

**UNITED STATES TRUSTEE FINANCIAL REQUIREMENTS CHECKLIST,
CERTIFICATIONS AND DECLARATIONS**

CASE NAME: _____

DATE: _____

CASE #: _____

THE ORIGINAL OF THIS CHECKLIST MUST BE SUBMITTED BEFORE THE INITIAL DEBTOR INTERVIEW. Debtor must attach each of the following documents or a satisfactory explanation for failure to attach a document.

Document Attached	Formerly Subm'd	Explanation Attached	
-----	-----	-----	1. Receipt and Certification of Understanding "Operating Guidelines and Reporting Requirements" (Attachment A).
-----	-----	-----	2. Completed "Information for Initial Debtor Interview" (Attachment B) <u>or</u> completed schedules.
-----	-----	-----	3. Completed "Declaration of Pre-Petition Account Closings and Opening of Debtor In Possession Bank Accounts" (Attachment C).
-----	-----	-----	4. Limited Waiver.
-----	-----	-----	5. Signed Certification of Receipt of Notice - Disclosure under Debt Collection Improvements Act of 1996.
-----	-----	-----	6. Copies of filed Federal Income Tax and Personal Property Tax returns for the two (2) years prior with all schedules and attachments.
-----	-----	-----	7. Copies of most recent audited and unaudited Financial Statements.
-----	-----	-----	8. Balance Sheet as of month-end immediately preceding filing.
-----	-----	-----	9. Profit and Loss Statement for month immediately preceding filing.
-----	-----	-----	10. Proof of Insurance Coverage - General Liability, Property, Fire & Theft, Workers' Compensation, Vehicle, Other.
-----	-----	-----	11. Projected cash budget for first 6 months of post petition operations.
-----	-----	-----	12. Detailed listing of Accounts Receivable and an Accounts Receivable Aging Report.

**UNITED STATES TRUSTEE FINANCIAL REQUIREMENTS CHECKLIST,
CERTIFICATIONS, AND DECLARATIONS**

- ----- ----- 13. List of all checks written and other disbursements on all accounts **90 days** prior to filing petition.

- ----- ----- 14. Report of Physical Inventory.

- ----- ----- 15. Current rent roll, if debtor has tenant-occupied property.

- ----- ----- 16. Copies of current business licenses and performance bonds, if required.

- ----- ----- 17. Details on Pension, Welfare/Health Plans, (i.e., type of plans maintained, fully or self-insured, administrators, who makes contributions, who maintains assets of the plans).

- ----- ----- 18. Resume, job title, duties and responsibilities, salary/benefit package details for the twelve months prior to filing and the anticipated salary/benefit package for each owner and/or officer.

- ----- ----- 19. For small businesses, a copy of Business Plan.

- ----- ----- 20. Certification of Receipt and Understanding of Notice – Individual Chapter 11 Debtor IRS Filing and Reporting Requirements under Section 1115 of the Bankruptcy Code.

- ----- ----- 21. Certification of Receipt and Understanding of Notice – Chapter 11 Debtor-in-Possession/Trustee Requirement to Obtain a Prompt Determination of Unpaid Tax Liability.

- ----- ----- 22. Certification of Receipt and Understanding of Notice – United States Payment Center Lockbox Destruction Policy and Banking System.

I DECLARE UNDER PENALTY OF PERJURY THAT THE UNITED STATES TRUSTEE FINANCIAL REQUIREMENTS CHECKLIST, CERTIFICATIONS, AND ANY ATTACHMENTS THERETO, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Debtor: _____
Date: _____

Debtor: _____
Date: _____

ATTACHMENT A

**RECEIPT AND CERTIFICATION OF UNDERSTANDING
UNITED STATES TRUSTEE
OPERATING GUIDELINES AND REPORTING REQUIREMENTS**

CASE NAME: _____

CASE NUMBER: _____

I hereby certify that I have read and understand the United States Trustee Chapter 11 "Operating Guidelines and Reporting Requirements for Debtors in Possession and Trustees". Further, I hereby agree to perform in accordance with said guidelines and requirements.

(Date)

(Debtor)

(Title)

(Printed Name of Signatory)

The undersigned, as counsel for the debtor, has read and reviewed with the debtor the operating guidelines and reporting requirements discussed above.

(Date)

(Attorney for Debtor)

ATTACHMENT B

INFORMATION FOR INITIAL DEBTOR INTERVIEW

Please type or handwrite legibly. Attach additional pages as necessary to provide a complete response.

CASE NAME: _____

DATE: _____

CASE NUMBER: _____

TYPE OF BUSINESS: _____

NUMBER OF EMPLOYEES: _____ **DATE STARTED/INCORPORATED:** _____

CORPORATE OFFICERS, PARTNERS, OR SOLE PROPRIETORSHIP:

<u>NAME</u>	<u>TITLE</u>	<u>% OF OWNERSHIP</u>	<u>SALARY</u> (PAST 12 MOS.)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SPECIFIC CONDITIONS WHICH CAUSED THE CHAPTER 11 PETITION TO BE FILED:

DEBTOR'S PROPOSED PLAN OF ACTION:

FINANCIAL POSITION AS OF FILING DATE:

ASSETS

Cash: _____
Inventory: _____
Accounts receivable (total): _____ Amount Uncollectible: _____
Furniture & Fixtures: _____
Equipment: _____
Vehicles: _____

Real estate:

<u>Location/Description</u>	<u>Value</u>	<u>Debt</u>	<u>Lien Holder</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

ATTACHMENT B

INFORMATION FOR INITIAL DEBTOR INTERVIEW

Accounts/Notes receivable from officers: _____

Other Significant Assets: _____

LIABILITIES

Unsecured/Trade Accounts Payable: _____

Taxes:

<u>Taxing Authority</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____

Wages Owed: _____ Number of Claims: _____

Rent Owed: _____ Months in Arrears: _____

Accounts or Notes Payable to Officers: _____

Post Petition Litigation (List Cases):

Secured Debts: (Do not repeat obligations listed under real estate)

<u>Secured Party</u>	<u>Date of Transaction</u>	<u>Amount</u>	<u>Collateral</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LIST ALL PERSONS AUTHORIZED TO USE DEBIT OR CHARGE CARDS.

Number of Employees _____ (if leased, provide leasing company information).

HAS APPLICATION FOR EMPLOYMENT OF DEBTOR'S COUNSEL BEEN FILED WITH THE COURT?

YES _____ NO _____

HAS APPLICATION FOR EMPLOYMENT OF DEBTOR'S ACCOUNTANT BEEN FILED WITH THE COURT?

YES _____ NO _____

ATTACHMENT C

**DECLARATION OF PRE-PETITION ACCOUNT CLOSINGS
AND OPENING OF DEBTOR IN POSSESSION BANK ACCOUNTS**

CASE NAME: _____

CASE NUMBER: _____

All pre-petition bank accounts of _____, as listed
(Debtor)
below, were closed on _____:
(Date)

Depository Name	Account Name	Account Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*

On _____, all monies were transferred to the following chapter
(Date)
11 debtor in possession bank accounts:

Depository Name	Account Name	Account Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*

Attach proof that prepetition accounts have been closed and Debtor In Possession accounts opened.

The average post-petition monthly disbursements are estimated to be \$ _____ each month.

PURSUANT TO 28 U.S.C. SECTION 1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: _____
(Date)

(Debtor)

(Title)

(Printed Name of Signatory)

* Attach additional sheets if necessary.