donation Clarification Act of 2006, Pub. L. 109-439 clarifies the Bankruptcy Code to ensure that above-median debtors may make continued charitable contributions.

Line 47, Future payments on secured claims.

- Total all payments coming due in the 60 months following filing and divide by 60.
- In the case of a variable rate loan, use the loan rate in effect on the petition date to

- calculate the payments.
- In the case of a "balloon" payment within 60 months, use the full amount of the balloon to calculate the average payment.
- Does not include property subject to a lease rather than a loan.
- Includes all secured debt, even "toys" and luxury items. Although the USTP position is to allow secured payments for luxury items on this line, the Program believes that luxury expenses may demonstrate a lack of good faith that could prevent confirmation or support dismissal of the case.
- Includes a secured loan payment, even when the value of the collateral is less than the amount of the loan.
- Outside the First Circuit, does not include payments when the debtor intends to surrender the collateral securing the loan either in the plan or independent of the plan.
- In the First Circuit, debtor may include payments on line 47 when the debtor intends to surrender the collateral securing the loan either in the plan or independent of the plan. However, the USTP position is that the lack of a monthly car payment may be considered in calculating projected disposable income under section 1325(b)(1)(B).
- It is the Program's position that the secured payment under the plan is the figure to be included on line 47. This includes "cramped down" plan payments, as well as zero for payments on property on which a lien is to be avoided.

Line 48, Other payments on secured claims.

- Does not include arrearage on luxury items; the item must be "necessary for the support of the debtor or dependents."
- See line 47 for a discussion of liens which are cramped down or avoided, or where the collateral is surrendered.

Line 49, Payments on prepetition priority claims.

- The total of priority debt includes only amounts due as of filing.
- Does not include figures already listed on line 33.

Line 50, Chapter 13 administrative expenses.

- Debtor must project a hypothetical chapter 13 plan payment to calculate the figure on line 50a. The USTP does not insist on mathematical exactitude and allows a reasonable estimation of the hypothetical chapter 13 plan payment.
- The multiplier for line 50b is found on the USTP Web site by state.

Line 54, Support income.

- Support income may be deducted here, but must be included on line 7.

Line 57, Deduction for Special Circumstances.

- Governed by section 707(b)(2)(B).

Line 58, Monthly Disposable Income Under § 1325(b)(2).

- The disposable income determined on line 58 is not the same as the “projected disposal income” of section 1325(b)(2)(B). Historical income is not conclusive; rather, the disposable income projected over the life of the plan should be used.
- The disposable income and the calculations shown on Form 22C are a “starting point” or framework for the calculation of “projected disposable income.”
 - The term “projected disposable income” is forward-looking and reality-based, and is not grounded in any artificial or mechanical formulation.
 - Known or reasonably foreseeable changes in financial circumstances as established by any party should be considered.
 - The object is to reach a determination based on the reality of a debtor’s capability to repay creditors.
- The type of income allowed under the definition of Current Monthly Income, rather than the income shown on Schedule I, is the framework for projecting the debtor’s income over the life of plan.
- The type and amount of expenses allowed under section 707(b)(2), rather than the expenses shown on Schedule J, are the framework for projecting the debtor’s expenses over the life of the plan.
- Using chapter 13 to preserve luxury items at the expense of unsecured creditors and acquiring payments on luxury items on the eve of bankruptcy may be evidence that the plan has not been proposed or filed in good faith.
- A chapter 13 trustee need not object to confirmation when “special circumstances” of section 707(b)(2)(B) justify additional expenses or adjustments to current monthly income for which there is no reasonable alternative.

Rev’d April 20, 2010

**SEMI-ANNUAL BUSINESS OPERATING REPORT
RE: SELF-EMPLOYED DEBTOR(S)**

DUE DATE:

DEBTOR(S) NAME:

CASE NUMBER:

PERIOD ENDING: December 31st

1. Please attach a copy of your bank statements for each six month period in question.
2. Please attach a copy of your IRS Form 1040 ES and FTB Form 540 ES for the preceding two quarters.
3. If you have employees, please attach a copy of your California Payroll Tax Form DE-6 for the preceding two quarters.
4. Please list amounts paid to owner or family members in the last six months.

a) To Debtor(s): _____ Gross Paid in Last Six Months \$ _____.

b) With respect to members of the debtor's immediate family (parents, siblings, and children), please place an "X" next to such relatives' names on each submitted California Payroll Tax Form DE-6 and print the relationship to the debtor.

5. Please attach a copy of your most recent Profit & Loss Statement for the period ending: _____ March 30th or _____ September 30th.
6. Please list the name of your insurance carrier, the amount of coverage, the expiration date and the date you have coverage in force as set forth below:

	Name of Carrier	Amount of Coverage	Policy Expiration Date	Premium Paid Through
General Liability				
Worker's Compensation				
Casualty				
Vehicle				

7. Please indicate the dollar amount of your Accounts Payable (i.e., money that you owe third party vendors on unpaid invoices) and Accounts Receivable (i.e., monies that your customers or clients owe you), and how old each such payable/receivable is in the format set forth below:

	Accounts Payable (Post-Petition Only)	Accounts Receivable
30 days or less		
31-60 days		
61-90 days		
91-120 days		
Over 120 days		
Totals		

8. List any required licenses necessary to operate your business. Have any such licenses lapsed or been suspended?

9. Unless previously delivered to the Trustee, attach a copy of your most recently filed federal income tax return for the year ending _____.

10. The Trustee requests the following additional information:

I/We the undersigned Debtor(s) state that the responses provided to this questionnaire are accurate and complete, and we submit such responses under penalty of perjury.

Dated: _____

Debtor: _____

Co-Debtor: _____