



**U.S. Department of Justice**

Office of the United States Trustee

*District of Oregon*

Wayne L. Morse Courthouse  
405 E 8<sup>th</sup> Ave., Ste. 1100  
Eugene, OR 97401-2706

Phone (541) 465-6330  
Fax (541) 465-6335

Date

Attorney Name

Attorney Address

Attorney Address

Re: **CASE NAME**

**Bankruptcy Case No.**

Dear Mr. Attorney:

A petition for reorganization under Chapter 11 of the Bankruptcy Code was recently filed by the above-referenced debtors. You have been identified as the attorney representing the debtors.

The Office of the United States Trustee is responsible for supervising the administration of each Chapter 11 case and monitoring the debtor's efforts to reorganize. The Operating Guidelines promulgated by the United States Trustee for this district are enclosed and should be reviewed with your clients promptly. We have also enclosed the monthly reporting form. The form is also available on our website in PDF and Excel format. Our website address is <http://www.justice.gov/ust/r18/eugene>. I will be contacting you within the next few days to schedule an initial debtor interview with you and the debtors to review these reporting requirements.

In addition, **within 10 days** of the date of this letter please have the debtors complete the enclosed Initial Reporting Requirements and return the form and attachments to this office either prior to or at the initial debtor interview.

Please contact me if you have any questions.

Sincerely yours,

Gregory M. Garvin  
Acting United States Trustee

/s/ Kevin J. (Jim) Files  
Kevin J. (Jim) Files  
Bankruptcy Analyst

Enclosures: Chapter 11 Guidelines, Initial Reporting Requirements, List of Authorized Depositories, Monthly Reporting Form

# UNITED STATES TRUSTEE

## REGION 18 DISTRICT OF OREGON



## CHAPTER 11 GUIDELINES

For additional information visit our website at: <http://www.justice.gov/ust-regions-r18>

**Office of the United States Trustee  
Wayne L. Morse Courthouse  
405 East 8th Avenue, Suite 1100  
Eugene, OR 97401  
541-465-6330 (phone)  
541-465-6335 (fax)**

**TO: CHAPTER 11 DEBTORS, ATTORNEYS, AND TRUSTEES**

The United States Trustee Program is a component of the U.S. Department of Justice responsible for overseeing the administration of bankruptcy cases. As part of the Region 18 United States Trustee's oversight responsibility, these Chapter 11 Guidelines to assist debtors in meeting their obligations while in Chapter 11.

The United States Trustee will provide the debtor and debtor's counsel with two sets of forms with these Guidelines: the **Initial Reporting Requirements**; and the **Monthly Financial Report** forms. These Guidelines explain the purpose and use of each set of forms. **The Initial Reporting Requirements are attached.**

In addition to the following requirements, all applicable provisions of the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules, General Orders, and other orders of the court must be observed in Chapter 11 cases. Failure to comply with any requirement may result in a motion by the United States Trustee or another party to dismiss or convert a case or to request other relief.

**THE DEBTOR IN  
POSSESSION IS A  
FIDUCIARY**

Chapter 11 provides an opportunity for a debtor to reorganize its debts while continuing to operate. With the filing of a voluntary Chapter 11 petition, a debtor becomes a new entity called a debtor in possession. The debtor in possession, often with the participation of creditors, develops a plan of reorganization of its business and financial affairs and for payment of its debts. The debtor in possession may continue to operate pending approval of its plan of reorganization, unless the court orders the appointment of a trustee under Chapter 11. A debtor in possession has a fiduciary duty to its creditors, much the same as a Chapter 11 trustee, to preserve and maintain the bankruptcy estate and to operate its business efficiently to maximize ultimate payments on pre-petition debts while keeping post-petition debts current.

**COURT APPROVAL  
REQUIRED FOR CERTAIN  
TRANSACTIONS**

The United States Trustee's staff shall not provide legal advice to a debtor. The debtor should consult with its counsel when a question arises about whether court approval is required for a specific action. The following matters generally require court approval:

- Using cash collateral (funds encumbered by a security interest);
- Making a payment on a pre-petition unsecured debt;
- Hiring a professional, such as an attorney, accountant, realtor, appraiser, auctioneer, business consultant, engineer, or other professional;
- Making a payment to a professional, such as an attorney, accountant, realtor, appraiser, auctioneer, business consultant, engineer, or other professional;
- Selling the debtor's business, or selling an asset out of the ordinary course of business;
- Accepting a loan from a principal or general partner of the debtor;
- Obtaining a loan or financing from an outside source; and,
- Entering into a settlement agreement with another party.

**EMPLOYMENT &  
COMPENSATION OF  
PROFESSIONALS**

The employment and compensation of any professional must be approved by the court. 11 U.S.C. § 327; Fed. R. Bankr. P. 2014(a).

**INITIAL REPORTING  
REQUIREMENTS**

The debtor must submit the **Initial Reporting Requirements** to the United States Trustee the earlier of the Initial Debtor Interview or **14 days** after the debtor files for Chapter 11 relief. The debtor's Initial Reporting Requirements are not filed with the court. They are intended to provide the United States Trustee with information about the debtor and to ensure the debtor meets its bankruptcy requirements.

**INSURANCE**

The debtor is required to maintain adequate insurance to preserve the interests of its creditors by protecting estate assets. The insurance must include coverage customary in debtor's business and may include a combination of commercial, liquor, automobile, or product liability; property insurance; worker's compensation; malpractice insurance; or contractor or employee fidelity bonds. The debtor's failure to maintain appropriate insurance is cause for dismissal of the case or conversion to Chapter 7. 11 U.S.C. §1112(b)(4)(C).

The debtor must provide the United States Trustee with adequate proof of insurance. The debtor is responsible for including the address of the United States Trustee on the cancellation notice for each insurance policy. Further, before any insurance coverage expires or terminates, the debtor shall provide the United States Trustee with proof of renewal or replacement insurance.

## **BANK ACCOUNTS**

Section 345(b) of the Bankruptcy Code requires a Chapter 11 debtor to protect its creditors' interests by depositing bankruptcy funds in a financial institution that will collateralize or bond the debtor's funds in favor of the United States. The financial institution must be approved by the United States Trustee in the district where the bankruptcy case is filed. The **Initial Reporting Requirements** include a list of banks approved by the United States Trustee for cases filed in this district. Each *Chapter 11 debtor in possession bank account should be opened at one of the institutions on this list.*

The debtor's bank statements must report account activity on a full calendar month basis. The debtor is required to notify the United States Trustee within five business days of any change of bank accounts, and must provide proof of compliance with section 345(b) for each new account.

## **DUTY TO KEEP RECORDS AND FILE REPORTS**

The debtor's accounting records must establish a clear cut-off between financial transactions that occur before the Chapter 11 filing, and those that occur on and after the date of filing. Typically, a debtor will establish a separate set of general ledger accounts to record its post-filing transactions.

The debtor is required to file a detailed financial report with the court and serve copies on the United States Trustee for each calendar month (or portion of a month) after the petition is filed. The debtor's financial reports shall be prepared on the United States Trustee's **Monthly Financial Report** forms and are due by the 21<sup>st</sup> day of the succeeding month (LBR 2015-1(b)(1)). Failure to timely file required reports is cause for dismissal of the case or conversion to Chapter 7. 11 U.S.C. § 1112(b)(4)(F).

## **TAXES**

The debtor in possession must remain current on all post-petition federal, state and local taxes and file all tax returns on a timely basis. The debtor's failure to timely pay post-petition taxes or to file post-petition tax returns is cause for conversion or dismissal of the case. 11 U.S.C. §1112(b)(4)(I).

For individual Chapter 11 debtors, after filing bankruptcy earnings for services are property of the bankruptcy estate. 11 U.S.C. § 1115. An individual Chapter 11 debtor should review IRS Publication 908, Bankruptcy Tax Guide, for further details. This publication can be viewed and downloaded from the IRS website ([www.irs.gov](http://www.irs.gov)) using the Forms and Publications search function.

## **SMALL BUSINESS DEBTORS**

The term "small business debtor" is defined in 11 U.S.C. § 101(51D). Among other things, small business debtors have additional initial filing requirements and other duties as specified in 11 U.S.C. § 1116.

The small business debtor must use Official Form B 425C for monthly financial reports. Small business debtors should refer to Fed. R. Bankr. P. 2015(a)(6) to determine when the first monthly financial report is due.

**PERIODIC REPORTS  
REGARDING ENTITIES IN  
WHICH THE DEBTOR HAS A  
SUBSTANTIAL OR  
CONTROLLING INTEREST**

The debtor must file periodic reports of the value and profitability of any entity in which the debtor has a substantial or controlling interest. Fed. R. Bankr. P. 2015.3. The debtor's first report must be filed no later than seven days before the first date set for the meeting of creditors. Subsequent reports must be filed no less frequently than every six months, until the effective date of a plan or the case is dismissed or converted. The periodic reports required by Fed. R. Bankr. P. 2015.3(a) must be prepared on Official Form B 426.

**INITIAL DEBTOR  
INTERVIEW**

Generally within seven to ten days of filing a Chapter 11 case, the United States Trustee will conduct an initial debtor interview (IDI) with the debtor and the debtor's counsel. The IDI will be conducted as soon as practicable after the petition is filed and before the meeting of creditors. Depending on the debtor's location and the nature of its business, the IDI will occur at the debtor's place of business, the office of the United States Trustee or debtor's counsel, or by telephone. A person knowledgeable about the debtor's accounting operations should attend the IDI. During the IDI, the United States Trustee's representative will ask questions about the debtor's accounting records, bank accounts, insurance, and other administrative matters. The meeting will include a brief discussion of the debtor's obligation to file monthly financial reports and pay statutory fees.

The United States Trustee's bankruptcy analyst will explain the monthly financial reporting requirements and debtor's other obligations, and discuss scheduling matters. The debtor's failure to attend meetings reasonably requested by the United States Trustee is cause for conversion or dismissal of the case. 11 U.S.C. § 1112(b)(4)(H).

**MEETING OF CREDITORS**

The United States Trustee will convene and preside over a meeting of creditors in accordance with the timeline set forth in Fed. R. Bankr. P. 2003(a).

The debtor or debtor's representative will be examined under oath by the United States Trustee and creditors, with the debtor's counsel present. Attendance by the debtor is mandatory, and both spouses must appear if the case is a joint filing. In the case of a corporate debtor, an officer or director of the corporation and the debtor's attorney must appear. If the debtor is a partnership or limited liability company, one of the general partners or managing members must appear and the debtor's attorney must appear.

If the debtor is an individual, the debtor must provide proof of identification and social security number at the meeting of creditors. Fed. R. Bankr. P. 4002(b).

The debtor's failure to attend the meeting of creditors without good cause shown is cause for conversion or dismissal of the case. 11 U.S.C. §1112(b)(4)(G).

**POST-CONFIRMATION REPORTS**

Confirmation is the court’s approval of a plan of reorganization. The Bankruptcy Code and Rules require the debtor to file a Post-Confirmation Quarterly Report for every post-confirmation calendar quarter, including the quarter in which the plan was confirmed and the quarter in which the debtor files its application for final decree. 11 U.S.C. § 1106(a)(7) and Fed. R. Bankr. P. 2015(a)(5). More frequent reporting may be requested on a case-by-case basis.

**REPORTS IN CASES CONVERTED TO CHAPTER 7**

The debtor must file a schedule of unpaid debts incurred after commencement of the Chapter 11 case, within 14 days after entry of an order converting the case to Chapter 7; and a final report and account, within 30 days after entry of the order converting the case. Fed. R. Bankr. P. 1019(5)

**STATUTORY QUARTERLY FEES**

A Chapter 11 debtor must pay quarterly fees to the United States Trustee until the case is dismissed, converted, or closed by final decree. 28 U.S.C. § 1930(a)(6). The Code further provides that for a plan to be confirmed, all quarterly fees must be paid timely or the plan must provide for payment of all fees on the effective date of the plan. 11 U.S.C. § 1129(a)(12). The debtor’s failure to timely pay quarterly fees is cause for conversion or dismissal of a Chapter 11 case. 11 U.S.C. § 1112(b)(4)(K).

The fee for each calendar quarter is based on total payments or disbursements made by the debtor’s estate during the quarter, including payments made by another party for the debtor. The fee is calculated as follows:

**NEW STATUTORY FEE SCHEDULE  
Effective January 1, 2018**

If disbursements for the calendar quarter are within these amounts. . .		Then the quarterly fee due is. . .
From	To	
-0-	\$14,999.99	<b>\$325</b>
\$15,000	\$74,999.99	<b>\$650</b>
\$75,000	\$149,999.99	<b>\$975</b>
\$150,000	\$224,999.99	<b>\$1,625</b>
\$225,000	\$299,999.99	<b>\$1,950</b>
\$300,000	\$999,999.99	<b>\$4,875</b>
\$1,000,000	<b>or more</b>	<b>1% of quarterly disbursements or \$250,000 whichever is less.</b>

For calendar quarter ending . . .	A fee payment is due on . . .
March 31 . . . . .	April 30
June 30 . . . . .	July 31
September 30 . . . . .	October 31
December 31 . . . . .	January 31

Send your payment and quarterly fee payment stub **ONLY**  
\* \* \* \* \*  
Any disbursement stubs, monthly operating reports, correspondence, court notices, etc., sent to the lockbox **will be destroyed.**

Mail quarterly fee payments to:

**United States Trustee Payment Center  
P.O. Box 6200-19  
Portland, OR 97228-6200**

**NOTICE OF INTEREST  
ASSESSMENT**

**The United States Trustee Program assesses interest on unpaid Chapter 11 quarterly fees charged in accordance with 28 U.S.C. §1930(a)(6). 31 U.S.C. § 3717. The interest rate assessed is the rate in effect as determined by the Treasury Department at the time your account becomes past due.**

**COLLECTION OF  
DELINQUENT QUARTERLY  
FEES**

This notice is to advise the debtor of the United States Trustee's procedures for collecting delinquent quarterly fees:

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**NOTICE**

**DISCLOSURE OF INTENT TO USE TAXPAYER IDENTIFYING NUMBER FOR THE PURPOSE OF COLLECTING AND REPORTING DELINQUENT QUARTERLY FEES OWED TO THE UNITED STATES TRUSTEE PURSUANT TO 28 U.S.C. § 1930(a)(6)**

Please be advised that, pursuant to the Debt Collection Improvements Act of 1996, Public Law 104-134, Title III, § 31001(i)(3)(A), 110 Stat. 1321-365, codified at 31 U.S.C. § 3701, the United States Trustee intends to use the debtor's Taxpayer Identification Number ("TIN") as reported by the debtor or debtor's counsel in connection with the Chapter 11 bankruptcy proceedings for the purpose of collecting and reporting on any delinquent debt, including Chapter 11 quarterly fees, that are owed to the United States Trustee.

The United States Trustee will provide the debtor's TIN to the Department of Treasury for its use in attempting to collect overdue debts. Treasury may take the following steps: (1) submit the debt to the Internal Revenue Service Offset Program so that the amount owed may be deducted from any payment made by the federal government to the debtor, including but not limited to tax refunds; (2) report the delinquency to credit reporting agencies; (3) send collection notices to the debtor; (4) engage private collection agencies to collect the debt; and, (5) engage the United States Attorney's office to sue for collection. Collection costs will be added to the total amount of the debt.

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**INITIAL REPORTING REQUIREMENTS**

Debtor \_\_\_\_\_

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

**Note:** Failure to comply with the United States Trustee's Initial Reporting Requirements may be cause for conversion or dismissal of the case. (11 U.S.C. § 704 (a)(8); 11 U.S.C. § 1112)

The debtor submits the following:

	Yes	No
1. <b>Summary of insurance</b>	<input type="checkbox"/>	<input type="checkbox"/>
2. <b>Proof that the U.S. Trustee has been added as an "interested party" to receive notice of insurance cancellation. (ACORD Certificate)</b>	<input type="checkbox"/>	<input type="checkbox"/>
3. <b>Most recently filed federal income tax returns.</b>	<input type="checkbox"/>	<input type="checkbox"/>
4. <b>Last year-end financial statements (i.e. annual balance sheet and income statement).</b>	<input type="checkbox"/>	<input type="checkbox"/>
5. <b>Proof of new debtor-in-possession bank accounts at UST approved depository.</b>	<input type="checkbox"/>	<input type="checkbox"/>

The INITIAL REPORTING REQUIREMENTS are due on or before the date of the Initial Debtor Interview. Send the original, signed, to the U.S. Trustee via mail, hand delivery, or email to the U.S. Trustee ECF Mailbox:

**For a Chapter 11 case filed in Portland, OR:**

Office of the United States Trustee  
620 SW Main Street, Suite 213  
Portland, OR 97205

USTPRegion18.P.ECF@UST.DOJ.GOV

**For a Chapter 11 case filed in Eugene, OR:**

Office of the United States Trustee  
405 East 8th Avenue, Suite 1100  
Eugene, OR 97401

USTPRegion18.E.ECF@UST.DOJ.GOV

**DEBTOR'S CERTIFICATION**

I certify under penalty of perjury that the statements made in the debtor's Initial Reporting Requirements are complete, true, and accurate to the best of my knowledge, information, and belief.

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_

The debtor, or trustee, if appointed, must sign this cover sheet accompanying the Initial Reporting Requirements. Only an officer or director has authority to sign the cover sheet for a corporate debtor and only a general partner has authority to sign the cover sheet for a partnership debtor.

**SUMMARY OF INSURANCE**

**Answer each question**

	<b>Yes</b>	<b>No</b>
Does the debtor have any uninsured physical assets? If yes, list the uninsured assets	<input type="checkbox"/>	<input type="checkbox"/>
Does the debtor have a general or commercial liability policy? If no, explain	<input type="checkbox"/>	<input type="checkbox"/>
Does the debtor have workers' compensation insurance? (Indicate "N/A" if the nature of the debtor's business does not require workers' compensation insurance)	<input type="checkbox"/>	<input type="checkbox"/>
N/A <input type="checkbox"/>		
Are there any risks for which the debtor is uninsured (for example, insurance specific to the debtor's business, such as malpractice insurance)? If yes, explain	<input type="checkbox"/>	<input type="checkbox"/>

**Summarize the debtor's insurance policies below and attach a copy of each declarations page. Note: An application for insurance is not adequate proof of insurance.**

**BUSINESS & PERSONAL INSURANCE**

TYPE OF POLICY	CARRIER AND POLICY NUMBER	PERIOD COVERED
Business General Liability		
Business Fire and Hazard		
Business Vehicle		
Business Worker's Comp		
Personal Homeowners		
Personal Auto Insurance		
Other - Real Property		
Other - Describe		

**Provide proof that the U.S. Trustee has been added as an interested party to receive notice of insurance cancellation.**



## U.S. Department of Justice

Office of the United States Trustee

District of Oregon

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620 SW Main St., Rm 213  
Portland, Oregon 97205

Voice (503) 326-4000  
Fax (503) 326-7658

### DISTRICT OF OREGON

#### AUTHORIZED DEPOSITORIES

Bank of the West

Comerica Bank

Integrity Bank

Key Bank

Signature Bank

Summit Bank

Union Bank of California

US Bank National Association

Wells Fargo Bank

JP Morgan Chase\*

East West Bank\*\*

Please note that most local branches have limited experience with opening debtor-in-possession accounts. We suggest that you contact the bank's main branch to open the account. If you experience any difficulties in opening the debtor-in-possession account, please contact the Office of the United States Trustee at (503) 326-4000.

\*JP Morgan Chase will not open new bank accounts for debtors that are not existing customers. For bank assistance, contact John W. Delaney at (302) 282-5226.

\*\*East West Bank point of contact is Ryan Stern, 626-768-6922 or [ryan.stern@eastwestbank.com](mailto:ryan.stern@eastwestbank.com)

**MONTHLY FINANCIAL REPORT FOR  
INDIVIDUAL DEBTOR(S) NOT ENGAGED IN BUSINESS**

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

Debtor \_\_\_\_\_

Report Month/Year \_\_\_\_\_

**Instructions:** The debtor's monthly financial report shall include this cover sheet signed by the debtor and all UST forms and supporting documents. Exceptions, if allowed, are noted in the checklist below. Failure to comply with the reporting requirements of Local Bankruptcy Rule 2015-1(b) and 2015-2, or the U.S. Trustee's reporting requirements, may be cause for conversion or dismissal of the case.

The debtor submits the following with this monthly financial report:

	<b>Completed</b>	<b>Not Applicable</b>
<b>UST-51 Comparative Balance Sheet</b> or debtor's balance sheet. The debtor's balance sheet, if used, shall include a breakdown of pre- and post-petition liabilities. The breakdown may be provided as a separate attachment to the debtor's balance sheet.	<input type="checkbox"/>	<input type="checkbox"/>
<b>UST-52 Summary of Receipts</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>UST-53 Summary of Disbursements</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>UST-53A Financial Account Detail</b> Complete one or more to include all bank accounts or other sources of debtor funds. Include copies of monthly bank statements and all supporting documents described in the instructions.	<input type="checkbox"/>	<input type="checkbox"/>
<b>UST-54 Other Financial Disclosures</b> When applicable, UST-54 shall include supporting documents, including, but not limited to, an escrow statement for the sale of real property, an auctioneer's report for property sold at auction, or a certificate of insurance for any change in insurance coverage.	<input type="checkbox"/>	<input type="checkbox"/>

**DEBTOR'S CERTIFICATION**

I certify under penalty of perjury that (1) I have personally prepared this financial report or directly supervised its preparation, and (2) the information contained in this monthly financial report is complete, true, and accurate to the best of my knowledge, information, and belief.

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

The debtor(s), or trustee, if appointed, must sign the monthly financial report. Debtor's counsel may not sign a financial report for the debtor.

Case Number:   
 Report Mo/Yr:

Debtor:

**UST-51, COMPARATIVE BALANCE SHEET**

**INSTRUCTIONS:** This balance sheet has been designed for ease of use by debtors not engaged in business. Accordingly, it is not intended to follow standard accounting principles. For funds held in banks or brokerages, the debtor must report the month-end market value. For each remaining asset, the debtor should use the current market value. Footnotes or explanations, if any, may be attached to this page.

ASSETS	As of month ending:	MO/YR	MO/YR	MO/YR	PER SCHEDULES (i.e. Petition Date)
Cash					
Checking Account(s)					
Savings Account(s)					
Investment/Brokerage Account(s)					
IRA/Retirement Account(s)					
Remaining Personal Property					
Real Property					
1.					
2.					
3.					
(attach additional sheets if needed)					
Other Assets (list all assets not included above even those acquired post-petition)					
<b>TOTAL ASSETS</b>		-	-	-	-
<b>LIABILITIES</b>					
Pre-Petition Liabilities					
Secured Debt					
Priority Unsecured Debt					
Unsecured Debt					
<b>TOTAL PRE-PETITION LIABILITIES</b>		-	-	-	-
Post-Petition Liabilities					
Mortgage/Rent Payments Due					
Other Secured Debt					
Unpaid Real Property Taxes					
Other Unpaid Taxes (specify)					
Other Unpaid Debts (specify)					
<b>TOTAL POST-PETITION LIABILITIES</b>		-	-	-	
<b>TOTAL LIABILITIES</b>		-	-	-	-
<b>NET WORTH (TOTAL ASSETS MINUS TOTAL TOTAL LIABILITIES)</b>		-	-	-	-

Case Number:   
 Report Mo/Yr:

Debtor:

**UST-52, SUMMARY OF RECEIPTS**

**INSTRUCTIONS:** Complete each category and provide the net receipts total for the month. Use the Notes section to explain or itemize receipts when appropriate. Note that the initial report should include only financial activity commencing from the petition date through the end of the month.

Type of Receipt	Gross Amount	Net Amount
Wages or salary		
Social security, pension, or 401k distributions		
Collection of accounts receivable or note payable (specify source)		
Loan or other financing proceeds (specify source)		
Proceeds from sale of real property		
Proceeds from sale of personal property		
Other (explain)		
<b>TOTAL RECEIPTS FOR THIS MONTH</b>	-	-

Notes:

Case Number:	
Report Mo/Yr:	

Debtor:

**UST-53, SUMMARY OF DISBURSEMENTS**

**INSTRUCTIONS:** BEFORE COMPLETING THIS PAGE, prepare UST-53A (see next page) to include all bank accounts or other sources of the debtor's funds. The disbursement total will be used to complete this SUMMARY OF DISBURSEMENTS.

The debtor is responsible for providing accurate monthly disbursement totals for purposes of calculating the debtor's obligation pursuant to 28 U.S.C. § 1930(a)(6) to pay statutory fees to the U.S. Trustee. The disbursement total encompasses all payments made by the debtor during the reporting month, whether made directly by the debtor or by another party for the debtor. It includes checks written and cash payments. It also includes payments made pursuant to joint check arrangements and those resulting from a sale or liquidation of the debtor's assets. The only transactions normally excluded from the disbursement total are transfers within the same reporting month between multiple debtor accounts.

The U.S. Trustee payment is due on the last day of the month following the end of each calendar quarter, or on **April 30, July 31, October 31, and January 31**, respectively. Because the amount billed is an estimate, the debtor is responsible for paying the correct statutory fee based on actual disbursements for the calendar quarter, or portion thereof while the debtor is in Chapter 11 (i.e. until the case is converted, dismissed, or closed by final decree). Failure to pay statutory fees to the U.S. Trustee is cause for conversion or dismissal of the case. A copy of the statutory fee schedule may be found in the Chapter 11 Guidelines on the U.S. Trustee's website located at:

<http://www.justice.gov/ust/r18/portland/chapter11.htm>  
<http://www.justice.gov/ust/r18/eugene/chapter11.htm>

If you have any questions about how to compute the disbursement total, please call the U.S. Trustee's office:

Portland, OR (503) 326-4000  
 Eugene, OR (541) 465-6330

(UST-53A - Financial Account Detail, with attachments, should follow this page.)

<b>COMPUTATION OF MONTHLY DISBURSEMENT TOTAL</b>	
Total disbursements from UST-53A	
Cash payments not included in total above (if any)	
Disbursements made by third parties for the debtor (if any, explain)	
Disbursements made pursuant to a sale of the debtor's assets (if any)	
<b>TOTAL DISBURSEMENTS THIS MONTH FROM ALL SOURCES</b>	<b>\$ -</b>

	<b>Yes</b>	<b>No</b>
At the end of this reporting month, did the debtor have any <u>delinquent</u> statutory fees owing to the U.S. Trustee?	<input type="checkbox"/>	<input type="checkbox"/>

(If yes, list each quarter that is delinquent and the amount due along with an explanation)

<u>Quarter</u>	<u>Explanation</u>	<u>Amount</u>

Case Number:  
Report Mo/Yr:


Debtor:

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**UST-53A - FINANCIAL ACCOUNT DETAIL**

**INSTRUCTIONS:** Include all financial and brokerage accounts or other sources of the debtor's funds. Attach supporting documents as indicated on the checklist below. Use additional sheets as necessary.

Depository (Bank) Name Account Number Type of Account					TOTALS
<b>Beginning Cash Balance</b>					-
<b>Add:</b>					
Transfers in					-
Receipts deposited					-
Other (identify source)					-
Total Cash Receipts	-	-	-	-	-
<b>Subtract:</b>					
Transfers out					-
Disbursements by check or debit					-
Cash withdrawn					-
Other (identify source)					-
Total Cash Disbursements	-	-	-	-	-
<b>Ending Cash Balance</b>	-	-	-	-	-

Does each account identified above include the following supporting documents, as required? (Indicate **YES**, **NO** or **NOT APPLICABLE** in the boxes below).

Monthly bank statement copy

**(do not include bank statement copies with the report filed with the Bankruptcy Court)**

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Bank reconciliation (including outstanding checks and deposits in transit)

--	--	--	--

A detailed list of receipts for the account (deposit log or receipts journal)

--	--	--	--

A detailed list of disbursements for the account (check register or disbursement journal)

--	--	--	--

Funds received and/or disbursed by another party

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Case Number:   
 Report Mo/Yr:

Debtor:

**UST-54, OTHER FINANCIAL DISCLOSURES**

INSTRUCTIONS: Answer each question fully and attach additional sheets as necessary to provide a complete response

<p><b>Question 1 - Sale of the Debtor's Assets</b>                  Did the debtor, or another party on behalf of the the debtor, sell, transfer, or otherwise dispose of any of the debtor's assets during the reporting month? <b>If yes, attach a schedule identifying each asset, date of sale notice, method of disposition, and gross and net sale proceeds received. If real property was sold, attach a copy of the closing statement.</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Yes</th> <th style="width: 50%;">No</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>				

<p><b>Question 2 - Financing</b>                  During the reporting month, did the debtor receive any funds from an outside funding source? <b>If yes, indicate the source of the funds, date paid to debtor, dollar amount, and date of court approval.</b></p>					
Source of Funds	Date Paid	Amount	Date of Court Approval	Yes	No
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>

<p><b>Question 3 - Payments on Pre-Petition Unsecured Debt</b>                  Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month on pre-petition unsecured debt? <b>If yes, attach a schedule disclosing each payment and include payee's name and purpose, payment date, dollar amount , and date of court approval.</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Yes</th> <th style="width: 50%;">No</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>				

<p><b>Question 4 - Payments to Attorneys and Other Professionals</b>                  Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month to a professional such as an attorney, accountant, realtor, appraiser, auctioneer, business consultant, or other professional person? <b>If yes, attach a schedule listing each payment and include professionals name and description of services performed, payment date, dollar amount, and date of court approval.</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Yes</th> <th style="width: 50%;">No</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>				

<p><b>Question 5 - Insurance and Bond Coverage</b>                  Did the debtor renew or replace any insurance policies during this reporting month? <b>If yes, attach a certificate of insurance for each renewal or change in coverage.</b>                   Were any of the debtor's insurance policies canceled or otherwise terminated for any reason during the reporting month? <b>If yes, explain.</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Yes</th> <th style="width: 50%;">No</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No						
<input type="checkbox"/>	<input type="checkbox"/>						
<input type="checkbox"/>	<input type="checkbox"/>						

Case Number:   
 Report Mo/Yr:

Debtor:

**UST-54, OTHER FINANCIAL DISCLOSURES**

INSTRUCTIONS: Answer each question fully and attach additional sheets as necessary to provide a complete response.

**Question 6 - Significant Events.** Provide a narrative report of any significant events which may have an effect on the financial condition of the debtor. Attach separate sheet(s) as necessary.

**Question 7 - Case Progress.** Explain what progress the debtor has made during the reporting month toward confirmation of a plan of reorganization.

	Filed?	Estimated Date To be Filed If not Filed
Disclosure Statement:		
Plan of Reorganization:		

Case Number:   
Report Mo/Yr:

Debtor:

**UST-54, OTHER FINANCIAL DISCLOSURES (contd.)**

**WHERE TO FILE A MONTHLY OPERATING REPORT:** Local Bankruptcy Rule 2015-2 requires the debtor to file its monthly financial report with the U.S. Bankruptcy Court.

File the original....(select only one)

**For a Chapter 11 case filed in Portland, OR:**

United States Bankruptcy Court  
1001 SW 5th Avenue, 7th floor  
Portland, OR 97204

**For a Chapter 11 case filed in Eugene, OR:**

United States Bankruptcy Court  
405 East 8th Avenue, Suite 2600  
Eugene, OR 97401

**CERTIFICATION OF SERVICE:** The undersigned certifies that copies of this report and all supporting documents have been served upon each of the following persons in this case: U.S. Trustee; the chairperson of each official committee of creditors or equity security holders and the attorney(s) for each such committee; the debtor and the debtor's attorney; and the trustee and the trustee's attorney, if applicable.

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

Send U.S. Trustee's copy to: (select only one)

**For a Chapter 11 case filed in Portland, OR:**

Office of the United States Trustee  
620 SW Main Street, Suite 213  
Portland, OR 97205

**For a Chapter 11 case filed in Eugene, OR:**

Office of the United States Trustee  
405 East 8th Avenue, Suite 1100  
Eugene, OR 97401