



U. S. Department of Justice  
Office of the United States Trustee  
*Districts of Maine, Massachusetts,  
New Hampshire and Rhode Island*

## **INSTRUCTIONS FOR PREPARATION OF DEBTOR'S CHAPTER 11 MONTHLY OPERATING REPORT FOR BUSINESS**

Debtors-in-Possession and Trustees must file with the United States Trustee operating reports reflecting the activities of the debtor's business each month. These are to be submitted by the 14th of the month following the reporting period. The following additional comments are provided to assist in the preparation of the forms provided by the United States Trustee.

- **DEBTOR'S QUESTIONNAIRE** (page 2). You must submit this information each month even if there have been no changes from the prior periods. All items must be answered. Any which do not apply should be answered "none" or "N/A." If a new insurance policy is issued, coverage is changed, or there is any other change in insurance coverage, a copy of the new certificate of insurance must be attached.
- **SCHEDULE OF RECEIPTS AND DISBURSEMENTS** (page 3)
  - All operating and plan disbursements must be recorded on this schedule.
  - Disbursements on this schedule are used to determine the quarterly fees due the U.S. Trustee.
  - You must report each open account, including savings accounts and negotiable instruments.
  - The amounts on the check disbursements detail must agree with the amounts for Total
  - Itemize all checks written or wire transfers on each account.
  - Debtors using computerized systems may submit computer-generated registers.
- **STATEMENT OF OPERATIONS** (page 4). With the prior written authorization of the United States Trustee, a Debtor may be excused from submitting the income statement. Debtors using computerized systems may submit a computer-generated income statement.
- **BALANCE SHEET** (page 5). With the prior authorization of the United States Trustee, a Debtor may not be required to complete the balance sheet. Debtors using computerized systems may submit a computer-generated balance sheet for the current month.

**Failure to submit Monthly Operating Reports will seriously jeopardize your case, and may result in the dismissal or conversion of your case to a Chapter 7. If you have any questions regarding these reports which your attorney cannot answer, your attorney should contact the attorney or bankruptcy analyst in the United States Trustee's office who is assigned to your case.**

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF \_\_\_\_\_**

In re \_\_\_\_\_

Case No. \_\_\_\_\_

Reporting Period \_\_\_\_\_

**MONTHLY OPERATING REPORT**  
**Complete and submit within 14 days after end of month**

REQUIRED DOCUMENTS	Form No.	Document Attached	
Debtor's Questionnaire	Page 2	Yes	No
Schedule of Cash Receipts and Disbursements	Page 3	Yes	No
Copies of Debtor's Bank Reconciliations		Yes	No
Copies of Debtor's Bank Statements		Yes	No
Copies of Cash Disbursements Journals		Yes	No
Statement of Operations	Page 4	Yes	No
Balance Sheet	Page 5	Yes	No
Schedule of Post-Petition Liabilities	Page 6	Yes	No
Copies of IRS Form 6123 or payment receipt		Yes	No
Copies of tax returns filed during reporting period		Yes	No
Detailed listing of aged accounts payables		Yes	No
Accounts Receivable Reconciliation and Aging	Page 7	Yes	No
Supporting Schedule and Disclosures	Page 8	Yes	No

I declare under penalty of perjury (28 U.S.C. Section 1746) that this report and all attachments are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Authorized Individual\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Authorized Individual

\_\_\_\_\_  
Title of Authorized Individual

\*Authorized individual must be an officer, director or shareholder if the debtor is a corporation; a partner if debtor is a partnership; a manager or member if debtor is a limited liability company.

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### DEBTOR QUESTIONNAIRE

<b>Must be completed each month</b>	<b>Yes</b>	<b>No</b>
1. Have any assets been sold or transferred outside the normal course of business this reporting period? If yes, provide an explanation below.		
2. Have any funds been disbursed from any account other than a debtor-in-possession account this reporting period? If yes, provide an explanation below.		
3. Have any payments been made on pre-petition debt, other than payments in the normal course to secured creditors or lessors? If yes, attach listing including date of payment, amount, and name of payee.		
4. Have any payments been made to professionals? If yes, attach listing including date of payment, amount, and name of payee.		
5. If the answer to question 3 and/or 4 is yes, were all such payments approved by the Court?		
6. Have any payments been made to officers, insiders, shareholders, or relatives? If yes, attach listing including date, amount, reason for payment, and name of payee.		
7. Have all postpetition tax returns been timely filed? If no, provide an explanation below.		
8. Are any post petition payroll taxes past due?		
9. Are any post petition State or Federal income taxes past due?		
10. Are any post petition real estate taxes past due?		
11. Are any wages payments past due?		
12. Is the Debtor delinquent in paying any U.S. Trustee fees?		
13. Was there any post-petition borrowing during this reporting period?		
14. Estimated date of filing Plan of Reorganization and Disclosure Statement:		
<b>Confirmation of Insurance</b>		
15. Is the estate insured for the replacement cost of assets and for general liability?		
16. Is workers' compensation insurance in effect?		
17. Have all current insurance payments been made? Attach copies of all new and renewed insurance policies.		
<b>Notes/Explanation</b>		

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**SCHEDULE OF CASH RECEIPTS AND DISBURSEMENTS**

Amounts reported should be per the debtor's books, not the bank statements. The beginning cash should be the ending cash from the prior month or, if this is the first report, the amount should be the balance on the date the petition was filed. The total disbursements listed in the disbursements journal must equal the total disbursements reported on this page.

<b>BANK ACCOUNTS</b>					Total of All Accounts
	Operational	Payroll	Tax	Other	
CASH BEGINNING OF MONTH					
<b>RECEIPTS</b>					
CASH SALES					
ACCOUNTS RECEIVABLE, Pre-petition					
ACCOUNTS RECEIVABLE, Post-petition					
LOANS AND ADVANCES					
SALE OF ASSETS					
OTHER (ATTACH LIST)					
TRANSFERS (FROM DIP ACCTS)					
<b>TOTAL RECEIPTS</b>					
<b>DISBURSEMENTS</b>					
NET PAYROLL					
PAYROLL TAXES					
SALES, USE & OTHER TAXES					
INVENTORY PURCHASES					
SECURED/RENTAL/LEASES					
INSURANCE					
ADMINISTRATIVE EXPENSE					
SELLING EXPENSE					
OTHER (ATTACH LIST)					
OWNER DRAW *					
TRANSFERS (TO DIP ACCTS)					
PROFESSIONAL FEES					
U.S. TRUSTEE QUARTERLY FEES					
COURT COSTS					
<b>TOTAL DISBURSEMENTS</b>					
<b>NET CASH FLOW</b> (RECEIPTS LESS DISBURSEMENTS)					
<b>CASH - END OF MONTH</b>					

\*COMPENSATION TO SOLE PROPRIETORS FOR SERVICES RENDERED TO BANKRUPTCY ESTATE

**THE FOLLOWING SECTION MUST BE COMPLETED**

<b>DISBURSEMENTS FOR CALCULATING U.S. TRUSTEE QUARTERLY FEES:</b>	
<b>TOTAL DISBURSEMENTS</b>	\$
LESS: TRANSFERS TO DEBTOR IN POSSESSION ACCOUNTS	\$
PLUS: ESTATE DISBURSEMENTS MADE BY OUTSIDE SOURCES (i.e. from escrow accounts)	\$
<b>TOTAL DISBURSEMENTS FOR CALCULATING U.S. TRUSTEE QUARTERLY FEES</b>	\$

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**STATEMENT OF OPERATIONS**  
 (Income Statement)

	Month	Cumulative Filing to Date
<b>REVENUES</b>		
Gross Revenues		
Less: Returns and Allowances		
<b>NET REVENUES</b>		
<b>COST OF GOODS SOLD</b>		
Beginning Inventory		
Add: Purchases		
Add: Cost of Labor and other costs		
Less: Ending Inventory		
Cost of Goods Sold		
<b>GROSS PROFIT</b>		
<b>OPERATING EXPENSES</b>		
Advertising		
Auto and Truck Expense		
Bad Debts		
Contributions		
Employee Benefits Programs		
Officer/Insider Compensation*		
Insurance		
Management Fees/Bonuses		
Office Expense		
Pension & Profit-Sharing Plans		
Repairs and Maintenance		
Rent and Lease Expense		
Salaries/Commissions/Fees		
Supplies		
Taxes - Payroll		
Taxes - Real Estate		
Taxes - Other		
Travel and Entertainment		
Utilities		
Other Expenses (attach schedule)		
Depreciation/Depletion/Amortization		
Net Profit(Loss) Before Other Income & Expenses		
Other Income (attach schedule)		
Other Expense (attach schedule)		
<b>NET PROFIT (LOSS) Before Reorganization Items</b>		
<b>REORGANIZATION ITEMS</b>		
Professional Fees		
U.S. Trustee Quarterly Fees		
Interest Earned on Accumulated Cash from Chapter 11		
Gain(Loss) from Sale of Equipment		
Other Reorganization Expenses (attach schedule)		
Total Reorganization Expenses		
Income Taxes		
<b>NET PROFIT(LOSS)</b>		

\* "Insider" is defined in 11 U.S.C. Section 101(31).

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**BALANCE SHEET**

ASSETS	BOOK VALUE AT END OF CURRENT REPORTING MONTH	BOOK VALUE ON PETITION DATE
<b>CURRENT ASSETS</b>		
Unrestricted Cash and Equivalents		
Restricted Cash and Cash Equivalents		
Accounts Receivable (Net)		
Notes Receivable		
Inventories		
Prepaid Expenses and Professional Retainers		
Other Current Assets (attach schedule)		
<b>TOTAL CURRENT ASSETS</b>		
<b>PROPERTY AND EQUIPMENT</b>		
Real Property and Improvements		
Machinery and Equipment		
Furniture, Fixtures and Office Equipment		
Leasehold Improvements		
Vehicles		
Less Accumulated Depreciation		
<b>TOTAL PROPERTY &amp; EQUIPMENT</b>		
<b>OTHER ASSETS</b>		
Loans to Insiders		
Other Assets (attach schedule)		
<b>TOTAL OTHER ASSETS</b>		
<b>TOTAL ASSETS</b>		
<b>LIABILITIES (Post-Petition)</b>		
Accounts Payable		
Taxes Payable		
Wages Payable		
Notes Payable		
Rent / Leases - Building/Equipment		
Secured Debt / Adequate Protection Payments		
Professional Fees		
Amounts Due to Insiders		
Other Postpetition Liabilities (attach schedule)		
<b>TOTAL POST-PETITION LIABILITIES</b>		
<b>LIABILITIES (Pre-Petition)</b>		
Secured Debt		
Priority Debt		
Unsecured Debt		
<b>TOTAL PRE-PETITION LIABILITIES</b>		
<b>TOTAL LIABILITIES</b>		
<b>OWNER EQUITY</b>		
Capital Stock and Additional Paid-in Capital		
Owner's (or Partners) Capital account		
Retained Earnings - Pre-Petition		
Retained Earnings - Postpetition		
Adjustments to Owner Equity (attach schedule)		
<b>NET EQUITY</b>		

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**STATUS OF POST-PETITION TAXES**

The beginning tax liability should be the ending liability from the prior month or, if this is the first report, the amount should be zero.

	Beginning Tax Liability	Amount Withheld or Accrued	Amount Paid	Date Paid	Ending Tax Liability
<b>Federal</b>					
Employee income tax withheld					
Employee FICA taxes					
FICA-Employer					
Unemployment taxes					
Income tax					
Other:					
<b>Total Federal Taxes</b>					
<b>State and Local</b>					
Income Tax Withholding					
Sales and Use					
Excise					
Unemployment					
Real Property					
Personal Property					
Other:					
<b>Total State and Local</b>					
<b>Total Taxes</b>					

**SUMMARY OF UNPAID POST-PETITION DEBTS**

	Number of Days Past Due				
	0-30	31-60	61-90	Over 90	Total
Accounts Payable					
Wages Payable					
Rent/Leases-Building					
Rent/Leases-Equipment					
Secured Debt/Adequate Protection Payments					
Professional Fees					
Amounts Due to Insiders					
Withholding for Employee Healthcare					
Premiums, Pensions & Other Benefits					
Other:					
<b>Total Postpetition Debts</b>					

Explain how and when the Debtor intends to pay any past-due post-petition debts.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**ACCOUNTS RECEIVABLE RECONCILIATION AND AGING**

<b>ACCOUNTS RECEIVABLE RECONCILIATION (Pre- &amp; Post- Petition)</b>	<b>Petition Date Scheduled Amount</b>	<b>Current Month</b>
Accounts Receivable Beginning Balance		
Plus: Billings During the Month		
Less: Collections During the Month		
Adjustments or WriteOffs*		
Accounts Receivable Ending Balance**		

<b>ACCOUNTS RECEIVABLE AGING</b>	<b>Current Month</b>
0 - 30 Days	
31 - 60 Days	
61 - 90 Days	
Over 90 Days	
<b>Total Accounts Receivable**</b>	
Amount considered uncollectible (Bad Debt)	
Accounts Receivable (Net)	

\* Attach explanation of any adjustment or writeoff.

\*\* The "current month" of these two lines must equal.

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**Supporting Schedules and Disclosures**

<b>POST-PETITION STATUS OF SECURED NOTES, LEASES, AND ADEQUATE PROTECTION PAYMENTS</b>				
<b>Name of Creditor</b>	<b>Scheduled Monthly Payment Due</b>	<b>Amount Paid During Month</b>	<b>Total Unpaid Post-Petition</b>	<b>Total Number of Post-Petition Payments in Arrears</b>

<b>Confirmation of Insurance</b>	
<b>TYPE of POLICY and INSURANCE CARRIER</b>	<b>Period of Coverage</b>
	to

<b>Describe Pertinent Developments, Events, and Matters During this Reporting Period (including changes in senior management, change of address, disputes with creditors, etc.)</b>