



U.S. DEPARTMENT OF JUSTICE

UNITED STATES TRUSTEE
SOUTHERN DISTRICT OF CALIFORNIA

March 1, 2015

OPERATING AND
REPORTING
REQUIREMENTS FOR
SMALL BUSINESS
CHAPTER 11 CASES

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Section 586(a)(3) of Title 28 of the United States Code provides for the supervision of the administration of Chapter 11 cases by the United States Trustee. Pursuant to that Section, the United States Trustee for Region 15 has promulgated the following requirements. Timely compliance with each of the following requirements is essential and required by United States Bankruptcy Code (“U.S.C.”) Section 1107(a), Federal Rule of Bankruptcy Procedure (“Fed.R.Bankr.P.”) 2015.

A. MEETINGS AND CONFERENCES

1. INITIAL DEBTOR CONFERENCES

The United States Trustee may require the debtor and its counsel to meet with a member of the staff of the United States Trustee at an initial debtor conference, which is generally held seven to ten calendar days after the filing of a voluntary petition. The purpose of the conference is to discuss the debtor's particular financial situation, its operating framework under Chapter 11, and the requirements of the United States Trustee. The debtor and debtor's attorney will be notified by mail if such a conference is set.

2. MEETING OF CREDITORS

A meeting of creditors will be held by the United States Trustee within 20 to 40 days after the filing of a voluntary petition. The debtor and debtor's attorney are required to appear, and in the case of a joint petition, both debtors must appear. All creditors and other parties in interest are notified of the meeting by the Clerk of the Bankruptcy Court. The debtor(s) will be examined under oath by the representative of the United States Trustee, creditors, and other parties in interest in attendance pursuant to 11 U.S.C. §§ 341 and 343, and Fed.R.Bankr.P. Rule 2003(b).

B. BOOKS, RECORDS, AND ACCOUNTS

1. BOOKS AND RECORDS

The books and records of the debtor must be closed out as of the date of the filing of the petition, and new books and records opened immediately thereafter, covering the post-petition period of the debtor-in-possession.

2. BANK ACCOUNTS

All pre-petition bank accounts and other deposits of which the debtor has possession, custody, control, ownership, use, or access must be closed upon the filing of the petition, and three new debtor-in-possession accounts opened: the general, payroll, and tax accounts. If the debtor possesses cash collateral, additional accounts must be established and maintained in accordance with 11 U.S.C. §363(c)(4). The debtor may not use cash collateral without the consent of the secured creditor or an order of the bankruptcy court. See, 11 U.S.C. §363(c)(2).

All funds received or held by the debtor-in-possession must be deposited into an account with a financial institution designated by the United States Trustee as an authorized depository. A copy of the list of authorized depositories for the Southern District of California may be obtained from the office of the United States Trustee.

The new bank signature cards for the bank accounts of the debtor-in-possession must clearly indicate that the debtor is a "chapter 11 debtor-in-possession." All checks shall be sequentially numbered, with the case name, case number, the words "Debtor-in-Possession", and type of account (general, payroll, tax, or cash collateral) imprinted on the face of each check, in substantially the following form:

ABC Produce Supply Debtor-in-Possession, 92-XXXXXX GENERAL ACCOUNT 5555 Market Street San Diego, CA 92100	No. 00001 _____, 20____ \$_____ Dollars _____
00XXX-XXX-00-XXXXXX 000XXX-XX00	

3. BUSINESS CREDIT CARD ACCOUNTS

The debtor-in-possession shall close all business credit card accounts immediately. Copies of the closing statement for each such account must be attached to the monthly operating report when received.

C. REPORTS AND REQUIRED DOCUMENTS

1. EVIDENCE OF INSURANCE COVERAGE

The debtor-in-possession, within seven calendar days after the date of the filing of the petition, must provide the United States Trustee with certificates of insurance or other verified documents showing that each policy of insurance required for the estate is in full force and effect. Each policy must disclose the type and extent of coverage, effective dates, names of the insurance carrier and broker, and the agent's name, address and telephone number. The debtor-in-possession is responsible for including the address of the United States Trustee and the Bankruptcy case number as an additional interest holder, and on the cancellation notice. Additionally, the debtor-in-possession is required to provide a copy of either a renewal or new policy of insurance prior to the time that any existing policy or coverage is to expire.

Generally, the following types of insurance are required:

- a. General Comprehensive/Public Liability;
- b. Casualty coverage (tangible assets capable of loss by fire, weather, theft, vandalism, etc.);
- c. Workers' Compensation;
- d. Vehicle;
- e. Product Liability.

2. PROJECTED OPERATING STATEMENT

The debtor-in-possession, within seven calendar days after the filing of the petition, is required to submit to the United States Trustee a Projected Operating Statement for the first 180 days of operations under Chapter 11. A Chapter 11 Debtor Projection form is attached.

3. MONTHLY OPERATING REPORT

In accordance with 28 U.S.C. § 586(a)(3)(D), and 11 U.S.C. § 1106(a)(1), the debtor-in-possession shall file an original of the monthly Small Business Operating Report with the Clerk of the Bankruptcy Court no later than twenty calendar days after the close of each month. A copy of each Small Business Operating Report shall be served on the United States Trustee. The debtor-in-possession is required to attach copies of the monthly bank statements, bank reconciliations, and federal payroll tax deposit receipts, if applicable, to the Operating Reports. The monthly Small Business Operating Report should conform to the form attached.

4. RECENT INCOME TAX RETURNS

The debtor-in-possession, within 30 days of the filing of the petition, shall provide to the United States Trustee copies of its state and federal income tax returns filed for the two years prior to the filing of the petition.

5. REAL PROPERTY QUESTIONNAIRE

The debtor, within seven calendar days after the filing of the petition, shall submit to the United States Trustee, a Real Property Questionnaire for each parcel of real property owned or leased by the debtor. A Real Property Questionnaire form is attached.

6. PHYSICAL INVENTORY

The debtor, within thirty calendar days after the filing of the petition, is required to submit to the United States Trustee a physical inventory as of the date of the petition which provides an itemized cost value of the inventory held by the estate.

7. POST-CONFIRMATION REPORTS

The United States Trustee requires quarterly reports after confirmation of a plan of reorganization until the court grants a final decree. In accordance with 28 U.S.C. § 586(a)(3)(D) and 11 U.S.C. § 1106(a)(1), the reorganized debtor shall file an original quarterly Post-Confirmation Report with the clerk of the bankruptcy court no later than twenty calendar days after the close of each calendar quarter. A copy of each Post-Confirmation Report shall be served on the United States Trustee. The reorganized debtor should be prepared to substantiate anything reported on the Post-Confirmation Report to the United States Trustee. Requested substantiation could include, but is not limited to, such items as disbursement registers or bank statements. A Post-Confirmation Report is attached for your use.

8. REPORTS IN CASES CONVERTED TO CHAPTER 7

Should the case convert to a chapter 7, the debtor or chapter 11 trustee must comply with Fed.R.Bankr.P. 1019(1), (4), and (5) and LBR 1019-1. All records and property must be turned over to the chapter 7 trustee. Property of the estate must be secured and preserved.

The debtor or chapter 11 trustee must also file a final report and account with the Court, with a copy served on the United States Trustee and the chapter 7 trustee assigned to the case. The final report and account should include a verified schedule of all property of the estate as of the date of conversion. This schedule of assets must be filed within 5 days after entry of the order converting the case to chapter 7. Additionally, a schedule of unpaid debts incurred after commencement of the superseded case including

the name and address of each creditor must be filed and served within 15 days after the entry of the order converting the case. A final report and account form is attached for your use.

9. SERVICE OF DOCUMENTS ON THE U.S. TRUSTEE

The debtor must serve the United States Trustee with a copy of all documents submitted to or filed with the Bankruptcy Court and all matters served on parties in interest pursuant to the Bankruptcy Rules. See, Fed.R.Bankr.P. 9034. See also, United States Trustee Attorney Guideline Number 1. The United States Trustee accepts service of documents at 402 West Broadway, Suite 600, San Diego CA 92101-8511.

DO NOT serve the United States Trustee with documents filed in adversary proceedings, other than the initial Complaint and the initial Answer, unless requested to do so in writing by the office of the United States Trustee. DO NOT serve pleadings or documents by facsimile or email unless requested to do so by the office of the United States Trustee.

D. UNITED STATES TRUSTEE QUARTERLY FEES

Debtors are required to pay quarterly fees in all pending chapter 11 cases pursuant to 28 U.S.C. § 1930(a) and Fed.R.Bankr.P. 2015(a)(5). Fees must be paid to the United States Trustee each calendar quarter based upon the dollar amount of disbursements made during that quarter. Fees for the first quarter are calculated from the date of the filing of the petition to the end of the calendar quarter. Fees for the last quarter are calculated from the beginning of that quarter to the date of the entry of the order closing, converting, or dismissing the case.

TOTAL QUARTERLY DISBURSEMENTS	QUARTERLY FEE
\$ 0 to 14,999.99	\$ 325 ¹
15,000.00 to 74,999.99	650
75,000.00 to 149,999.99	975
150,000.00 to 224,999.99	1,625
225,000.00 to 299,999.99	1,950
300,000.00 to 999,999.99	4,875
1,000,000.00 to 1,999,999.99	6,500
2,000,000.00 to 2,999,999.99	9,750
3,000,000.00 to 4,999,999.99	10,400
5,000,000.00 to 14,999,999.99	13,000
15,000,000.00 to 29,999,999.99	20,000
30,000,000.00 or more	30,000

A minimum fee of \$325 is due each quarter even if no disbursements are made during that quarter, and even if the case was pending during that quarter for only one day.

The United States Trustee Program began assessing interest on unpaid Chapter 11 quarterly fee balances on October 1, 2007. The assessment is retroactive to the date the case was originally filed. The interest rate, as determined by the Treasury Department, is based upon the effective rate when your account became past due. The interest will be waived and need not be paid if the total principal amount due is received within thirty (30) days of the date of the first interest assessment notice.

The amount of fees owed must be substantiated through the filing of Operating Reports. The maximum fee of \$30,000 per quarter may be imposed in cases where substantiation of the fee amount cannot be determined due to the debtor's failure to file timely Operating Reports.

¹ The amount of the Quarterly Fees changed on January 1, 2008. For the amounts imposed for calendar quarters before October 1, 1996, contact the Office of the United States Trustee for a copy of the prior fee schedule.

A plan of reorganization must provide for the payment of quarterly fees until the case is either closed by the court, dismissed by the court or converted to another chapter.

Quarterly fees are billed by direct mail to the debtor-in-possession, and payments should be mailed to:

U.S. Trustee Payment Center
Post Office Box 530202
Atlanta, GA 30353-0202

Overnight Courier Deliveries (i.e. FedEx or UPS) should be sent to:

U.S. Trustee Payment Center
Post Office Box 530202
1075 Loop Road (2nd Floor)
Atlanta, GA 30337-6086

If any check for the payment of quarterly fees is dishonored, then all future quarterly fee payments must be made by cashier's check, certified funds, or money order. Failure to pay the quarterly fee is cause for conversion or dismissal of the chapter 11 case pursuant to 11 U.S.C. § 1112(b)(10).

E. GENERAL RESTRICTIONS

1. POST-PETITION TAXES, WAGES, AND EXPENSES OF ADMINISTRATION

The debtor-in-possession must remain current with all expenses of administration during the pendency of the chapter 11 case. The debtor-in-possession, as a fiduciary, must withhold, collect, and deposit all taxes owed to the Internal Revenue Service and state and local taxing authorities. These taxes include, but are not limited to, federal and state withholding, employee's portion of F.I.C.A., federal and state unemployment insurance, transient occupancy taxes, and sales and use taxes. All administrative priority wages, employee related payments and other expenses of administration must be paid as they become due.

2. OBTAINING CREDIT

11 U.S.C. § 364(b) provides that the debtor-in-possession may not obtain credit nor incur unsecured debt other than in the ordinary course of business without prior court approval. Section 364(c) also requires court approval before the obtaining of credit or

the incurring of debt with priority over certain administrative expenses. Section 364(c) requires court approval before obtaining credit or incurring debt that is secured by a lien on property of the estate. The debtor-in-possession should also consult with its attorney before extending credit or lending funds to third parties. The debtor-in-possession shall serve the United States Trustee with a copy of any such application filed with the court.

3. USE, SALE, OR LEASE OF PROPERTY OF THE ESTATE

11 U.S.C. §363(b) requires a debtor to obtain prior court approval for the use, sale, or lease of property of the estate when such use, sale, or lease is not in the ordinary course of business of the debtor. The debtor shall serve the United States Trustee with copies of any such application filed with the court.

4. EMPLOYMENT OF ATTORNEYS AND OTHER PROFESSIONALS

A debtor-in-possession may employ an attorney, accountant, or other professional only upon authorization by the court. No payments may be made to such attorneys, accountants, or other professionals after the filing of the petition without prior court authorization after notice to all creditors and the opportunity for a hearing. See, 11 U.S.C. §§ 327 through 331 and Fed.R.Bankr.P. 2014, 2016, and 2017.

5. COMPENSATION OF PRINCIPALS, PARTNERS, OFFICERS, OR DIRECTORS OF THE DEBTOR

No compensation or other remuneration shall be paid by the debtor to any officer, director, or shareholder of a corporation, to any partners of a debtor partnership or to an individual debtor without first complying with the provisions of Bankruptcy Local Rule 4002-2.

6. PAYMENT OF PRE-PETITION DEBT

There are specific prohibitions and restrictions against payment of certain debts incurred prior to the filing of the petition without court authorization. The debtor is cautioned to consult with its attorney regarding any payment of pre-petition debts.

7. CHANGE OF ADDRESS OR TELEPHONE NUMBER

The debtor must notify the United States Trustee, in writing within forty-eight (48) hours, of any change of address or telephone number of the debtor and debtor's attorney. The debtor must also file with the Clerk of the Bankruptcy Court a change of address form.

F. MODIFICATIONS

The United States Trustee may, at any time, amend or modify the requirements of a particular chapter 11 case. Additional requirements may include the submission of audited and unaudited financial statements, state and federal payroll or income tax returns, state sales tax returns (with all schedules and attachments), copies of trust agreements or conveyances, and examination of the debtor's books, records, and bank statements. Any request to amend or modify these requirements must be submitted in writing, and no such amendments or modifications are valid unless and until they are approved by the office of the United States Trustee in writing.

March 1, 2015

TIFFANY L. CARROLL
ACTING UNITED STATES TRUSTEE

TIMETABLE AND CHECKLIST FOR SMALL BUSINESS CASES

- I. Contemporaneous With Filing of Petition
 - A. Bankruptcy Petition Cover Sheet.
 - B. Petition with required Exhibits.
 - C. Voluntary Case: Most recent balance sheet, statement of operations, cash flow statement and Federal income tax return or statement under penalty of perjury that no such documents have been prepared and no Federal tax return has been filed [See, 11 U.S.C. §1116(1)].

- II. Immediately After Filing of Petition.
 - A. Close all pre-petition bank accounts.
 - B. Open new debtor-in-possession books and records, and debtor-in-possession bank accounts (General, Tax, and Payroll accounts).
 - C. Conduct physical inventory.
 - D. Amend all insurance policies to include the United States Trustee as an additional interest holder and to include bankruptcy case number.

- III. Within Seven Days After Filing of Petition.
 - A. Provide evidence of appropriate insurance coverage to the United States Trustee.
 - B. Provide proof of the opening of new debtor-in-possession bank accounts by providing copies of the signature cards to the United States Trustee.
 - C. Submit Real Property Questionnaire for each parcel of real estate in which the debtor has an interest to the United States Trustee.
 - D. Submit Projected Operating Statement to the United States Trustee.
 - E. Submit copies of the Debtor's state and federal income tax returns for the last two years to the United States Trustee.
 - F. Involuntary Case: Follow the requirements set forth in Section I. C. above. [See, 11 U.S.C. §1116(1)].

- IV. Within Fourteen Days After Filing of Petition.
 - A. File Schedules of Assets and Liabilities and Statement of Financial Affairs if not filed with the Petition and Exhibits.

- V. Within Thirty Days After Filing of Petition.
 - A. Submit Physical Inventory to the United States Trustee.

B. File and Serve Applications to Employ Professionals or Other Professionals (See, United States Trustee Guidelines Number 2 and 3).

C. Attend Initial Debtor Conference.

VI. During the Chapter 11 Case.

A. Submit timely payments of United States Trustee Quarterly Fees each quarter.

B. File and serve Small Business Case Operating Reports for each month within twenty calendar days of the end of the month. [See, 11 U.S.C. §308].

C. Submit renewals or new policies of insurance for property of the estate prior to the expiration of existing policies.

D. Timely file income tax returns and pay taxes when they become due.

E. Serve the United States Trustee with copies of all documents filed with the Court.

F. File Disclosure Statement and Plan of Reorganization within the 180-day exclusivity period from the date of the order for relief, unless that period is extended by the court. [See, 11 U.S.C. §1121(e)(1)].

G. File a plan and disclosure statement (if any) not later than 300 days after the date of the order for relief. [See, 11 U.S.C. §1121(e)(2)].

H. Confirm the plan not later than 45 days after the plan is filed unless the time for confirmation is extended by the court. [See, 11 U.S.C. §1129(e)].

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
SOUTHERN DISTRICT OF CALIFORNIA

In Re:

Debtor(s).

CHAPTER 11
CASE NO. _____

DEBTOR-IN-POSSESSION
REAL PROPERTY QUESTIONNAIRE
OWNED PROPERTY

SUBMIT THIS QUESTIONNAIRE TO THE OFFICE OF THE UNITED STATES TRUSTEE ONLY. DO NOT FILE WITH THE BANKRUPTCY COURT.

The debtor-in-possession is required to complete a Real Property Questionnaire for each parcel of real property in which the debtor held a legal or equitable interest at the time of the filing of the petition. This includes, but is not limited to, property held under ownership, leasehold, land sale, or open escrow. A continuation sheet should be attached for each question where additional space is needed.

A. General Property Information

1. Address of property including county and state in which it is located:

2. Type of real property (i.e., single family residence, condominium, apartment building, office building, commercial, industrial, unimproved):

3. Description of property (i.e., number of units or offices, square footage, amenities, and present condition):

4. Define the debtor's interest in the real property:

_____ Ownership (i.e., fee ownership).

_____ Land Sale.

_____ Other - Explain: _____

5. Does the property presently conform to all local, state, and federal requirements, such as health, building, safety, earthquake, fire, or other regulations?

_____ Yes.

_____ No. Explain. _____

B. Income and Management of the Property

1. Is any income being generated from rental or use of the property by third parties?

_____ Yes. Present gross monthly income: \$ _____

_____ No.

2. If the property is being used or occupied by a third party, provide the name of that party, explain the relationship, if any, to the debtor-in-possession and explain the terms of any agreement with that party.

3. Is there any person or entity managing the property?

_____ No.

_____ Yes. Provide the name, address, and telephone number of the managing person/entity and attach a copy of the management agreement.

4. Is the manager (or principals of the management company) in any way related to or affiliated with the debtor?

_____ No.

_____ Yes. Provide complete information regarding the relationship or affiliation.

5. Has a real estate broker or agent been employed by the debtor for this property?

_____ No.

_____ Yes. Provide the name and address of the broker or agent and the date on which the broker or agent was employed.

C. Ownership Items

1. Is the debtor the titleholder to the property?

_____ Yes.

_____ No. Explain. _____

2. Provide the percentage interest and type of ownership (i.e., fee simple, tenants in common, joint tenancy, etc.) held in the property by the debtor.

_____ %
Type of Ownership _____

3. Date of acquisition of the property: _____

Total purchase price of the property: _____

4. Present fair market value: \$ _____

Source and basis of the fair market value: _____

5. Voluntary encumbrances recorded against the property (e.g., mortgages/trust deeds, stipulated judgments):

	Name of Lender	Outstanding Principal Amount	Installment Payments/ Frequency	Number of Delinquent Payments
1 st		\$	\$	
2 nd		\$	\$	
3 rd		\$	\$	
4 th		\$	\$	
5 th		\$	\$	

6. If any pre-petition debt service payments remained unpaid as a result of a dispute, were such payments escrowed into a separate trust account: Yes _____/No _____

If yes, please provide the name of the depository, branch, account number, and amount of funds on hand.

7. Involuntary encumbrances recorded against the property (i.e., tax, mechanics, judgment, lis pendens, and other liens). State the type of lien, amount, and date recorded:

8. Itemize all the monthly expenses related to the property, excluding debt service (attach a separate listing, if necessary):

I, _____ (Name and title), declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession Real Property Questionnaire and that the information contained herein is true and correct to the best of my knowledge.

Date:

Principal for Debtor-In-Possession

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
SOUTHERN DISTRICT OF CALIFORNIA

In Re:

Debtor(s).

CHAPTER 11

CASE NO. _____

DEBTOR-IN-POSSESSION
REAL PROPERTY QUESTIONNAIRE
LEASED PROPERTY

SUBMIT THIS QUESTIONNAIRE TO THE OFFICE OF THE UNITED STATES TRUSTEE ONLY. DO NOT FILE WITH THE BANKRUPTCY COURT.

The debtor-in-possession is required to complete a Real Property Questionnaire for each parcel of real property in which the debtor held a legal or equitable interest at the time of the filing of the petition. This includes, but is not limited to, property held under ownership, leasehold, land sale, or open escrow. A continuation sheet should be attached for each question where additional space is needed.

A. General Property Information

1. Address of property including county and state in which it is located:

2. Type of real property (i.e., single family residence, condominium, apartment building, office building, commercial, industrial, unimproved):

3. Description of property (i.e., number of units or offices, square footage, amenities, and present condition):

4. Does the property presently conform to all local, state, and federal requirements, such as health, building, safety, earthquake, fire or other regulations?

_____ Yes

_____ No. Explain: _____

B. Property Leased by the Debtor-in-Possession

1. What is the name, address and telephone number of the lessor?

2. Does the lessor own the property?

_____ Yes.

_____ No. Provide the name, address, and telephone number of the owner.

3. Does a written lease exist between the Debtor-in-Possession and the lessor?

_____ Yes. Please attach a copy of the lease.

_____ No. Please explain the terms of the lease.

4. Lease payment amount: \$ _____

Per: _____ Month/ _____ Quarter/ _____ Year/ _____ Other: _____

5. Number and amount of unpaid pre-petition lease payments:

Number: _____ / Amount: \$ _____

6. If any pre-petition lease payments remained unpaid as a result of a dispute, were such payments escrowed into a separate trust account?

_____ No.

_____ Yes. Please provide the name of the escrow holder, account number, and amount of funds on hand:

I, _____ (Name and title), declare under penalty of perjury that I have fully read and understood the foregoing Real Property Questionnaire and that the information provided herein is true and correct to the best of my knowledge.

Date:

Principal for Debtor-In-Possession

Case Name: _____

Case Number: _____

CHAPTER 11 DEBTOR PROJECTIONS

PROJECTIONS

	MONTH 1	MONTH 2	MONTH 3	MONTH 4	MONTH 5	MONTH 6
BEGINNING CASH:						

INCOME:

CASH SALES						
ACCTS. REC. COLLECTION						
OTHER						
OTHER						
<i>TOTAL CASH INCOME</i>						

EXPENSES:

RENT						
EMPLOYEE SALARIES						
EMPLOYEE BENEFITS						
TAXES						
BANK NOTES PAYABLE						
VEHICLE NOTES PAYABLE						
VEHICLE EXPENSES						
MAINTENANCE						
INSURANCE						
INVENTORY						
SUPPLIES						
UTILITIES						
OTHER						
OTHER						
OTHER						
OTHER						
<i>TOTAL EXPENSES</i>						

ENDING CASH:						
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U.S. Trustee Basic Monthly Operating Report

Case Name: _____ Date Filed: _____

Case Number: _____ SIC Code: _____

Month (or portion) covered by this report: _____

IN ACCORDANCE WITH TITLE 28, SECTION 1746, OF THE UNITED STATES CODE, I DECLARE UNDER PENALTY OF PERJURY THAT I HAVE EXAMINED THIS U.S. TRUSTEE BASIC MONTHLY OPERATING REPORT AND THE ACCOMPANYING ATTACHMENTS ON BEHALF OF THE CHAPTER 11 DEBTOR AND, TO THE BEST OF MY KNOWLEDGE, THIS REPORT AND RELATED DOCUMENTS ARE TRUE, CORRECT AND COMPLETE.

ORIGINAL SIGNATURE OF RESPONSIBLE PARTY

DATE REPORT SIGNED

PRINTED NAME OF RESPONSIBLE PARTY AND POSITION WITH DEBTOR

The debtor is required to provide financial reports prepared by or for the debtor in addition to the information required by this form. The U.S. Trustee may permit the debtor to eliminate duplicative information. No such permission is valid unless in writing.

QUESTIONNAIRE:	YES	NO
1. IS THE BUSINESS STILL OPERATING?	<input type="checkbox"/>	<input type="checkbox"/>
2. DID YOU SELL ANY ASSETS OTHER THAN INVENTORY THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
3. HAVE YOU PAID ANY BILLS YOU OWED BEFORE YOU FILED BANKRUPTCY?	<input type="checkbox"/>	<input type="checkbox"/>
4. DID YOU PAY ANYTHING TO YOUR ATTORNEY OR OTHER PROFESSIONALS THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
5. DID YOU PAY ALL YOUR BILLS ON TIME THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
6. DID YOU PAY YOUR EMPLOYEES ON TIME?	<input type="checkbox"/>	<input type="checkbox"/>
7. HAVE YOU FILED ALL OF YOUR RETURNS AND PAID ALL OF YOUR TAXES THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
8. DID YOU PAY ALL OF YOUR INSURANCE PREMIUMS THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
9. DID ANY INSURANCE COMPANY CANCEL YOUR POLICY THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
10. HAVE YOU BORROWED MONEY FROM ANYONE THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>
11. DO YOU HAVE ANY BANK ACCOUNTS OPEN OTHER THAN THE DIP ACCOUNT?	<input type="checkbox"/>	<input type="checkbox"/>
12. DID YOU HAVE ANY UNUSUAL OR SIGNIFICANT UNANTICIPATED EXPENSES THIS MONTH?	<input type="checkbox"/>	<input type="checkbox"/>

- | | Yes | No |
|--|--------------------------|--------------------------|
| 13. DID YOU DEPOSIT ALL MONEY FOR YOUR BUSINESS INTO THE DIP ACCOUNT THIS MONTH? | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. DID THE BUSINESS SELL ANY GOODS OR PROVIDE SERVICES TO ANY BUSINESS RELATED TO THE DIP IN ANY WAY? | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. DO YOU PLAN TO CONTINUE TO OPERATE THE BUSINESS NEXT MONTH? | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. ARE YOU CURRENT ON YOUR QUARTERLY FEE PAYMENT TO THE UST? | <input type="checkbox"/> | <input type="checkbox"/> |

TAXES

DO YOU HAVE ANY PAST DUE TAX RETURNS OR PAST DUE POST-PETITION TAX OBLIGATIONS?

IF YES, PLEASE PROVIDE A WRITTEN EXPLANATION INCLUDING WHEN SUCH RETURNS WILL BE FILED, OR WHEN SUCH PAYMENTS WILL BE MADE AND THE SOURCE OF THE FUNDS FOR THE PAYMENT.

(Exhibit A)

INCOME

PLEASE SEPARATELY LIST ALL OF THE INCOME YOU RECEIVED FOR THE MONTH. THE LIST SHOULD INCLUDE ALL INCOME FROM CASH AND CREDIT TRANSACTIONS. [If you use an automated accounting system, please attach a copy of the Income Statement and Balance Sheet.]

TOTAL INCOME _____

(Exhibit B)

EXPENSES

PLEASE SEPARATELY LIST ALL EXPENSES PAID BY CASH OR BY CHECK FROM YOUR BANK ACCOUNTS PAID THIS MONTH. INCLUDE THE DATE PAID, WHO WAS PAID THE MONEY, THE PURPOSE AND THE AMOUNT. [If you use an automated accounting system, please attach a copy of the Disbursements Journal, otherwise attach a copy of the check register.]

TOTAL EXPENSES _____

(Exhibit C)

CASH PROFIT

INCOME FOR THE MONTH (TOTAL FROM EXHIBIT B) _____

EXPENSES FOR THE MONTH (TOTAL FROM EXHIBIT C) _____

(Subtract The Total from Exhibit C from the Total of Exhibit B)

CASH PROFIT FOR THE MONTH _____

UNPAID BILLS

PLEASE ATTACH A LIST OF ALL DEBTS (INCLUDING TAXES) WHICH YOU HAVE INCURRED SINCE THE DATE YOU FILED BANKRUPTCY BUT HAVE NOT PAID. THE LIST MUST INCLUDE THE DATE THE DEBT WAS INCURRED, WHO IS OWED THE MONEY, THE PURPOSE OF THE DEBT AND WHEN THE DEBT IS DUE.

TOTAL PAYABLES _____

(Exhibit D)

MONEY OWED TO YOU

PLEASE ATTACH A LIST OF ALL AMOUNTS OWED TO YOU BY YOUR CUSTOMERS FOR WORK YOU HAVE DONE OR THE MERCHANDISE YOU HAVE SOLD. YOU SHOULD INCLUDE WHO OWES YOU MONEY, HOW MUCH IS OWED AND WHEN IS PAYMENT DUE.

TOTAL RECEIVABLES _____

(EXHIBIT E)

BANKING INFORMATION

PLEASE ATTACH A COPY OF YOUR LATEST BANK STATEMENT FOR EVERY ACCOUNT YOU HAVE AS OF THE DATE OF THIS FINANCIAL REPORT.

EMPLOYEES

NUMBER OF EMPLOYEES WHEN THE CASE WAS FILED? _____

NUMBER OF EMPLOYEES AS OF THE DATE OF THIS MONTHLY REPORT? _____

PROFESSIONAL FEES

TOTAL PROFESSIONAL FEES APPROVED BY THE COURT DURING THIS REPORTING PERIOD? _____

TOTAL PROFESSIONAL FEES APPROVED BY THE COURT SINCE THE FILING OF THE CASE? _____

TOTAL PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR DURING THIS REPORTING PERIOD? _____

TOTAL PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR SINCE THE FILING OF THE CASE? _____

PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR RELATED TO BANKRUPTCY DURING THIS REPORTING PERIOD? _____

PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR RELATED TO BANKRUPTCY SINCE THE FILING OF THE CASE? _____

PROJECTIONS

COMPARE YOUR ACTUAL INCOME, EXPENSES AND THE CASH PROFIT TO THE PROJECTIONS FOR THE FIRST 180-DAYS OF YOUR CASE PROVIDED AT THE INITIAL DEBTOR INTERVIEW.

PROJECTED INCOME FOR THE MONTH: _____

ACTUAL INCOME FOR THE MONTH (EXHIBIT B): _____

DIFFERENCE BETWEEN PROJECTED AND ACTUAL INCOME: _____

PROJECTED EXPENSES FOR THE MONTH: _____

TOTAL ACTUAL EXPENSES FOR THE MONTH (EXHIBIT C): _____

DIFFERENCE BETWEEN PROJECTED AND ACTUAL EXPENSES: _____

PROJECTED CASH PROFIT FOR THE MONTH: _____

ACTUAL CASH PROFIT FOR THE MONTH
(TOTAL FROM EXHIBIT B MINUS TOTAL FROM EXHIBIT C) _____

DIFFERENCE BETWEEN PROJECTED AND ACTUAL CASH PROFIT: _____

[If actual cash profit was 90% or less of projected cash profit, please attach a detailed written explanation.]

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
SOUTHERN DISTRICT OF CALIFORNIA**

In Re:

Debtor(s).

CH.11 POST CONFIRMATION REPORT

CASE NO. _____

DATE PLAN CONFIRMED: _____

_____ **QUARTERLY** _____ **FINAL**

CALENDAR QUARTER ENDING:

A. PLEASE ANSWER THE FOLLOWING:

1. Will you be able to comply with the terms of your plan?

2. If no, describe any factors which impair your ability to comply with the terms of the plan:

3. Please describe any factors which may materially affect your ability to obtain a final decree.

4. If plan payments have not yet begun, please indicate the date that the first plan payment is due.

B. SUMMARY OF AMOUNTS DISBURSED UNDER THE PLAN:

	Total Payments Projected under Plan	Paid Current Quarter	Paid to Date	Minimum Amount Required to be Paid to Date Under Plan	Amount Delinquent
I. ADMINISTRATIVE EXPENSE CLAIMS					
1. Trustee Compensation	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
2. Fee for Attorney for Trustee	_____	_____	_____	_____	_____
3. Fee for Attorney for Debtor	_____	_____	_____	_____	_____
4. Other Professionals	_____	_____	_____	_____	_____
5. All Other Expenses	_____	_____	_____	_____	_____
II. DISTRIBUTIONS					
6. Secured Creditors	_____	_____	_____	_____	_____
7. Priority Creditors	_____	_____	_____	_____	_____
8. Unsecured Creditors	_____	_____	_____	_____	_____
9. Equity Security Holders	_____	_____	_____	_____	_____
10. Other Payments (Specify Class of Payee) _____	_____	_____	_____	_____	_____
TOTAL PLAN DISBURSEMENTS	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

C. Percent Dividend to be Paid to Unsecured Creditors Under Plan _____ %

**D. UNITED STATES TRUSTEE QUARTERLY FEES
(TOTAL PAYMENTS)**

Qtrly Period Ending	Total Disbursement	Qtrly Fees	Date Paid	Amount Paid	Qtrly Fee Still Owing

All disbursements made by the reorganized debtor, whether under the plan or otherwise, must be accounted for and reported herein for the purpose of calculating the quarterly fees.

E. CONSUMMATION OF PLAN:

If this is a final report, has an application for Final Decree been submitted?

___ Yes - Date application was submitted? _____

___ No - Date when application will be submitted? _____

Estimated Date of Final Payment Under Plan _____

I, _____ (Name and title), declare under penalty of perjury that I have fully read and understood the foregoing Chapter 11 Post Confirmation Report and that the information contained herein is true and complete to the best of my knowledge.

Date: _____

Principal for Reorganized Debtor

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
SOUTHERN DISTRICT OF CALIFORNIA**

In Re:

Debtor(s).

CHAPTER 11

CASE NO. _____

FINAL REPORT AND ACCOUNT

Date Order Converting Case to

Chapter 7 Entered: _____

Schedule I - Disposition of Assets

Asset Description (Scheduled and Unscheduled Property)	Petition/ Unscheduled Value	Status and Location of Property (Including Information on Disposal, if Property is Currently Not Property of the Estate)

Case No: _____

Case Name: _____

Schedule II - Post-Petition Creditors

Name and Address	Type (Administrative, Superpriority, etc.)	Amount Due
Subtotal (Total of this page)		
Total (Use only on the last page of Schedule II)		

Case No: _____

Case Name: _____

Schedule III - Post-Petition Payments to Professionals

Name and Address of Professional	Amount Paid Post-Petition	Retainer

I, _____ (Name and title), declare under penalty of perjury that I have fully read and understood the foregoing Final Report and Account and that the information contained herein is true and complete to the best of my knowledge.

Date: _____

Principal for Debtor-In-Possession