

## **CHAPTER 7 CONSUMER BANKRUPTCY**

**Volunteer Lawyers Network Seminar  
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and  
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## I. New BAPCPA (“Bankruptcy Abuse Prevention and Consumer Protection Act of 2005”) Requirements in Consumer Cases:

### A. Debt Relief Agencies

#### 1. *Are you a Debt Relief Agency?*

If you provide “bankruptcy assistance” to an “assisted person” for payment, you are considered a “debt relief agency”. 11 U.S.C. §101(12A) “Bankruptcy Assistance” means that you are providing some type of counsel or legal representation with respect to a case or proceeding under Title 11. 11 U.S.C. §101(4A). It is a very broad definition and discussions regarding *anything* related to a bankruptcy could be considered “bankruptcy assistance”. An “assisted person” is anyone whose debts are primarily consumer debts and who has nonexempt property of less than \$150,000.

#### 2. *Disclosures Required by Debt Relief Agencies:*

Debt relief agencies are required to give the debtor several new written notices. Normally, these are given at the initial meeting with the debtor. You need to have some written verification that you provided the notices to the debtor in your file and you must “maintain” copies of this verification for two years after the notice is given. 11 U.S.C. §527(d)

- a. Section 342 Notice: A copy is attached as Exhibit A. An electronic version can be found at the court website, [www.mnb.uscourts.gov](http://www.mnb.uscourts.gov) (filing information and requirements/notice to consumer debtors).
- b. Section 527 Notice: A copy is attached as Exhibit B. This notice must be given within **3 days** after offering to provide any bankruptcy assistance. 11 U.S.C. § 527(a)(2).
- c. If you are charging for your services, you also need to provide the debtor with a written contract clearly and conspicuously stating the services to be provided and fees to be charged. This contract must be given within **5 days** of providing any bankruptcy assistance to an assisted person. 11 U.S.C. §528(a)(1).
- d. The ramifications of failing to comply with these provisions are found in 11 U.S.C. §526, and include loss of fees paid, injunctive relief and civil penalties.

## **B. Credit Counseling Requirements:**

All debtors must now complete two separate type of credit counseling.

### *1. Pre-filing Credit Counseling*

The debtor must receive credit counseling from an approved credit counselor within 180 days prior to filing. 11 U.S.C. §109(h)(1)  
The counseling can be done in person, on the phone or on the internet, depending on the agency used.

- a. The Clerk of Bankruptcy Court and the United States Trustee's Office maintains a list of approved credit counseling agencies. Be sure to use someone off the approved list or the credit counseling will not be valid. The list can be found at [www.usdoj.gov/ust/co/bapcpa/ccde/cc\\_approved.htm](http://www.usdoj.gov/ust/co/bapcpa/ccde/cc_approved.htm)
- b. The debtor can submit a certification to the Court to extend the requirement for 30 days if there are exigent circumstances *and* the debtor was unable to obtain counseling within five days of requesting relief. Recent case law shows that exigent circumstances are really rare. Best course of action is just to make sure the debtor has the credit counseling completed prior to filing.
- c. The credit counseling certificate is filed with the bankruptcy petition. Interim Bankruptcy Rule 7007(c).
- d. The requirement of credit counseling will not apply if, after motion and hearing, the court finds the debtor cannot fulfill the requirements because of "incapacity, disability, or active military duty in a military combat zone." 11 U.S.C. §109(h)(4)

### *2. Post-Filing Financial Management Course*

- a. After the case is filed and before the discharge is entered, the debtor must complete a debtor education class, also know as personal financial management instruction. It can usually be completed at the same agency as the debtor received the credit counseling.
- b. The debtor must file a certificate of completion of the financial management course 45 days after the first date set for the §341 meeting of creditors. 11 U.S.C. §727(a)(11).

If the certificate is not timely filed, the debtor will not receive a discharge.

## **II. Local form Notice of Responsibilities**

### **A. Local Rule 1007.3-1**

Recently, the local court has adopted Local Rule 1007.3-1 which states as follows:

*In any Chapter 7 or Chapter 13 case in which the debtor is represented by an attorney, the debtor shall file with the petition a Notice of Responsibilities, including a scanned image of the signature page signed by the attorney and the debtor(s). The Notice of Responsibilities shall conform to Local Form 1007-3-1(7) in chapter 7 cases and Local Form 1007-3-1(13) in chapter 13 cases.*

### **B. Details about Use of Form**

The forms are available on the Bankruptcy Court website under Local Forms and are also incorporated into some bankruptcy programs.

The form must be filed along with the petition.

The form must be scanned in as you cannot use your /e/signature on it.

You should go over the form in detail with your client so that they understand the terms.

## **III. The Initial Interview and Information Gathering**

The initial interview with your prospective bankruptcy client is one of the most important tools you have in effectively representing your client. You can expect that the clients will be worried about their financial condition and will often be under a great deal of stress. They are generally looking for you to “fix” their problems. In order to provide them with proper guidance, you need to know all of the facts surrounding their financial situation. Therefore, gathering accurate information from your client is of paramount importance.

### **A. Information Gathering:**

To assist you in analyzing the client’s situation, you should ask the client to bring the following information to the initial meeting or provide it to you prior to the meeting:

1. List of all names and addresses used in the last 6 years;
2. Social Security Number and picture identification;
3. Name and address of current employer;
4. List of all property owned and approximate value;
5. List of all creditors and the amount due;
6. Paystubs from your employer for the last 60 days
7. Evidence of all income received from any source in the last 7 months
8. Most recent year's tax returns, including all schedules
9. Detailed account of monthly expenses, including rent or house payment, utilities, food, transportation, insurance, child care and other miscellaneous expenses.
10. List of all monies owed to the client and a description of any other claims against third parties, including any personal injury claims and workers compensation claims.

Although, this is not all of the information you will need to gather if you decide to file the case, it is a starting point for your discussion.

## **B. Discussion**

As you review the information provided by the client, you need to ask specific questions to clarify the information. You must be certain that you understand the client's information to provide the appropriate advice. Some of the questions to ask at the initial interview should include the following:

How long have you lived in Minnesota?

Have you ever filed a bankruptcy before?

Have you transferred or sold any property in the last year?

Have you sold, transferred or given any money or property to a relative or close friend in the last six years?

Are any of your relatives ill or expected to die in the near future?

Have you been injured in an accident recently? If so, do you have any claims against anyone as a result of the accident?

Have you paid more than \$600.00 on any bills in the last three months?

Have you repaid any loans to friends or relatives in the last two years?

How long has it been since you used your credit cards?

Have you created any trusts in the last ten years?

It is always a good idea for you to take notes during your initial interview. It is helpful to be able to look back at the notes when you are preparing the bankruptcy schedules.

## **C. Advising the Client**

Once you have reviewed the client's documentation and completed the interview process, you will need to advise your client as to the ramifications of a Chapter 7 filing. You should clearly explain any exemption issues to the client so that the client knows what assets, if any, will be at risk as a result of the bankruptcy filing. The client will also need to be told how the bankruptcy process works and what his/her responsibilities will be in that process. Be sure to stress that the bankruptcy schedules must be signed under oath and under penalty of perjury and that all assets and liabilities must be listed in the schedules. Explain that the client will have to attend a meeting of creditors and will have to provide a picture identification and evidence of his/her social security number at that meeting.

#### **D. Completing the Bankruptcy Worksheets**

If the client decides to go forward with the bankruptcy proceeding, the client should be asked to complete a set of worksheets and you will need to make sure that you gather all of the documents necessary to back up the information. Attached as Exhibit C is a set of worksheets that can be used. Exhibit D is an example of a form which can be used to request verification documents. You can use this form or make up your own, but make sure that you have documentation to back up the information you are disclosing in the bankruptcy schedules. It is always a good idea to have the client complete the worksheets because doing so will help the client to be sure that he/she is including all the relevant information and you will then have a record of the client's answers for your records.

### **III. Preparing the Bankruptcy Schedules**

Although the bankruptcy schedules forms, copies of which are attached as Exhibit E, are quite straightforward, there are a few items that you should keep in mind when completing them.

#### **Schedule A – Real Property**

- Be sure to list the address and legal description and the county in which the property is located
- Be sure to verify the debtor's legal title to the property
- You can also find information on the assessed value of the property at the county tax assessor's office.
- Recent market analysis or appraisals of the property will be helpful in determining the value of the property.

#### **Schedule B – Personal Property**

- Household goods valuation

- Jewelry valuation
- Tax refunds

### **Schedule C – Exemptions**

The first question that must be asked in determining which exemptions to use is, has the Debtor lived in Minnesota for the majority of the last 3 years. If not, refer to Section 522(b)(3) to determine which law you must use.

#### 1. Minnesota Exemptions

The Minnesota exemptions are generally found in Minn. Stat. §550.37. However, there are other exemption statutes that are available for use, such as worker's compensation exemptions and exemptions found in the garnishment statutes. The Minnesota homestead exemption is found in Minn. Stat. 510.01. It allows up to \$360,000 of equity in real property and can include up to 160 acres of property, so long as the value does not exceed \$360,000.00. The Minnesota exemption statute is usually used when the client has more than \$21,625.00/single or \$43,250.00/married of equity in a homestead or has other assets that do not fit into the federal exemption scheme.

#### 2. Federal Exemptions

The federal exemption statute is 11 U.S.C. §522. The federal exemption scheme is usually the best scheme to use if you can fit the client's assets into its limits. Its most attractive feature is the "wild card" exemption of 11 U.S.C. § 522(d)(5) which allows exemption of any type of asset up to a stated dollar value, which is currently \$11,975.00.

A summary of the most recent exemptions is attached.

### **Schedule D – Secured Creditors**

On this schedule, you should list all creditors holding collateral. Be sure to list the full name and address of the creditor, the loan or account number, a description of the collateral, the value of the collateral and the balance due on the obligation.

### **Schedule E – Priority Creditors**

In consumer bankruptcy cases, this schedule will usually include unpaid alimony or child support and unpaid taxes. If your client has unpaid child support or is paying child support, you will need to the name, address and phone number of the recipient. Even if your client has no outstanding tax obligations, the State of Minnesota and Internal Revenue Service should be listed for notice purposes. Notice should be sent to the following addresses:

District Director of IRS  
Room 320, STOP 5700  
316 North Robert Street  
St. Paul, MN 55101

MN Dept of Revenue  
551 Bankruptcy Section  
P.O. Box 64447  
St. Paul, MN 55164

### **Schedule F – General Unsecured Creditors**

It is imperative to list complete names and addresses. If the creditor does not receive notice of the bankruptcy proceeding, the debt is generally not discharged. Account numbers and balance due on the account should also be listed. Use last 4 digits of account numbers.

### **Schedule G – Executory Contracts and Unexpired Leases**

Lease obligations and other executory contracts should be listed and described here. If the creditor listed is owed money, make sure the creditor is added to the appropriate creditor schedule.

### **Schedule H – Co-Debtors**

This schedule should contain the name and address of anyone who is a co-debtor on one or more of the debts. You should also list the specific debts that apply to each co-debtor.

### **Schedules I and J: Summary of Income and Expenses**

Be sure to have your clients fill these out very carefully after really analyzing their monthly budget. It is appropriate to review your client's monthly bills to see if their budget is accurate. You should base their income information on their pay stubs for the last 60 days. If there is a difference between this form and the B22A form, or if there has been or will be some major event that affected their income and expense, make sure you note it.

### **Means Test Statement**

This form is the primary tool which justifies your client(s) electing to file a Chapter 7 bankruptcy. In most cases your clients will be below median income and therefore you will not have to fill out the bulk of the form.

### **Statement of Financial Affairs**

All questions in this part must be answered. If the answer is "none", be sure to check the box. The following are a couple of questions that can give rise to problems:

#3 Payments totaling over \$600.00 to any one creditor within 90 days of the bankruptcy filing can lead to preference claims against the creditors.

#4 Payments made to insiders, which includes relatives and partners, within one year of the bankruptcy filing can lead to preference claims and fraudulent transfer claims. (Fraudulent transfer claims can actually be challenged by a trustee up to six years after the transfer under state law.)

#5. All repossessions and funds garnished or levied within one year prior to a bankruptcy filing must be disclosed.

### Statement of Intention

With respect to each secured creditor, the debtor must set forth his/her statement of intention with respect to the collateral. Options include surrendering the collateral, redeeming the property for cash, or reaffirming the original obligation.

## **IV. Post Filing Responsibilities**

### **A. Tax Returns**

1. Within 7 days prior to the §341 Meeting of Creditors, you must provide the Chapter 7 trustee with a copy of the debtor's federal income tax return (or a transcript of such return) for the most recent tax year ending immediately before the commencement of the case and for which a federal income tax return was filed. 11 U.S.C. §521
2. Most trustees want the tax returns emailed to them. Be sure to call the trustee and get the correct email address as some trustees use special email addresses for the tax returns.
3. If you fail to submit the tax returns 7 days prior to the §341 meeting, some trustees will refuse to hear your case and it will need to be continued to a new date. Failure to provide the tax returns is grounds for dismissal of the bankruptcy.

### **B. Section 341 Meeting**

1. As the debtor's attorney, it is your responsibility to attend the Section 341 meeting with your client. Be sure to remind your client to bring the following documents to the meeting:
  - a. Picture id and evidence of his/her social security number. (Acceptable documentation can be found on the last page of these materials.)

- b. A copy of the last paystub received prior to the 341 hearing; and
- c. Copies of bank statements for any accounts existing on the date of the bankruptcy filing which show the balances in the accounts on the date of the bankruptcy filing.

### **C. Other Duties**

There are several areas in which you need to specifically counsel your client after the filing of the bankruptcy and you need to be proactive in your representation. Your representation does not end with the Meeting of Creditors.

First, is the area of motions for relief from the automatic stay. When you receive such a motion you should review it to make sure that the creditor has shown that they do not have adequate protection and discuss with your client what they can and want to do about the issue. If your client has a reasonable basis for contesting the motion you need to file a response in a timely fashion. If you have any reason to believe your client is going to attend the hearing, you should appear.

Second, there is the area of reaffirmation agreements. If your client has a loan secured by real estate or a vehicle it may be in their best interests to reaffirm the obligation. If your client does so they open themselves up to personal liability above and beyond surrender of the collateral if they later default. If they do not do so they lose certain rights and may have to surrender the collateral. A reaffirmation agreement has to be signed and filed with the court before the discharge is entered. The debtor has to show specific information how they are going to be able to afford the payments. If you can in good faith sign as the attorney that they can afford the debt and it is in their best interests then the agreement will be approved without a hearing. If you cannot do so then there will be a hearing and your client have to appear and explain why he wants to keep the collateral. You may need to appear at that hearing and explain your client's position to the Judge.

In addition, both you and your client have an obligation to cooperate with the Chapter 7 trustee and provide the trustee with any additional information or documentation he/she requests from you. Also, if the bankruptcy court notifies you that a creditor did not receive notice of the bankruptcy due to an insufficient address, an attempt should be made to locate a correct address and notify the creditor. If a creditor does not receive notice of the bankruptcy proceeding, the debt will not be discharged.

## UNITED STATES BANKRUPTCY COURT

### **NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### **1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses.

#### **2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

##### **Chapter 7: Liquidation (\$220 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$274)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

##### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$150 filing fee, \$39 administrative fee: Total fee \$189)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(I) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of the Debtor**

I (We), the debtor(s), affirm that I (**we**) have received and read this notice.

Printed Name(s) of Debtor(s)

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

X \_\_\_\_\_  
Signature of Debtor Date  
X \_\_\_\_\_  
Signature of Debtor Date

Case No. (if known) \_\_\_\_\_

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Notice Required by 11 U.S.C. §527(b)

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Vadnais Heights, MN 55109  
(651) 486-7475 phone  
(651) 486-7468 facsimile

**IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE  
SERVICES AND THE INFORMATION YOU MUST PROVIDE IN  
CONNECTION WITH YOUR BANKRUPTCY FILING**

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities from a bankruptcy petition preparer who is not an attorney. **THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST.** Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. Although bankruptcy can be complex, many cases are routine. Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief available under the Bankruptcy Code and which form of relief is most likely to be beneficial for you. Be sure you understand the relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court. Once your case starts, you will have to attend the required first meeting of the creditors where you may be questioned by a court official called a 'trustee' and by creditors.

If you choose to file a chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts.

If you choose to file a chapter 13 case, in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your chapter 13 plan and with the confirmation hearing on your plan which will be before a bankruptcy judge.

If you select another type of relief under the Bankruptcy Code other than chapter 7 or chapter 13, you will want to find out what should be done from someone familiar with that type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.

11 U.S.C. §521 provides a list of your duties under the Bankruptcy Code. Those duties include the following:

1. File a list of creditors, a schedule of assets and liabilities, a schedule of current income and current expenditures, and a statement of the debtor's financial affairs.
2. File a certificate that the 11 USC §342(b) notice was given.
3. File copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition by you from any of your employers.
4. File a statement of the amount of your monthly net income, itemized to show how the amount is calculated.
5. File a statement disclosing any reasonably anticipated increase in income or expenditures over the 12-month period following the date of the filing of the petition.
6. If your schedule of assets and liabilities includes debts which are secured by property of the estate.
  - Within thirty days of the filing of a petition file a statement of your intention to retain or surrender the property. Within 30 days after the first date set for the section 341(a) meeting of creditors, you shall perform your intention. If you fail to act within 45 days the stay is automatically lifted.
7. Cooperate with the trustee as necessary to enable the trustee to perform the trustee's duties.
8. File a certificate from the approved nonprofit budget and credit counseling agency that provided you services under section 109(h) describing the services provided to you; and (2) a copy of the debt repayment plan, if any, developed.
9. File with the court a record of any interest that you have in an education individual retirement account (as defined in section 530(b)(1) of the Internal Revenue Code of 1986) or under a qualified State tuition program (as defined in section 529(b)(1) of such Code).
10. Within 7 days prior to the 11 USC §341 meeting of creditors present to the trustee a copy of the Federal income tax return (or at the election of the debtor, a transcript of such return) for the most recent tax year ending immediately before the commencement of the case and for which a Federal income tax return was filed.

- At the same time present a copy of such return (or if elected such transcript) to any creditor that timely requests such copy.
  - If you fail to comply, the court shall dismiss the case unless you demonstrate that the failure to comply is due to circumstances beyond your control.
  - If a creditor requests a copy of the tax return or transcript and if you fail to comply at the time you provide the tax return or transcript to the trustee, the court will dismiss the case unless you demonstrate that the failure to provide a copy of the tax return or transcript was due to circumstances beyond your control.
  - At the request of the court, the United States trustee, or any party in interest in a case under Chapter 7, 11 or 13, you will file with the court at the same time filed with the taxing authority, a copy of each Federal income tax return required under applicable law (or at the election of the debtor, a transcript of such tax return) with respect to each tax year ending while the case is pending;
  - Provide each Federal income tax return required under applicable law (or at the election of the debtor, a transcript of such tax return) that had not been filed with such authority as of the date of the commencement of the case and that was subsequently filed for any tax year ending in the 3-year period ending on the date of the commencement of the case.
  - In a Chapter 13 case provide a copy of each amendment to any Federal income tax return or transcript filed on the date that is either 90 days after the end of such tax year or 1 year after the date of the commencement of the case, whichever is later, if a plan is not confirmed before such later date; and annually after the plan is confirmed and until the case is closed, not later than the date that is 45 days before the anniversary of the confirmation of the plan;
  - If you fail to file a tax return that becomes due after the commencement of the case or properly obtains an extension of the due date for filing such return, the taxing authority may request that the court enter an order converting or dismissing the case.
11. In a Chapter 13 case, annually file a statement of the income and expenditures that shows how income, expenditures, and monthly income were calculated and disclosing the amount and sources of your income, the identity of any person responsible with you for the support of any of your dependents; and the identity of any person who contributed, and the amount contributed, to the household in which you reside.

12. If requested by the United States Trustee or by the trustee, you shall provide a document that establishes your identity, including a driver's license, passport, or other document that contains your photograph; or such other personal identifying information relating to you that establishes your identity.
13. If an individual in a voluntary case under Chapter 7 or 13 fails to file all of the information required within 45 days after the date of the filing of the petition, the case shall be automatically dismissed effective on the 46<sup>th</sup> day after the date of the filing of the petition.
  - Any party in interest may request the court to enter an order dismissing the case. If requested, the court shall enter an order of dismissal not later than 5 days after such request.
  - The court may allow you an additional period of not to exceed 45 days to file the information required if the court finds justification for extending the period for the filing.
  - Notwithstanding any other provision the court may decline to dismiss the case if the court finds that the debtor attempted in good faith to file all the information required by subsection (a)(1)(B)(iv) and that the best interests of creditors would be served by administration of the case.

Received on \_\_\_\_\_

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

(Debtor's name, address and  
phone number)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Case No.

Debtors.

**NOTICE OF RESPONSIBILITIES OF  
CHAPTER 7 DEBTORS AND THEIR ATTORNEYS**

This Notice lists certain responsibilities of debtors and their attorneys. Nothing in this document changes, limits, or in any way alters the debtor's or the debtor's attorney's obligations under the Bankruptcy Code, the local and national rules, or any rule of professional responsibility.

**UNLESS THE COURT ORDERS OTHERWISE:**

- I. Before the case is filed, the attorney for the chapter 7 debtor shall, at a minimum:
  - A. Meet with the debtor to review and analyze the debtor's real and personal property, debts, income, and expenses and advise the debtor on whether to file a bankruptcy petition;
  - B. Explain the various bankruptcy and non-bankruptcy options, the consequences of filing under chapters 7, 11 or 13 and answer the debtor's questions;
  - C. Explain to the debtor how the attorney's fees are paid;
  - D. Advise the debtor of the requirement to provide to the trustee the most recently-filed tax return(s) at least seven days prior to the scheduled meeting of creditors. In addition, advise the debtor of the requirement to attend the meeting of creditors and identify the documents the debtor must bring to the meeting;
  - E. Advise the debtor that providing false information in the bankruptcy schedules or false testimony at the meeting of creditors or other hearing or trial may expose the debtor to criminal prosecution and denial of discharge;
  - F. Advise the debtor of the necessity of maintaining liability, collision, and comprehensive insurance on vehicles securing loans or leases;
  - G. Timely prepare and file the debtor's petition, plan, schedules, statements, certificates, and other documents required to commence a case, and review them for accuracy contemporaneously with the filing.
- II. After the case is filed, the attorney for the chapter 7 debtor shall, at a minimum:
  - A. Ensure that the debtor is adequately represented by an attorney at the meeting of creditors;

- B. Prepare, file, and serve any necessary amendments to the petition, schedules, and statements;
  - C. Promptly respond to the debtor's questions throughout the case;
  - D. Consider and advise the debtor concerning the debtor's options to buy, sell or refinance real or personal property and assume or reject executory contracts or unexpired leases;
  - E. Prepare and file a proof of claim for a creditor when appropriate to protect the debtor's interest;
  - F. Fully advise the debtor of the legal effect and consequences of proposed reaffirmation agreements and any defaults thereunder and, where appropriate, negotiate alternate terms with secured creditors, ensure that any agreement is fully and properly completed and filed and appear at any hearing, if required;
  - G. Advise the debtor in motions for relief from the automatic stay, file objections when appropriate, and appear, when required, at any hearing;
  - H. Prepare, file, and serve responses to motions for dismissal of the case;
  - I. Advise the debtor of the requirement to complete an instructional course in personal financial management and the consequences of not doing so;
  - J. Represent the debtor in connection with any audit request; and
  - K. Represent the debtor in bringing and defending any and all other matters or proceedings in the bankruptcy case as necessary for the proper administration of the case.
- III. The attorney shall comply with Local Rule 9010-3 and represent the debtor in bringing and defending all matters in the bankruptcy case until a substitution of attorneys is filed or an order is entered allowing the attorney to withdraw.

Unless otherwise agreed, the attorney has no responsibility to represent the debtor in adversary proceedings. However, if an adversary proceeding is filed against the debtor, the attorney will explain to the debtor the estimated cost of providing representation in the adversary proceeding, the risks and consequences of an adverse judgment, and the risks and consequences of proceeding without counsel, as well as the sources, if any, of possible pro bono representation.

- IV. Before the case is filed, the chapter 7 debtor shall:
- A. Fully disclose, review and analyze with the attorney the debtor's real and personal property, all debts, income, expenses and all other financial information needed to properly complete the schedules and statements;
  - B. Prior to and throughout the case respond promptly to all communications from the attorney;
  - C. Prior to and throughout the case, timely provide the attorney with full and accurate financial and other information and documentation the attorney requests, INCLUDING BUT NOT LIMITED TO:
    - 1. A Certificate of Credit Counseling and any debt repayment plan;
    - 2. Proof of income received from all sources in the six-month period preceding filing, including pay stubs, social security statements, workers' compensation payments, income from rental property, pensions, disability payments, child and spousal support, and income from self-employment;
    - 3. The most recently filed federal and state income tax returns, or transcripts of returns, as well as any other returns requested by the attorney, the trustee, the court, or a party in interest;
    - 4. A government-issued photo identification and proof of social security number, such as a social security card or W-2;
    - 5. A record of interest, if any, in an educational individual retirement account or a qualified state tuition program;
    - 6. The name, address, and telephone number of any person or state agency to whom the debtor owes back child or spousal support or makes current child or spousal support payments, and any and all supporting court orders, declarations of voluntary support payments, separation agreements, divorce decrees, or property settlement agreements;
    - 7. Any insurance policies requested by the attorney;
    - 8. Vehicle titles for all cars, trucks, motorcycles, boats, ATVs, and other vehicles titled in the debtor's name;
    - 9. Legal descriptions for all real property, wherever located, owned by the debtor or titled in the debtor's name, or in which the debtor has any interest whatsoever, including but not limited to, a timeshare, remainder interest, or life estate;
    - 10. Documents relating to any inheritance to which the debtor is entitled or may be entitled;

11. Information relating to any foreclosures, repossessions, seizures, wage garnishments, liens, or levies on assets which occurred in the preceding 12 months or continues after the filing of the case;
  12. Information and documents relating to any prior bankruptcies filed by the debtor(s) or any related entity;
  13. Any changes in income or financial condition, such as job loss, illness, injury, inheritance, or lottery winnings before or during the case;
  14. Information and documents relating to any lawsuits in which the debtor is involved before or during the case or claims the debtor has or may have against third parties;
  15. Information relating to any seizure of tax refunds by the IRS or Department of Revenue;
  16. All information or documentation needed to respond to any motion or objection in the bankruptcy case;
  17. Any tax returns, account statements, pay stubs, or other documentation necessary to timely comply with requests made by the United States Trustee or the Chapter 7 Trustee or any audit requests.
- D. Cooperate with the attorney in preparing, reviewing, and signing the petition, schedules, statements, and all other documents required for filing a bankruptcy case.
- V. After the case is filed, the chapter 7 debtor shall:
- A. Timely and promptly comply with all applicable bankruptcy rules and procedures;
  - B. Appear punctually at the meeting of creditors with recent proof of income, a government-issued photo identification card, proof of social security number, and copies of all financial account statements covering the date the bankruptcy petition was filed;
  - C. Contact the attorney before buying, refinancing, or contracting to sell real property and before entering into any loan agreement until the debtor receives a discharge;
  - D. Keep the court, the trustee, and the attorney informed of the debtor's current address and telephone number; and
  - E. Complete an approved debtor education course and provide the certificate of attendance to the attorney for filing.

VI. The chapter 7 debtor's attorney shall, both before and after the case is filed, comply with all applicable professional and ethical rules and shall exercise civility in dealings with all entities with which the attorney comes in contact. The attorney shall also advise the chapter 7 debtor to likewise act in a civil and courteous manner, to dress in a manner appropriate for a federal proceeding and debtors shall do so.

Signatures. By signing this acknowledgment, the debtor and the attorney certify they have read it and understand what is required of the debtor and the attorney in this bankruptcy case.

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Debtor Date

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Debtor Date

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Attorney Date

A fully executed copy of this document must be filed with the petition commencing the bankruptcy case of the debtor(s).

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Case No.

Debtors.

**NOTICE OF RESPONSIBILITIES OF  
CHAPTER 13 DEBTORS AND THEIR ATTORNEYS**

This Notice lists certain responsibilities of debtors and their attorneys. Nothing in this document changes, limits, or in any way alters the debtor's or the debtor's attorney's obligations under the Bankruptcy Code, the local and national rules, or any rule of professional responsibility.

UNLESS THE COURT ORDERS OTHERWISE:

- I. Before the case is filed, the attorney for the chapter 13 debtor shall, at a minimum:
  - A. Meet with the debtor to review and analyze the debtor's real and personal property, debts, income, and expenses and advise the debtor on whether to file a bankruptcy petition;
  - B. Explain the various bankruptcy and non-bankruptcy options, the consequences of filing under chapters 7, 11 or 13 and answer the debtor's questions;
  - C. Explain to the debtor how the attorney's and trustee's fees are paid;
  - D. Explain what payments will be made directly by the debtor and what payments will be made through the debtor's chapter 13 plan, with particular attention to mortgage and vehicle loan payments, as well as any other claims with accrued interest;
  - E. Explain to the debtor how, when, and where to make the chapter 13 plan payments;
  - F. Explain to the debtor that the first plan payment must be made to the trustee within 30 days of filing the case;
  - G. Advise the debtor of the requirement to provide to the trustee the most recently-filed tax return(s) at least seven days prior to the scheduled meeting of creditors. In addition, advise the debtor of the requirement to attend the meeting of creditors and identify the documents the debtor must bring to the meeting;
  - H. Advise the debtor that providing false information in the bankruptcy schedules or false testimony at the meeting of creditors or other hearing or trial may expose the debtor to criminal prosecution and denial of discharge;

- I. Advise the debtor of the necessity of maintaining liability, collision, and comprehensive insurance on vehicles securing loans or leases;
  - J. Timely prepare and file the debtor's petition, plan, schedules, statements, certificates, and other documents required to commence a case, and review them for accuracy contemporaneously with the filing.
- II. After the case is filed, the attorney for the chapter 13 debtor shall, at a minimum:
- A. Ensure that the debtor is adequately represented by an attorney at the meeting of creditors and make every effort to obtain confirmation of the plan;
  - B. Prepare, file, and serve any necessary amendments to the petition, schedules, and statements;
  - C. Respond to any objection to plan confirmation and, where necessary, prepare, file, and serve a modified plan, and appear, as required, at any hearing;
  - D. Prepare, file, and serve post-confirmation documents necessary to modify the plan;\*
  - E. Promptly respond to the debtor's questions throughout the case;
  - F. Prepare, file, and serve necessary motions to buy, sell, or refinance real or personal property;\*
  - G. Prepare and file a proof of claim for a creditor when appropriate to protect the debtor's interest;
  - H. Object to improper or invalid claims when appropriate to protect the debtor's interest;\*
  - I. Advise the debtor in motions for relief from the automatic stay, file objections when appropriate, and appear, when required, at any hearing;\*
  - J. Consider and advise the debtor concerning lien avoidance and, if appropriate, prepare, file, and serve necessary motions to avoid liens on real or personal property;
  - K. Prepare, file, and serve responses to motions for dismissal of the case;\*
  - L. Advise the debtor of the requirement to complete an instructional course in personal financial management and the consequences of not doing so;
  - M. Prepare, file, and serve the *Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q)* and the *Certificate of Debtor Education* immediately after completion of plan payments;
  - N. Represent the debtor in connection with any audit request;\* and

- O. Represent the debtor in bringing and defending any and all other matters or proceedings in the bankruptcy case as necessary for the proper administration of the case.
- III. The attorney shall comply with Local Rule 9010-3 and represent the debtor in bringing and defending all matters in the bankruptcy case until a substitution of attorneys is filed or an order is entered allowing the attorney to withdraw.

Unless otherwise agreed, the attorney has no responsibility to represent the debtor in adversary proceedings. However, if an adversary proceeding is filed against the debtor, the attorney will explain to the debtor the estimated cost of providing representation in the adversary proceeding, the risks and consequences of an adverse judgment, and the risks and consequences of proceeding without counsel, as well as the sources, if any, of possible pro bono representation.

- IV. Before the case is filed, the chapter 13 debtor shall:
- A. Fully disclose, review and analyze with the attorney the debtor's real and personal property, all debts, income, expenses and all other financial information needed to properly complete the schedules and statements;
  - B. Prior to and throughout the case respond promptly to all communications from the attorney;
  - C. Prior to and throughout the case, timely provide the attorney with full and accurate financial and other information and documentation the attorney requests, INCLUDING BUT NOT LIMITED TO:
    - 1. A Certificate of Credit Counseling and any debt repayment plan;
    - 2. Proof of income received from all sources in the six-month period preceding filing, including pay stubs, social security statements, workers' compensation payments, income from rental property, pensions, disability payments, child and spousal support, and income from self-employment.
    - 3. The most recently filed federal and state income tax returns, or transcripts of returns, as well as any other returns requested by the attorney, the trustee, the court, or a party in interest;
    - 4. A government-issued photo identification and proof of social security number, such as a social security card or W-2;
    - 5. A record of interest, if any, in an educational individual retirement account or a qualified state tuition program;
    - 6. The name, address, and telephone number of any person or state agency to whom the debtor owes back child or spousal support or makes current child or spousal support payments, and any and all supporting court orders, declarations of voluntary support payments, separation agreements, divorce decrees, or property settlement agreements;

7. Any insurance policies requested by the attorney;
  8. Vehicle titles for all cars, trucks, motorcycles, boats, ATVs, and other vehicles titled in the debtor's name;
  9. Legal descriptions for all real property, wherever located, owned by the debtor or titled in the debtor's name, or in which the debtor has any interest whatsoever, including but not limited to, a timeshare, remainder interest, or life estate;
  10. Documents relating to any inheritance to which the debtor is entitled or may be entitled;
  11. Information relating to any foreclosures, repossessions, seizures, wage garnishments, liens, or levies on assets which occurred in the preceding 12 months or continues after the filing of the case;
  12. Information and documents relating to any prior bankruptcies filed by the debtor(s) or any related entity;
  13. Any changes in income or financial condition, such as job loss, illness, injury, inheritance, or lottery winnings before or during the case;
  14. Information and documents relating to any lawsuits in which the debtor is involved before or during the case or claims the debtor has or may have against third parties;
  15. Information relating to any seizure of tax refunds by the IRS or Department of Revenue;
  16. All information or documentation needed to respond to any motion or objection in the bankruptcy case;
  17. Any tax returns, account statements, pay stubs, or other documentation necessary to timely comply with requests made by the United States Trustee or the Chapter 13 Trustee or any audit requests.
- D. Cooperate with the attorney in preparing, reviewing, and signing the petition, schedules, statements, and all other documents required for filing a bankruptcy case.
- V. After the case is filed, the chapter 13 debtor shall:
- A. Timely and promptly comply with all applicable bankruptcy rules and procedures and with the terms of the chapter 13 plan;
  - B. Appear punctually at the meeting of creditors with recent proof of income, a government-issued photo identification card, proof of social security number, and copies of all financial account statements covering the date the bankruptcy petition was filed;

- C. Make all required payments to the Chapter 13 Trustee, and to such creditors as are being paid directly, and inform the attorney if required payments cannot be made;
  - D. Contact the attorney before buying, refinancing, or contracting to sell real property and before entering into any loan agreement;
  - E. Keep the court, the trustee, and the attorney informed of the debtor's current address and telephone number;
  - F. Complete an approved debtor education course and provide the certificate of attendance to the attorney for filing;
  - G. Pay all required domestic support obligations;
  - H. Cooperate with the attorney to complete and sign the *Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q)* immediately after making the final plan payment.
- VI. The chapter 13 debtor's attorney shall, both before and after the case is filed, comply with all applicable professional and ethical rules and shall exercise civility in dealings with all entities with which the attorney comes in contact. The attorney shall also advise the chapter 13 debtor to likewise act in a civil and courteous manner, to dress in a manner appropriate for a federal proceeding and debtors shall do so.

Signatures. By signing this acknowledgment, the debtor and the attorney certify they have read it and understand what is required of the debtor and the attorney in this bankruptcy case.

\_\_\_\_\_  
Debtor Date

\_\_\_\_\_  
Debtor Date

\_\_\_\_\_  
Attorney Date

A fully executed copy of this document must be filed with the petition commencing the bankruptcy case of the debtor(s).

\* Local Rule 2016-1(d)(2) provides that an attorney who performs these services after confirmation of the plan may request additional attorney's fees and expenses in connection with such services.

**Buckley & Jensen**  
**1339 East County Road D**  
**Vadnais Heights, MN 55109**  
**(651) 486-7475 phone**  
**(651) 486-7468 facsimile**

In addition to filling out the attached schedules, you will need to provide me with the following documents:

1. Copies of Deeds containing the legal description for any real property.
2. Copies of real estate Mortgages and statements evidencing the current outstanding balance due on any mortgages for your real estate.
3. Copies of titles to all vehicles, boats, trailers and other titled assets.
4. Copies of all outstanding Promissory Notes and loan agreements and statements showing the current balance due on the loan.
5. Copies of your latest personal income tax returns, for both the state and federal governments, including any property tax returns.
6. Copies of all paycheck stubs for the last 90 days.
7. Earnings statements for your earnings for the last six months.
8. Statements documenting any income other than earnings which were received in the previous six months.
9. Copies of any and all lawsuits that you have been a party to in the last twelve months.

# Client Questionnaire For Non-Business Debtor

## Section 1 Basic Information

### Part A. Name and Address

Name: \_\_\_\_\_  
*Last First Middle*

Telephone Number Home: \_\_\_\_\_ Work: \_\_\_\_\_

Have you used any other names in the past eight years?  No  Yes **If yes, list other names:**

Social Security Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County: \_\_\_\_\_

Have you lived at this address for at least 180 days?  No  Yes

Have you lived at this address for at least 730 days (2 years)?  No  Yes

If you answered no to either of the questions above, please list your previous address:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County: \_\_\_\_\_

If you have a different mailing address, please list:

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Part B. Name and Address of Spouse

If you are filing jointly with your spouse, fill in the following information about your spouse:

Name: \_\_\_\_\_  
*Last First Middle*

Has your spouse used any other names in the past eight years?  No  Yes **If yes, list other names:**

Social Security Number: \_\_\_\_ - \_\_\_\_ - \_\_\_\_

Address: **(if different from your address):** \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

If your spouse has a different mailing address, please list:

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Part C. Prior/Pending Bankruptcy Cases**

Has a bankruptcy case been filed by you or against you in the last 8 years?  No  Yes

If yes, in which district of which state was the case filed? \_\_\_\_\_

Case Number: \_\_\_\_\_ Date filed: \_\_\_\_\_

Are there currently any bankruptcy cases pending against you, your business, your spouse, or your spouse's business?  No  Yes

If yes, name of debtor: \_\_\_\_\_ Relationship to you: \_\_\_\_\_

Case Number: \_\_\_\_\_ Date filed: \_\_\_\_\_ Judge: \_\_\_\_\_

In which district of which state was the case filed? \_\_\_\_\_

**Exhibit "C" to the Voluntary Petition**

Do you own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?  No  Yes (If yes, please attach a list and description of the property.)

**Debtors Who Reside as Tenants of Residential Property**

If you rent your home, does a landlord hold a judgement against you?  No  Yes

If yes, please provide the name and address of the landlord:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## Section 2 Property

### Part A. Real Estate (Schedule A)

List all real estate which you own or are a joint owner of, even if you still owe money on the property.

Address and description of property	Owned by Husband, Wife, Joint or Community	Value	Your % ownership, or \$ amount, if you and spouse are not sole owners	<b>List all mortgages, home equity loans, and liens:</b> What is the \$ value of the loan, lien or mortgage? What is your monthly payment? How many payments are left?	Who issued the lien, loan or mortgage? (Name, Address of Institution)	<b>Office Use Only</b>  Exemptions?

### Part B. Personal Property (Schedule B)

For each type of property listed below, indicate whether you own any property of that category, and, if you do, fill in the remaining information. You can think of the value as the replacement value. For property acquired for personal or family use, replacement value is the price a retail merchant would charge for a property of that kind, considering the age and condition of that property.

Type of Property	Yes/ No	Description & Location	Husband, Wife, Joint, Community	Value	<b>Office Use Only</b> Exemptions?
1. Cash on hand					
2. Checking/Savings Account, Certificates of deposit, other bank accounts					
3. Security deposits held by utility companies, landlord					
4. Household goods, furniture, including audio, video, and computer equipment					

Type of Property	Yes/ No	Description & Location	Husband, Wife, Joint, Community	Value	<b>Office Use Only</b> Exemptions?
5. Books, pictures, art objects, records, compact discs, collectibles					
6. Clothing					
7. Furs and jewelry					
8. Sports, photographic, hobby equipment, firearms					
9. Interest in insurance policies- specify refund or cancellation value					
10. Annuities					
11. Interests in an education IRA, as defined in 26 USC § 530(b)(1)					
12. Interests in pension or profit sharing plans					

Type of Property	Yes/ No	Description & Location	Husband, Wife, Joint, Community	Value	<b>Office Use Only</b> Exemptions?
13. Stock and interests in incorporated/unincorporated business					
14. Interests in partnerships/joint ventures					
15. Bonds					
16. Accounts receivable					
17. Alimony/family support to which you are entitled					
18. Other liquidated debts owed to you, including tax refunds					
19. Equitable or future interests or life estates					
20. Interests in estate of decedent or life insurance plan or trust					

Type of Property	Yes/ No	Description & Location	Husband, Wife, Joint, Community	Value	Office Use Only Exemptions?
21. Other contingent/ unliquidated claims, including tax refunds, counterclaims					
22. Patents, copyrights, other intellectual property					
23. Licenses, franchises					
24. Customer List or other compilation					
25. Automobiles, trucks, trailers, and accessories.					
26. Boats, motors, and accessories					
27. Aircraft and accessories					
28. Office equipment, supplies					
29. Machinery, fixtures etc. for business					
30. Inventory					
31. Animals					

Type of Property	Yes/ No	Description & Location	Husband, Wife, Joint, Community	Value	<b>Office Use Only</b> Exemptions?
32. Crops-growing or harvested					
33. Farming equipment and implements					
34. Farm supplies, chemicals, feed					
35. Other personal property of any kind not listed.					

### Section 3 ➤ Debts

List below all debts that you owe, or that creditors claim that you owe.

Type of Debt	1. Creditor Name and Address 2. Account Number, if any 3. Date/range of dates when debt was incurred 4. Contact person's name and address, if different	Amount owed	Name and address of codebtor, if any What is debt for? Is debt secured by any property? (If so, please list monthly payment and number of months left.)	Do you dispute the debt?	Office Use Only	
					Sched D, E or F?	Lawsuit pending? Collection agency assigned? Counsel for creditor?
Home loans/ mortgages						
Car loans						
Other bank loans						
Personal loans						
Student loans						
Major credit card debts (Visa, Am Ex, Mastercard, Discover) - <i>continue on next page, if necessary</i>						

Type of Debt	1. Creditor Name and Address 2. Account Number, if any 3. Date/range of dates when debt was incurred 4. Contact person's name and address, if different	Amount owed	Name and address of codebtor, if any What is debt for? Is debt secured by any property? (If so, please list monthly payment and number of months left.)	Do you dispute the debt?	Office Use Only	
					Sched D, E or F?	Lawsuit pending? Collection agency assigned? Counsel for creditor?
Unpaid credit cards, (Visa, Am Ex, Mastercard, Discover) <b>continued</b>						
Department store credit card debts						
Other credit card debts (Gas cards, phone cards, etc.)						

Type of Debt	1. Creditor Name and Address 2. Account Number, if any 3. Date/range of dates when debt was incurred 4. Contact person's name and address, if different	Amount owed	Name and address of codebtor, if any What is debt for? Is debt secured by any property? (If so, please list monthly payment and number of months left.)	Do you dispute the debt?	Office Use Only	
					Sched D, E or F?	Lawsuit pending? Collection agency assigned? Counsel for creditor?
Unpaid medical bills						
Unpaid utility bills						
Unpaid rent						
Unpaid taxes						

Type of Debt	1. Creditor Name and Address 2. Account Number, if any 3. Date/range of dates when debt was incurred 4. Contact person's name and address, if different	Amount owed	Name and address of codebtor, if any What is debt for? Is debt secured by any property? (If so, please list monthly payment and number of months left.)	Do you dispute the debt?	Office Use Only	
					Sched D, E or F?	Lawsuit pending? Collection agency assigned? Counsel for creditor?
Unpaid alimony or child support						
Unpaid service fees						
All other unpaid debts/bills						

## Section 4 Unexpired Leases and Contracts (Schedule G)

List below any leases or contracts that are still current that you are a party to. Include residential, car and business leases, and service or business contracts.

Nature and Description of Contract	Name and Address of Other Party or Parties	Date that Contract Expires

## Section 5 Current Income

Marital Status: <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Widowed	List all dependents of you and your spouse, their ages, and their relationship to you:						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Name</th> <th style="width: 15%;">Age</th> <th style="width: 15%;">Relationship</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Name	Age	Relationship			
Name	Age	Relationship					

### Part A. Debtor's Income

### Part B. Joint Debtor's Income

1. What is your occupation? \_\_\_\_\_
2. Name and address of your employer:  
 \_\_\_\_\_  
 \_\_\_\_\_
3. How long have you been employed there? \_\_\_\_\_
4. What is the gross amount of your paycheck, before taxes/other deductions are taken out? \$ \_\_\_\_\_
5. How often do you get paid?    once a week                     
     every two weeks            twice a month  
     once a month             
 other \_\_\_\_\_
- Complete the below questions with your estimate of monthly averages.*
6. Do you receive overtime pay outside of your salary? If so, how much per month? \$ \_\_\_\_\_
7. How much is taken out of each paycheck for taxes and social security? \$ \_\_\_\_\_
8. How much is taken out for insurance? \$ \_\_\_\_\_
9. How much for union dues? \$ \_\_\_\_\_
10. Are there other deductions? If so, what are they and how much? \_\_\_\_\_
- Do you receive
- income from business operations outside of your regular paycheck listed above? If so, what is the business and how much do you receive per month?
  - income from real estate property? If so, how much per month?    No    Yes \$ \_\_\_\_\_
  - interest or dividends? If so, how much per month?    No    Yes \$ \_\_\_\_\_
  - alimony or family support payments for your use or for the care of your dependents? If so, how much per month?    No    Yes \$ \_\_\_\_\_
  - social security or other forms of monetary government assistance?    No    Yes \$ \_\_\_\_\_
  - retirement or pension money?    No    Yes \$ \_\_\_\_\_
- Do you have any other sources of income not listed?

- What is your spouse's occupation? \_\_\_\_\_
  - Name and address of your spouse's employer:  
 \_\_\_\_\_  
 \_\_\_\_\_
  - How long employed there? \_\_\_\_\_
  - What is the gross amount of your spouse's paycheck, before taxes/other deductions? \$ \_\_\_\_\_
  - How often does your spouse get paid?    once a week                     
     every two weeks            twice a month     
     once a month    other \_\_\_\_\_
- Complete the below questions with your estimate of monthly averages.*
- Does your spouse receive overtime pay outside of your salary? How much per month? \$ \_\_\_\_\_
  - How much is taken out of each paycheck for taxes and social security? \$ \_\_\_\_\_
  - How much is taken out for insurance? \$ \_\_\_\_\_
  - How much for union dues? \$ \_\_\_\_\_
- Are there other deductions? If so, what are they and how much? \_\_\_\_\_
- Does your spouse receive
- income from business operations outside of the regular paycheck listed above? If so, what is the business and how much does your spouse receive per month?
  - income from real estate property? If so, how much per month?    No    Yes \$ \_\_\_\_\_
  - interest or dividends? If so, how much per month?    No    Yes \$ \_\_\_\_\_
  - alimony or family support payments for spouse's use or for care of dependents? If so, how much per month?    No    Yes \$ \_\_\_\_\_
  - social security or other forms of monetary government assistance?    No    Yes \$ \_\_\_\_\_
  - retirement or pension money?    No    Yes \$ \_\_\_\_\_
- Does your spouse have any other income not listed?

Are you or your spouse expecting any increase or decrease in salary next year? If so, explain.

## Section 5A Current Monthly Income

Fill in your monthly income for the categories below in the column labeled "Month 1." If your income for one of the below categories varies from month to month, complete the below chart by entering in your income for all six months.

	Month 1 (last month) ____/____	Month 2 (2 months ago) ____/____	Month 3 ____/____	Month 4 ____/____	Month 5 ____/____	Month 6 ____/____	Office Use Only
Gross wages, salary, tips, bonuses, overtime, commissions.							
Income from operation of business: a. Gross Income - b. Expenses = c. Net Income.							
Rent and other real property income: a. Gross Income - b. Expenses = c. Net Income.							
Interest, dividends, and royalties.							
Pension and retirement income ( <i>NOT Social Security</i> ).							
Regular contributions from others to the household expenses, including child support.							
Unemployment Compensation.							

Social Security income.							
Other sources not already mentioned. Specify:							

## Section 6 ➤ Current Expenses

Do you and your spouse maintain separate households?  No  Yes. If so, fill one page out for your household and another for your spouse's.

The following questions ask for your expenses each month. If you are unsure of the amount you pay each month, but know the amount for a different period (per week, per day, every 2 months, etc.), write in the amount and the frequency that you pay the amount.

**Indicate how much you pay for each item each month...**

1. your rent or your home mortgage \$ \_\_\_\_\_

Does that amount include real estate taxes?  No  Yes

Does it include property insurance?  No  Yes

2. electricity and heating \$ \_\_\_\_\_

3. water and sewage \$ \_\_\_\_\_

4. telephone service/long distance \$ \_\_\_\_\_

5. Do you have any other utility bills? If so, what, and how much per month?

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

6. home maintenance, including repairs and general upkeep \$ \_\_\_\_\_

7. food \$ \_\_\_\_\_

8. clothing \$ \_\_\_\_\_

9. laundry and dry cleaning \$ \_\_\_\_\_

10. medical and dental expenses \$ \_\_\_\_\_

11. transportation (not including car payments) \$ \_\_\_\_\_

12. entertainment, recreation, newspapers, magazines \$ \_\_\_\_\_

13. charitable contributions \$ \_\_\_\_\_

14. insurance not deducted from paycheck

a) homeowner's or renter's insurance \$ \_\_\_\_\_

b) life insurance \$ \_\_\_\_\_

c) health insurance \$ \_\_\_\_\_

d) auto insurance \$ \_\_\_\_\_

e) other insurance \_\_\_\_\_ \$ \_\_\_\_\_

15. taxes not deducted from paycheck \$ \_\_\_\_\_

16. installment payments for car, furniture, etc. (Specify)

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

	\$ _____
17.alimony, maintenance, support paid to others	\$ _____
18.payments for support of dependents not living at home	\$ _____
19.expenses from operation of business	\$ _____
<b>Additional Expenses (707(b) Expenses)</b>	
17.mandatory payroll deductions not already listed _____	\$ _____
_____	\$ _____
_____	\$ _____
17.court ordered payments not already listed _____	\$ _____
_____	\$ _____
_____	\$ _____
17.education necessary to maintain employment	\$ _____
18.education for a physically or mentally challenged child	\$ _____
19.childcare	\$ _____
20.disability insurance (if not listed on line 14)	\$ _____
21.health savings accounts	\$ _____
22.care for elderly, chronically ill, or disabled family members	\$ _____
23.protection from family violence	\$ _____
24.education expense for your children under 18	\$ _____
25.non-mandatory contributions to retirement accounts (including loan repayment)	\$ _____
_____	\$ _____
_____	\$ _____
17.other expenses not listed above _____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

## Section 7 Statement of Financial Affairs

If you are filing jointly with your spouse, include information about both you and your spouse. If you are filing under chapter 12 or 13, and you are married and not separated, you must provide information about your spouse even if you are not filing jointly. If you have no information to report for a question, check the "NONE" box.

1 Income from employment or operation of business

State your gross income from employment or operation of a business: If you have not received an income from employment during the **two years** immediately preceding this calendar year, check this box:

NONE

Period	\$ Amount	Source	Husband/Wife
January 1 of this year through date of commencement of case			
Last year, (January 1 - December 31)			
The year before last, (January 1 - December 31)			

1 Income other than from employment or operation of business

State the amount of income received other than from employment or operation of business during the **two years** immediately preceding the commencement of this case:

NONE

Period	\$ Amount	Source	Husband/Wife
During the last year			
Year before last			

3. Payments to creditors

a. *If your debts are primarily consumer debts*, list all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor made within **90 days** immediately preceding the commencement of this case. Indicate with an asterisk (\*) any payments that were made on account of a domestic support obligation, or that were made as part of an alternative repayment plan.

NONE

Name and Address of Creditor	Dates of Payments	Amount paid	Amount still owed

b. If your debts are **not** primarily consumer debts, list each payment or other transfer, aggregating more than \$5,000 to any creditor made within **90 days** immediately preceding the commencement of this case.

NONE

Name and Address of Creditor    Dates of Payments    Amount paid    Amount still owed

c. All debtors. List all payments made within **one year** immediately preceding the commencement of this case to creditors who were "insiders". ("Insiders" include your relatives, your business partners and their relatives, your corporations, or your affiliates.)

NONE

Name and Address of Creditor  
and Relationship to You    Dates of Payments    Amount Paid    Amount Still Owed

4. Suits, executions, garnishments and attachments

a. List all suits and administrative proceedings to which you are or were a party within **one year** preceding the filing of this case.

NONE

Caption of Suit    Court or Agency    Status or  
and Case Number    Nature of Proceeding    and Location    Disposition

b. Describe all property that has been garnished, seized, or attached under any legal or equitable process within **one year** immediately preceding the commencement of this case.

NONE

Name and Address of Person/Company    Description  
for Whom the Property Was Seized (Creditor)    Date of Seizure    and Value of Property

5. Repossessions, foreclosures, and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure, or returned to the seller, within **one year** immediately preceding the commencement of this case.

NONE

<u>Name and Address of Creditor</u>	<u>Date of Repossession, Foreclosure, Transfer or Return</u>	<u>Description and Value of Property</u>
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6. Assignments and receiverships

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case.

NONE

<u>Name and Address of Assignee</u>	<u>Date of Assignment</u>	<u>Terms of Assignment/Settlement</u>
-------------------------------------	---------------------------	---------------------------------------

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case.

NONE

<u>Name and Address of Custodian</u>	<u>Name and location of Court, Case Title and Number</u>	<u>Date of Order</u>	<u>Description and Value of Property</u>
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7. Gifts

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient.

NONE

<u>Name and Address of Recipient</u>	<u>Relationship to You, if Any</u>	<u>Date of Gift</u>	<u>Description and Value of Gift</u>
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8. Losses

List all losses from fire, theft, gambling or other casualty within **one year** immediately preceding the commencement of this case **or since the commencement of this case**.

NONE

<u>Description and Value of Property</u>	<u>Description of Circumstances and Amount Covered by Insurance, if Any</u>	<u>Date of Loss</u>
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9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consultation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of the case.

NONE

<u>Name and Address of Payee</u>	<u>Date of Payment</u>	<u>Name of Person Who Paid, if Not You</u>	<u>Amount of Money/ Description and Value of Property</u>
----------------------------------	------------------------	--	---

10. Other transfers (including sale of your property)

a. List all other property, other than property transferred in your ordinary course of business or financial affairs, transferred either absolutely or as a security within **two years** immediately preceding the commencement of this case.

NONE

<u>Name and Address of Transferee and Relationship to you</u>	<u>Date of Transfer</u>	<u>Description of Property Transferred and Value Received</u>
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b. List all property you transferred within **10 years** immediately preceding the commencement of this case to a self-settled trust, or a similar device of which you are the beneficiary.

NONE

<u>Name of Trust or Similar Device</u>	<u>Date of Transfer</u>	<u>Amount of Money or Description and Value of Property or Interest</u>
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11. Closed financial accounts

List all financial accounts and instruments held in your name or for your benefit which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case.

NONE

<u>Name and Address of Institution</u>	<u>Type and Number of Account &amp; Final Balance</u>	<u>Amount and Date of Sale or Closing</u>
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12. Safe deposit boxes

List each safe deposit or other box or depository in which you have or have had securities, cash, or other valuables within **one year** immediately preceding commencement of this case.

NONE

<u>Name and Address of Bank or Other Depository</u>	<u>Name and Address of Those With Access to Box or Depository</u>	<u>Description of Contents</u>	<u>Date of Transfer, if Any</u>
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13. Setoffs

List all setoffs made by any creditor, including a bank, against a debt or deposit of yours within **90 days** preceding the commencement of this case.

NONE

<u>Name and Address of Creditor</u>	<u>Date of Setoff</u>	<u>Amount of Setoff</u>
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14. Property held for another person

List all property that you hold or control that is owned by another person.

NONE

<u>Name and Address of Owner</u>	<u>Description and Value of Property</u>	<u>Location of Property</u>
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15. Prior address of debtor

If you have moved within the **three years** immediately preceding the commencement of this case, list all residences during the last three years, excluding your present address.

NONE

<u>Address</u>	<u>Your Name at the Time</u>	<u>Dates of Occupancy</u>
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16. Spouses and Former Spouses

If you reside or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **eight-year period** immediately preceding the commencement of the case, identify the name of your spouse and of any former spouse who resides or resided with you in the community property state.

NONE

Name \_\_\_\_\_

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

a. List the name and address of every site for which you received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NONE

<u>Site Name and Address</u>	<u>Name and Address of Governmental Unit</u>	<u>Date of Notice</u>	<u>Environmental Law</u>
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b. List the name and address of every site for which you provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NONE

<u>Site Name and Address</u>	<u>Name and Address of Governmental Unit</u>	<u>Date of Notice</u>	<u>Environmental Law</u>
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c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which you are or were a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NONE

Name and Address of  
Governmental Unit

Docket Number

Status or Disposition

18 . Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NONE

Name	Taxpayer I.D. Number(EIN)	Address	Nature of Business	Beginning and End Dates of Operation
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b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NONE

Name	Address
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**The following questions, #19-25, are only to be answered if you are a corporation or partnership or if you have been, in the six years immediately preceding this case, an officer, director, managing executive, or owner of more than 5% of the voting securities of the corporation; a partner, other than a limited partner, of a partnership; a sole proprietor, or otherwise self-employed.**

19. Books, records, and financial statements

- a. List all bookkeepers and accountants who, within the **two years** immediately preceding the filing of this bankruptcy case, kept or supervised the keeping of books of account and records.

NONE

Name and Address \_\_\_\_\_

Dates Services Rendered \_\_\_\_\_

- b. List all firms or individuals who, within the **two years** immediately preceding the filing of this bankruptcy case, have audited the books of account and records, or prepared a financial statement of the debtor.

NONE

Name \_\_\_\_\_

Address \_\_\_\_\_

Dates Services Rendered \_\_\_\_\_

- c. List all firms or individuals who, at the time of the commencement of this case, were in possession of your books of account and records. If the records are not available, explain.

NONE

Name and Address \_\_\_\_\_

Comments \_\_\_\_\_

- d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NONE

Name and Address \_\_\_\_\_

Date Issued \_\_\_\_\_

20. Inventories

- a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

NONE

Date of Inventory	Inventory Supervisor	Dollar Amount of Inventory (specify cost, market, or other basis)
_____	_____	_____

- b. List the name and address of the person possessing the records of each of the two inventories reported in a.) above.

NONE

Date of Inventory	Name and Address of Custodian of Inventory Records
_____	_____

21. Current partners, officers, directors, and shareholders

- a. If your business is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NONE

Name and Address	Nature of Interest	Percentage of Interest
_____	_____	_____

- b. If your business is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 % or more of the voting securities of the corporation.

NONE

Name and Address	Title	Nature and Percentage of Stock Ownership
_____	_____	_____

22. Former partners, officers, directors and shareholders

- a. If your business is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NONE

Name and Address	Date of Withdrawal
_____	_____

- b. If your business is a corporation, list all officers or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NONE

Name and Address	Title	Date of Termination
_____	_____	_____

23. Withdrawals from a partnership or distributions by a corporation

If your business is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NONE

<u>Name and Address of Recipient, and Relationship to You</u>	<u>Date and Purpose of Withdrawal</u>	<u>Amount of Money or Description and Value of Property</u>
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24. Tax Consolidation Group.

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six-year period** immediately preceding the commencement of the case.

NONE

<u>Name of Parent Corporation</u>	<u>Taxpayer Identification Number</u>
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25. Pension Funds.

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NONE

<u>Name of Pension Fund</u>	<u>Taxpayer Identification Number</u>
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## **LIST OF DOCUMENTS NEEDED**

Copies of most recent bills, including credit card statements, mortgage statements, car loan statements. This should include the address of the creditor and account number and an estimate of when debt was incurred.

If you owe taxes, most recent correspondence, notices of assessment or liens from taxing authorities

Credit report if possible; Can be obtained by phone at 877 322-8228 or online at [www.annualcreditreport.com](http://www.annualcreditreport.com)

Copies of deeds for all real estate showing your ownership interest and the legal description

Copies of all mortgages on real estate

Copies of all outstanding promissory notes and loan agreement for car loans, etc. and statements showing the monthly payments and current balance due on the loans

Copies of titles to all vehicles, boats, trailers and other titled assets

List of personal property you own and its value. Include appraisals if you have any.

Copies of bank statements for all bank accounts open; this should include statements for last 60 days

Copies of current statements for IRAs, 401ks, or other pensions

Copies of current statements for life insurance policies

Copies of your last two years federal, state and property tax returns, including attachments

Copies of wage statements for last 6 months and documentation of any other income you received in the previous 6 months

Copies of paycheck stubs for the last 60 days

Copies of utility statements and other justifications for monthly expenses

Copy of any complaints served on you

Documentation concerning any sales of assets in last year

Copies of any leases you have been a party to in last year

EXEMPTIONS

(AS OF Jan 1, 2011)

ASSET	FEDERAL EXEMPTIONS 11 USC Section 522(d)	STATE EXEMPTIONS
HOMESTEAD	(d)(1) \$21,625 per spouse in real or personal property	510.01— \$360,000 per household for real property 550.37 sub 12 manufactured homes are exempt
MOTOR VEHICLE	(d)(2) One motor vehicle per person value \$3,450	550.37 sub 12a \$4,400 per car per person
HOUSEHOLD GOODS WEARING APPAREL	(d)(3) \$11,525 per person, no one item can have value of more than \$550; includes musical instruments	550.37 sub 4 \$9,900 per person Does not include musical instruments (unconstitutional)
JEWELRY	(d)(4) \$1,450 per person	550.37 sub 4 \$2,695 wedding rings only exchanged at ceremony
TOOLS OF TRADE	(d)(6) \$2,175 per person	550.37 sub 6 \$11,000
LIFE INSURANCE	(d)(7) and (8) (7) the policy itself (8) cash value of \$11,525	550.37 sub 10 and 23 10 - proceeds from policy of \$44,000 23 – cash value of \$8,800
DISABILITY	(d)(10)(C) and (E) Exempt unless arises under a private disability policy and then to extent reasonably necessary for support	550.37 sub 24 if it is an employee plan; 176.175 if it is from a worker's compensation claim; but a private policy annuity is not exempt (550.39 unconstitutional)
RETIREMENT	(d)(10)(E) and (12) Exempt	550.37 sub 24 but see also 522(b)(3)(c) which makes most retirement exempt
PERSONAL INJURY CLAIM	(d)(11) \$21,625 general damages plus future earnings Also wrongful death and life insurance proceeds to extent reasonably necessary	550.37 sub (22) Any claim excluding special damages and punitive damages

MISCELANEOUS	(d)(5) Maximum per person \$11,975 Calculated as \$1,150 plus any unused (d)(1) up to \$10,825	NONE
WAGES	NONE	571.55 and 15 USC 1673 Generally minimum wage or 75%

**United States Bankruptcy Court  
District of Minnesota**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Nakurmura, Hiro, madeup</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all): <b>9876</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all):
Street Address of Debtor (No. & Street, City, and State): <b>1234 Savethecheerleader Minneapolis MN</b>	Street Address of Joint Debtor (No. & Street, City, and State):
ZIP CODE <b>55401</b>	ZIP CODE
County of Residence or of the Principal Place of Business: <b>HENNEPIN</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP CODE	ZIP CODE
Location of Principal Assets of Business Debtor (if different from street address above):	
ZIP CODE	

<p align="center"><b>Type of Debtor</b> (Form of Organization) (Check one box.)</p> <p><input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i></p> <p><input type="checkbox"/> Corporation (includes LLC and LLP)</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) _____</p>	<p align="center"><b>Nature of Business</b> (Check one box)</p> <p><input type="checkbox"/> Health Care Business</p> <p><input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B)</p> <p><input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Clearing Bank</p> <p><input type="checkbox"/> Other</p> <hr/> <p align="center"><b>Tax-Exempt Entity</b> (Check box, if applicable)</p> <p><input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code.)</p>	<p align="center"><b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)</p> <p><input checked="" type="checkbox"/> Chapter 7</p> <p><input type="checkbox"/> Chapter 9</p> <p><input type="checkbox"/> Chapter 11</p> <p><input type="checkbox"/> Chapter 12</p> <p><input type="checkbox"/> Chapter 13</p> <p><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding</p> <p><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding</p> <hr/> <p align="center"><b>Nature of Debts</b> (Check one box)</p> <p><input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."</p> <p><input type="checkbox"/> Debts are primarily business debts.</p>
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<p align="center"><b>Filing Fee</b> (Check one box)</p> <p><input checked="" type="checkbox"/> Full Filing Fee attached</p> <p><input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A.</p> <p><input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</p>	<p align="center"><b>Chapter 11 Debtors</b></p> <p><b>Check one box:</b></p> <p><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).</p> <p><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).</p> <p><b>Check if:</b></p> <p><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.</p> <p>-----</p> <p><b>Check all applicable boxes</b></p> <p><input type="checkbox"/> A plan is being filed with this petition</p> <p><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</p>
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<p><b>Statistical/Administrative Information</b></p> <p><input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.</p> <p><input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.</p>	<p><b>THIS SPACE IS FOR COURT USE ONLY</b></p>
<p>Estimated Number of Creditors</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>1- 50- 100- 200- 1,000- 5,001- 10,001- 25,001- 50,001- Over 49 99 199 999 5,000 10,000 25,000 50,000 100,000 100,000</p>	
<p>Estimated Assets</p> <p><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>\$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million \$100,000,001 to \$500 million \$500,000,001 to \$1 billion More than \$1 billion</p>	
<p>Estimated Liabilities</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>\$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million \$100,000,001 to \$500 million \$500,000,001 to \$1 billion More than \$1 billion</p>	



**Voluntary Petition**  
*(This page must be completed and filed in every case)*

Name of Debtor(s):  
**Hiro madeup Nakurmura**

**Signatures**

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
 [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
 [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**s/ Hiro madeup Nakurmura**  
 Signature of Debtor **Hiro madeup Nakurmura**

**Not Applicable**  
 Signature of Joint Debtor

Telephone Number (If not represented by attorney)  
**1/22/2009**  
 Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**Not Applicable**  
 (Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

**Signature of Attorney**

Signature of Attorney for Debtor(s)  
**JOHN A HEDBACK Bar No. 142438**  
 Printed Name of Attorney for Debtor(s) / Bar No.

**HEDBACK ARENDT, KOHL & CARLSON PLLC**  
 Firm Name  
**SUITE 201 ANTHONY PLACE 2855 ANTHONY LN S**  
 Address  
**ST ANTHONY MN 55418**

**612-436-3280** **612-789-2109**  
 Telephone Number  
**1/22/2009**  
 Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Non-Attorney Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

**Not Applicable**  
 Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**Not Applicable**  
 Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Not Applicable**

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

UNITED STATES BANKRUPTCY COURT  
District of Minnesota

In re Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(if known)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the **180 days before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

**B 1D (Official Form 1, Exh. D) (12/08) – Cont.**

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. ' 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: **s/ Hiro madeup Nakurmura**  
**Hiro madeup Nakurmura**

Date: **1/22/2009**

**United States Bankruptcy Court  
District of Minnesota**

In re Hiro madeup Nakurmura,  
Debtor

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

Chapter 7

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 200,000.00		
B - Personal Property	YES	2	\$ 82,680.00		
C - Property Claimed as Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 220,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	4		\$ 12,131.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	1		\$ 321,421.00	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	2			\$ 2,430.00
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 1,870.00
<b>TOTAL</b>		<b>15</b>	<b>\$ 282,680.00</b>	<b>\$ 553,552.00</b>	

**United States Bankruptcy Court  
District of Minnesota**

In re Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
Chapter 7

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ <b>12,131.00</b>
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$
Student Loan Obligations (from Schedule F)	\$
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E.	\$
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$
TOTAL	\$

**State the following:**

Average Income (from Schedule I, Line 16)	\$ <b>2,430.00</b>
Average Expenses (from Schedule J, Line 18)	\$ <b>1,900.00</b>
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20 )	\$ <b>3,000.00</b>

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ <b>0.00</b>
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ <b>12,131.00</b>	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ <b>0.00</b>
4. Total from Schedule F		\$ <b>132,134.00</b>
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ <b>132134</b>

In re: Hiro madeup Nakurmura  
 Debtor

Case No. \_\_\_\_\_  
 (if known)

## SCHEDULE A - REAL PROPERTY

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Homestead legally described as ****	Fee Owner		\$ 200,000.00	\$ 191,000.00
<b>Total</b> >			<b>\$ 200,000.00</b>	

(Report also on Summary of Schedules.)

In re Hiro madeup Nakurmura

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

Debtor

(If known)

## SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		<b>cash</b>		<b>1,000.00</b>
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<b>fargo wells checking account # ***1234</b>		<b>999.00</b>
3. Security deposits with public utilities, telephone companies, landlords, and others.	<b>X</b>			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>household goods including 2 beds 3 chairs and 4 tvs</b>		<b>500.00</b>
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	<b>X</b>			
6. Wearing apparel.		<b>wearing apparel</b>		<b>100.00</b>
7. Furs and jewelry.		<b>big wedding ring</b>		<b>5.00</b>
8. Firearms and sports, photographic, and other hobby equipment.	<b>X</b>			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	<b>X</b>			
10. Annuities. Itemize and name each issuer.	<b>X</b>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		<b>ira</b>		<b>50,000.00</b>
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.		<b>2008 tax refunds</b>		<b>1.00</b>

In re Hiro madeup Nakurmura  
 Debtor

Case No. \_\_\_\_\_  
 (If known)

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>1985 chevy chevette, 200000 miles</b>		<b>25.00</b>
Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2008 H2, 200 miles</b>		<b>30,000.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.		<b>computer</b>		<b>50.00</b>
29. Machinery, fixtures, equipment and supplies used in business.	<b>X</b>			
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			
<u>1</u> continuation sheets attached			Total >	<b>\$ 82,680.00</b>

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re Hiro madeup Nakurmura  
 Debtor

Case No. \_\_\_\_\_  
 (If known)

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:  
 (Check one box)

Check if debtor claims a homestead exemption that exceeds  
 \$136,875

11 U.S.C. § 522(b)(2)

11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
1985 chevy chevette, 200000 miles	11 USC § 522(d)(2)	25.00	25.00
2008 H2, 200 miles	11 USC § 522(d)(2)	1,000.00	30,000.00
big wedding ring	11 USC § 522(d)(4)	5.00	5.00
computer	11 USC §522(d)(6)	50.00	50.00
Homestead legally described as ****	11 USC § 522(d)(1)	9,000.00	200,000.00
household goods including 2 beds 3 chairs and 4 tvs	11 USC § 522(d)(3)	500.00	500.00
ira	11 USC § 522(d)(12)	50,000.00	50,000.00
wearing apparel	11 USC § 522(d)(3)	100.00	100.00

In re Hiro madeup Nakurmura,  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. car loan co			Security Agreement 2005 H2, 200 miles  VALUE \$30,000.00				29,000.00	0.00
ACCOUNT NO. Mortgage co 1234 smith			01/01/2001 Mortgage Homestead legally described as ****  VALUE \$200,000.00				191,000.00	0.00

0 continuation sheets attached

Subtotal >  
(Total of this page)

Total >  
(Use only on last page)

<b>\$ 220,000.00</b>	<b>\$ 0.00</b>
<b>\$ 220,000.00</b>	<b>\$ 0.00</b>

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

**Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

**Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

**Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

**Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

**Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

**Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

**Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

**Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

**Claims for Death or Personal Injury While Debtor Was Intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

2 continuation sheets attached

In re Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(If known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Type of Priority: Domestic Support Obligations**

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER <i>(See instructions above.)</i>	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO. <b>the ex</b>							<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>

Subtotals >  
(Totals of this page)

\$	<b>0.00</b>	\$	<b>0.00</b>	\$	<b>0.00</b>
\$					
	\$	\$			

Total >  
(Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.)

Total >  
(Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

In re Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(If known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Type of Priority: Taxes and Certain Other Debts Owed to Governmental Units**

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER <i>(See instructions above.)</i>	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO. <b>INTERNAL REVENUE SERVICE WELLS FARGO PLACE 30 EAST 7TH ST MAIL STOP 5700 ST PAUL MN 55101</b>							<b>12,131.00</b>	<b>12,131.00</b>	<b>\$0.00</b>
ACCOUNT NO. <b>MINNESOTA DEPT OF REVENUE COMPLIANCE DIVISION 551 BANKRUPTCY SECTION PO BOX 64651 ST PAUL MN 55164 0651</b>							<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>

Sheet no. 2 of 2 continuation sheets attached to Schedule of  
Creditors Holding Priority Claims

Subtotals >  
(Totals of this page)

\$	<b>12,131.00</b>	\$	<b>12,131.00</b>	\$	<b>0.00</b>
\$	<b>12,131.00</b>				
		\$	<b>12,131.00</b>	\$	<b>0.00</b>

Total >  
(Use only on last page of the completed  
Schedule E. Report also on the Summary of  
Schedules.)

Total >  
(Use only on last page of the completed  
Schedule E. If applicable, report also on the  
Statistical Summary of Certain Liabilities  
and Related Data.)

In re Hiro madeup Nakurmura  
 Debtor

Case No. \_\_\_\_\_  
 (If known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER <i>(See instructions above.)</i>	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>12313</b>  <b>AMERICAN EXPRESS</b> <b>PO BOX 297879</b> <b>FT LAUDERDALE FL 33329 7879</b>		<b>10/30/2006</b>				<b>321,321.00</b>
ACCOUNT NO. <b>321654</b>  <b>CAPITAL ONE</b> <b>PO BOX 790216</b> <b>ST LOUIS MO 63179</b>		<b>10/30/2006</b>				<b>100.00</b>

0 Continuation sheets attached

Subtotal >	\$	<b>321,421.00</b>
Total >	\$	<b>321,421.00</b>

(Use only on last page of the completed Schedule F.)  
 (Report also on Summary of Schedules and, if applicable on the Statistical  
 Summary of Certain Liabilities and Related Data.)

In re: Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

In re: Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE H - CODEBTORS

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
------------------------------	------------------------------

In re Hiro madeup Nakurmura

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

Debtor

(If known)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status: <b>single</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S):	AGE(S):
<b>Employment:</b>	<b>DEBTOR</b>	<b>SPOUSE</b>
Age	<b>22</b>	
Occupation	<b>Genome research</b>	
Name of Employer	<b>Addictive TV Show</b>	
How long employed	<b>20 yrs</b>	
Address of Employer		

INCOME: (Estimate of average or projected monthly income at time case filed)

	DEBTOR	SPOUSE
1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly.)	\$ <u>3,000.00</u>	\$ _____
2. Estimate monthly overtime	\$ <u>0.00</u>	\$ _____
3. SUBTOTAL	\$ <u>3,000.00</u>	\$ _____
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ <u>500.00</u>	\$ _____
b. Insurance	\$ <u>20.00</u>	\$ _____
c. Union dues	\$ <u>0.00</u>	\$ _____
d. Other (Specify) <b>401k</b>	\$ <u>50.00</u>	\$ _____
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <u>570.00</u>	\$ _____
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ <u>2,430.00</u>	\$ _____
7. Regular income from operation of business or profession or farm (Attach detailed statement)	\$ <u>0.00</u>	\$ _____
8. Income from real property	\$ <u>0.00</u>	\$ _____
9. Interest and dividends	\$ <u>0.00</u>	\$ _____
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ <u>0.00</u>	\$ _____
11. Social security or other government assistance (Specify) _____	\$ <u>0.00</u>	\$ _____
12. Pension or retirement income	\$ <u>0.00</u>	\$ _____
13. Other monthly income (Specify) _____	\$ <u>0.00</u>	\$ _____
14. SUBTOTAL OF LINES 7 THROUGH 13	\$ <u>0.00</u>	\$ _____
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ <u>2,430.00</u>	\$ _____
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)	<b>\$ 2,430.00</b>	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document.:

In re Hiro madeup Nakurmura

Debtor

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

(If known)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

NONE

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In re Hiro madeup Nakurmura Debtor

Case No. \_\_\_\_\_ (If known)

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form22A or 22C.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>1,000.00</u>
a. Are real estate taxes included?      Yes <u>    ✓    </u> No _____		
b. Is property insurance included?      Yes <u>    ✓    </u> No _____		
2. Utilities: a. Electricity and heating fuel	\$	<u>25.00</u>
b. Water and sewer	\$	<u>10.00</u>
c. Telephone	\$	<u>400.00</u>
d. Other _____	\$	<u>0.00</u>
3. Home maintenance (repairs and upkeep)	\$	<u>0.00</u>
4. Food	\$	<u>100.00</u>
5. Clothing	\$	<u>5.00</u>
6. Laundry and dry cleaning	\$	<u>0.00</u>
7. Medical and dental expenses	\$	<u>5.00</u>
8. Transportation (not including car payments)	\$	<u>200.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>0.00</u>
10. Charitable contributions	\$	<u>99.00</u>
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	<u>0.00</u>
b. Life	\$	<u>0.00</u>
c. Health	\$	<u>0.00</u>
d. Auto	\$	<u>1.00</u>
e. Other _____	\$	<u>0.00</u>
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) _____	\$	<u>0.00</u>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	<u>25.00</u>
b. Other _____	\$	<u>0.00</u>
14. Alimony, maintenance, and support paid to others	\$	<u>0.00</u>
15. Payments for support of additional dependents not living at your home	\$	<u>0.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<u>0.00</u>
17. Other _____	\$	<u>0.00</u>
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	<u>1,870.00</u>

19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:

20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I	\$	<u>2,430.00</u>
b. Average monthly expenses from Line 18 above	\$	<u>1,870.00</u>
c. Monthly net income (a. minus b.)	\$	<u>560.00</u>

In re Hiro madeup Nakurmura  
Debtor

Case No. \_\_\_\_\_  
(If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ 16 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 1/22/2009

Signature: s/ Hiro madeup Nakurmura  
**Hiro madeup Nakurmura**  
Debtor

[If joint case, both spouses must sign]

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

**UNITED STATES BANKRUPTCY COURT  
District of Minnesota**

In re: **Hiro madeup Nakurmura**  
Debtor

Case No. \_\_\_\_\_  
(If known)

**STATEMENT OF FINANCIAL AFFAIRS**

**1. Income from employment or operation of business**

None  State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
<b>36,000.00</b>	<b>wages</b>	<b>2005</b>
<b>20,000.00</b>	<b>wages</b>	<b>2006 ytd</b>

**2. Income other than from employment or operation of business**

None  State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
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**3. Payments to creditors**

**Complete a. or b., as appropriate, and c.**

None  a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
<b>AMERICAN EXPRESS PO BOX 297879 FT LAUDERDALE FL 33329 7879</b>	<b>11/1/06</b>	<b>3,000.00</b>	

- None  b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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- None  c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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#### 4. Suits and administrative proceedings, executions, garnishments and attachments

- None  a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER <b>any and every</b>	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATIO	STATUS OR DISPOSITION
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- None  b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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#### 5. Repossessions, foreclosures and returns

- None  List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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## 6. Assignments and receiverships

- None  a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- None  b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND ADDRESS OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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## 7. Gifts

- None  List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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## 8. Losses

- None  List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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**even gambling losses should be listed**

## 9. Payments related to debt counseling or bankruptcy

- None  List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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**credit counselor**

**10. Other transfers**

- None  a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
Mom mom	12/01/2005	10000

- None  b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR INTEREST IN PROPERTY
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**11. Closed financial accounts**

- None  List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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**12. Safe deposit boxes**

- None  List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITOR	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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**13. Setoffs**

- None  List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

None  List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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**15. Prior address of debtor**

None  If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
1234 Cheerleader Waco TX	James Bond	-1/31/01

**16. Spouses and Former Spouses**

None  If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

**17. Environmental Information.**

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None  a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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None  b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None  c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
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### 18. Nature, location and name of business

- None  a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
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- None  b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
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\* \* \* \* \*

*[if completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 1/22/2009

Signature of Debtor s/ Hiro madeup Nakurmura  
**Hiro madeup Nakurmura**



Property No. 3	
<b>Creditor's Name:</b> <b>INTERNAL REVENUE SERVICE</b>	<b>Describe Property Securing Debt:</b>
<p>Property will be (<i>check one</i>):</p> <p><input type="checkbox"/> Surrendered                      <input checked="" type="checkbox"/> Retained</p> <p>If retaining the property, I intend to (<i>check at least one</i>):</p> <p><input type="checkbox"/> Redeem the property</p> <p><input type="checkbox"/> Reaffirm the debt</p> <p><input checked="" type="checkbox"/> Other. Explain <b>NEGOTIATE</b> (for example, avoid lien using 11 U.S.C. § 522(f))</p> <p>Property is (<i>check one</i>):</p> <p><input type="checkbox"/> Claimed as exempt    <input checked="" type="checkbox"/> Not claimed as exempt</p>	

Property No. 4	
<b>Creditor's Name:</b> <b>Mortgage co</b>	<b>Describe Property Securing Debt:</b> <b>Homestead legally described as ****</b>
<p>Property will be (<i>check one</i>):</p> <p><input type="checkbox"/> Surrendered                      <input checked="" type="checkbox"/> Retained</p> <p>If retaining the property, I intend to (<i>check at least one</i>):</p> <p><input type="checkbox"/> Redeem the property</p> <p><input checked="" type="checkbox"/> Reaffirm the debt</p> <p><input checked="" type="checkbox"/> Other. Explain <b>MAKE PAYMENTS BUT LATE</b> (for example, avoid lien using 11 U.S.C. § 522(f))</p> <p>Property is (<i>check one</i>):</p> <p><input checked="" type="checkbox"/> Claimed as exempt    <input type="checkbox"/> Not claimed as exempt</p>	

**PART B** – Personal property subject to unexpired leases. (*All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.*)

Property No. 1		
<b>Lessor's Name:</b> <b>None</b>	<b>Describe Leased Property:</b>	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): <input type="checkbox"/> YES <input type="checkbox"/> NO

0   continuation sheets attached (*if any*)

**I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.**

Date: 1/22/2009

**s/ Hiro madeup Nakurmura**  
**Hiro madeup Nakurmura**  
Signature of Debtor

**Form 1007-1 - Statement Of Compensation By Debtor's Attorney**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Hiro madeup Nakurmura  
Debtor.

Case No. BKY \_\_\_\_\_  
Chapter 7 Case

**STATEMENT OF COMPENSATION BY ATTORNEY FOR DEBTOR(S)**

The undersigned, pursuant to Local Rule 1007-1, Bankruptcy Rule 2016(b) and § 329(a) of the Bankruptcy Code, states that:

1. The undersigned is the attorney for the debtor(s) in this case and files this statement as required by applicable
  
2. (a) The filing fee paid by the undersigned to the clerk for the debtor(s) in this case is: \$ 299.00  
  
(b) The compensation paid or agreed to be paid by the debtor(s) to the undersigned is: \$ 0.00  
  
(c) Prior to filing this statement, the debtor(s) paid to the undersigned: \$ 299.00  
  
(d) The unpaid balance due and payable by the debtor(s) to the undersigned is: \$ 0.00
  
3. The services rendered or to be rendered include the following: (a) analysis of the financial situation and rendering advice and assistance to the debtor in determining whether to file a petition under Title 11 of the United States Code; (b) preparation and filing of the petition, exhibits, attachments, schedules, statements and lists and other documents required by the court; (c) representation of the debtor(s) at the meeting of creditors; (d) negotiations with creditors; and (e) other services reasonably necessary to represent the debtor(s) in this case.
  
4. The source of all payments by the debtor(s) to the undersigned was or will be from earnings or other current compensation of the debtor(s), and the undersigned has not received and will not receive any transfer of property other than such payments by the debtor(s), except as follows:
  

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5. The undersigned has not shared or agreed to share with any other person other than with members of undersigned's law firm any compensation paid or to be paid.

Dated: 1/22/2009

Signed: \_\_\_\_\_

**JOHN A HEDBACK**  
**Bar no: 142438**  
Attorney for Debtor(s)  
**HEDBACK ARENDT, KOHL & CARLSON**  
**PLLC**  
**SUITE 201 ANTHONY PLACE**  
**2855 ANTHONY LN S**  
**ST ANTHONY MN 55418**  
**612-436-3280**

In re Hiro madeup Nakurmura  
Debtor(s)

Case Number: \_\_\_\_\_  
(If known)

According to the information required to be entered on this statement (check one box as directed in Part I, III, or VI of this statement):

- The presumption arises**
- The presumption does not arise**
- The presumption is temporarily inapplicable.**

**CHAPTER 7 STATEMENT OF CURRENT MONTHLY INCOME  
AND MEANS-TEST CALCULATION**

In addition to Schedules I and J, this statement must be completed by every individual chapter 7 debtor, whether or not filing jointly. Unless the exclusion in Line 1C applies, joint debtors may complete a single statement. If the exclusion in Line 1C applies, each joint filer must complete a separate statement.

**Part I. MILITARY AND NON-CONSUMER DEBTORS**

<b>1A</b>	<p><b>Disabled Veterans.</b> If you are a disabled veteran described in the Declaration in this Part IA, (1) check the box at the beginning of the Declaration, (2) check the box for "The presumption does not arise" at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.</p> <p><input type="checkbox"/> <b>Declaration of Disabled Veteran.</b> By checking this box, I declare under penalty of perjury that I am a disabled veteran (as defined in 38 U.S.C. § 3741(1)) whose indebtedness occurred primarily during a period in which I was on active duty (as defined in 10 U.S.C. § 101(d)(1)) or while I was performing a homeland defense activity (as defined in 32 U.S.C. § 901(1)).</p>
<b>1B</b>	<p><b>Non-consumer Debtors.</b> If your debts are not primarily consumer debts, check the box below and complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.</p> <p><input type="checkbox"/> <b>Declaration of non-consumer debts.</b> By checking this box, I declare that my debts are not primarily consumer debts.</p>
<b>1C</b>	<p><b>Reservists and National Guard Members; active duty or homeland defense activity.</b> Members of a reserve component of the Armed Forces and members of the National Guard who were called to active duty (as defined in 10 U.S.C. § 101(d)(1)) after September 11, 2001, for a period of at least 90 days, or who have performed homeland defense activity (as defined in 32 U.S.C. § 901(1)) for a period of at least 90 days, are excluded from all forms of means testing during the time of active duty or homeland defense activity and for 540 days thereafter (the "exclusion period"). If you qualify for this temporary exclusion, (1) check the appropriate boxes and complete any required information in the Declaration of Reservists and National Guard Members below, (2) check the box for "The presumption is temporarily inapplicable" at the top of this statement, and (3) complete the verification in Part VIII. <b>During your exclusion period you are not required to complete the balance of this form, but you must complete the form no later than 14 days after the date on which your exclusion period ends, unless the time for filing a motion raising the means test presumption expires in your case before your exclusion period ends.</b></p> <p><input type="checkbox"/> <b>Declaration of Reservists and National Guard Members.</b> By checking this box and making the appropriate entries below, I declare that I am eligible for a temporary exclusion from means testing because, as a member of a reserve component of the Armed Forces or the National Guard</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> I was called to active duty after September 11, 2001, for a period of at least 90 days and</p> <p style="margin-left: 80px;"><input type="checkbox"/> I remain on active duty /or/</p> <p style="margin-left: 80px;"><input type="checkbox"/> I was released from active duty on _____, which is less than 540 days before this bankruptcy case was filed;</p> <p style="margin-left: 40px;">OR</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> I am performing homeland defense activity for a period of at least 90 days /or/</p> <p style="margin-left: 80px;"><input type="checkbox"/> I performed homeland defense activity for a period of at least 90 days, terminating on _____, which is less than 540 days before this bankruptcy case was filed.</p>

**Part II. CALCULATION OF MONTHLY INCOME FOR § 707(b)(7) EXCLUSION**

2	<p><b>Marital/filing status.</b> Check the box that applies and complete the balance of this part of this statement as directed.</p> <p>a. <input type="checkbox"/> Unmarried. <b>Complete only Column A ("Debtor's Income") for Lines 3-11.</b></p> <p>b. <input type="checkbox"/> Married, not filing jointly, with declaration of separate households. By checking this box, debtor declares under penalty of perjury: "My spouse and I are legally separated under applicable non-bankruptcy law or my spouse and I are living apart other than for the purpose of evading the requirements of § 707(b)(2)(A) of the Bankruptcy Code." <b>Complete only Column A ("Debtor's Income") for Lines 3-11.</b></p> <p>c. <input type="checkbox"/> Married, not filing jointly, without the declaration of separate households set out in line 2.b above. <b>Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.</b></p> <p>d. <input checked="" type="checkbox"/> Married, filing jointly. <b>Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.</b></p>											
	<p>All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.</p>	<b>Column A Debtor's Income</b>	<b>Column B Spouse's Income</b>									
3	<b>Gross wages, salary, tips, bonuses, overtime, commissions.</b>	<b>\$12,500.00</b>	\$									
4	<p><b>Income from the operation of a business, profession or farm.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. If you operate more than one business, profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. <b>Do not include any part of the business expenses entered on Line b as a deduction in Part V.</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%; text-align:center;">a.</td> <td>Gross Receipts</td> <td style="text-align:right;"><b>\$ 0.00</b></td> </tr> <tr> <td style="text-align:center;">b.</td> <td>Ordinary and necessary business expenses</td> <td style="text-align:right;"><b>\$ 0.00</b></td> </tr> <tr> <td style="text-align:center;">c.</td> <td>Business income</td> <td style="text-align:right;">Subtract Line b from Line a</td> </tr> </table>	a.	Gross Receipts	<b>\$ 0.00</b>	b.	Ordinary and necessary business expenses	<b>\$ 0.00</b>	c.	Business income	Subtract Line b from Line a	<b>\$0.00</b>	<b>\$0.00</b>
a.	Gross Receipts	<b>\$ 0.00</b>										
b.	Ordinary and necessary business expenses	<b>\$ 0.00</b>										
c.	Business income	Subtract Line b from Line a										
5	<p><b>Rent and other real property income.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 5. <b>Do not enter a number less than zero. Do not include any part of the operating expenses entered on Line b as a deduction in Part V.</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%; text-align:center;">a.</td> <td>Gross Receipts</td> <td style="text-align:right;"><b>\$ 0.00</b></td> </tr> <tr> <td style="text-align:center;">b.</td> <td>Ordinary and necessary operating expenses</td> <td style="text-align:right;"><b>\$ 0.00</b></td> </tr> <tr> <td style="text-align:center;">c.</td> <td>Rent and other real property income</td> <td style="text-align:right;">Subtract Line b from Line a</td> </tr> </table>	a.	Gross Receipts	<b>\$ 0.00</b>	b.	Ordinary and necessary operating expenses	<b>\$ 0.00</b>	c.	Rent and other real property income	Subtract Line b from Line a	<b>\$0.00</b>	<b>\$0.00</b>
a.	Gross Receipts	<b>\$ 0.00</b>										
b.	Ordinary and necessary operating expenses	<b>\$ 0.00</b>										
c.	Rent and other real property income	Subtract Line b from Line a										
6	<b>Interest, dividends, and royalties.</b>	<b>\$0.00</b>	<b>\$0.00</b>									
7	<b>Pension and retirement income.</b>	<b>\$0.00</b>	<b>\$0.00</b>									
8	<b>Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose.</b> Do not include alimony or separate maintenance payments or amounts paid by your spouse if Column B is completed.	<b>\$0.00</b>	<b>\$0.00</b>									
9	<p><b>Unemployment compensation.</b> Enter the amount in the appropriate column(s) of Line 9. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:40%;">Unemployment compensation claimed to be a benefit under the Social Security Act</td> <td style="width:30%;">Debtor \$ _____</td> <td style="width:30%;">Spouse \$ _____</td> </tr> </table>	Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$ _____	Spouse \$ _____	\$	\$						
Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$ _____	Spouse \$ _____										
10	<p><b>Income from all other sources.</b> Specify source and amount. If necessary, list additional sources on a separate page. <b>Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or separate maintenance.</b> Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%; text-align:center;">a.</td> <td style="width:70%;"></td> <td style="width:25%; text-align:right;">\$</td> </tr> </table>	a.		\$								
a.		\$										

	Total and enter on Line 10.	\$0.00	\$0.00
11	<b>Subtotal of Current Monthly Income for § 707(b)(7).</b> Add Lines 3 thru 10 in Column A, and, if Column B is completed, add Lines 3 thru 10 in Column B. Enter the total(s).	\$12,500.00	\$0.00
12	<b>Total Current Monthly Income for § 707(b)(7).</b> If Column B has been completed, add Line 11, Column A to Line 11, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 11, Column A.	\$ 12,500.00	
<b>Part III. APPLICATION OF § 707(b)(7) EXCLUSION</b>			
13	<b>Annualized Current Monthly Income for § 707(b)(7).</b> Multiply the amount from Line 12 by the number 12 and enter the result.		\$150,000.00
14	<b>Applicable median family income.</b> Enter the median family income for the applicable state and household size. (This information is available by family size at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.) a. Enter debtor's state of residence: <b>MN</b> b. Enter debtor's household size: <b>4</b>		\$83,797.00
15	<b>Application of Section 707(b)(7).</b> Check the applicable box and proceed as directed. <input type="checkbox"/> <b>The amount on Line 13 is less than or equal to the amount on Line 14.</b> Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete Part VIII; do not complete Parts IV, V, VI or VII. <input checked="" type="checkbox"/> <b>The amount on Line 13 is more than the amount on Line 14.</b> Complete the remaining parts of this statement.		

Complete Parts IV, V, VI, and VII of this statement only if required. (See Line 15).

<b>Part IV. CALCULATION OF CURRENT MONTHLY INCOME FOR § 707(b)(2)</b>							
16	<b>Enter the amount from Line 12.</b>		\$12,500.00				
17	<b>Marital adjustment.</b> If you checked the box at Line 2.c, enter on Line 17 the total of any income listed in Line 11, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. Specify in the lines below the basis for excluding the Column B income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page. If you did not check box at Line 2.c, enter zero.  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">a.</td> <td style="width: 60%;"></td> <td style="width: 5%; text-align: center;">\$</td> <td style="width: 30%;"></td> </tr> </table>		a.		\$		
a.		\$					
	Total and enter on Line 17 .		\$ 0.00				
18	<b>Current monthly income for § 707(b)(2).</b> Subtract Line 17 from Line 16 and enter the result.		\$12,500.00				
<b>Part V. CALCULATION OF DEDUCTIONS FROM INCOME</b>							
<b>Subpart A: Deductions under Standards of the Internal Revenue Service (IRS)</b>							
19A	<b>National Standards: food, clothing and other items.</b> Enter in Line 19A the "Total" amount from IRS National Standards for Food, Clothing and Other Items for the applicable household size. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)		\$ 1,370.00				

19B	<p><b>National Standards: health care.</b> Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.) Enter in Line b1 the number of members of your household who are under 65 years of age, and enter in Line b2 the number of members of your household who are 65 years of age or older. (The total number of household members must be the same as the number stated in Line 14b.) Multiply Line a1 by Line b1 to obtain a total amount for household members under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for household members 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 19B.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="2" style="text-align:left;">Household members under 65 years of age</th> <th colspan="2" style="text-align:left;">Household members 65 years of age or older</th> </tr> </thead> <tbody> <tr> <td style="width:5%;">a1.</td> <td style="width:30%;">Allowance per member</td> <td style="width:10%; text-align:right;"><b>57.00</b></td> <td style="width:55%;">a2. Allowance per member</td> </tr> <tr> <td>b1.</td> <td>Number of members</td> <td style="text-align:right;"><b>4.00</b></td> <td>b2. Number of members</td> </tr> <tr> <td>c1.</td> <td>Subtotal</td> <td style="text-align:right;"><b>228.00</b></td> <td>c2. Subtotal</td> </tr> </tbody> </table>	Household members under 65 years of age		Household members 65 years of age or older		a1.	Allowance per member	<b>57.00</b>	a2. Allowance per member	b1.	Number of members	<b>4.00</b>	b2. Number of members	c1.	Subtotal	<b>228.00</b>	c2. Subtotal	<b>\$ 228.00</b>
Household members under 65 years of age		Household members 65 years of age or older																
a1.	Allowance per member	<b>57.00</b>	a2. Allowance per member															
b1.	Number of members	<b>4.00</b>	b2. Number of members															
c1.	Subtotal	<b>228.00</b>	c2. Subtotal															
20A	<p><b>Local Standards: housing and utilities; non-mortgage expenses.</b> Enter the amount of the IRS Housing and Utilities Standards; non-mortgage expenses for the applicable county and household size. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court).</p>	<b>\$ 493.00</b>																
20B	<p><b>Local Standards: housing and utilities; mortgage/rent expense.</b> Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and household size (this information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 42; subtract Line b from Line a and enter the result in Line 20B. <b>Do not enter an amount less than zero.</b></p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <tbody> <tr> <td style="width:5%;">a.</td> <td style="width:50%;">IRS Housing and Utilities Standards; mortgage/rental expense</td> <td style="width:45%; text-align:right;"><b>\$ 1,301.00</b></td> </tr> <tr> <td>b.</td> <td>Average Monthly Payment for any debts secured by home, if any, as stated in Line 42.</td> <td style="text-align:right;"><b>\$ 1,301.00</b></td> </tr> <tr> <td>c.</td> <td>Net mortgage/rental expense</td> <td style="text-align:left;">Subtract Line b from Line a</td> </tr> </tbody> </table>	a.	IRS Housing and Utilities Standards; mortgage/rental expense	<b>\$ 1,301.00</b>	b.	Average Monthly Payment for any debts secured by home, if any, as stated in Line 42.	<b>\$ 1,301.00</b>	c.	Net mortgage/rental expense	Subtract Line b from Line a	<b>\$ 0.00</b>							
a.	IRS Housing and Utilities Standards; mortgage/rental expense	<b>\$ 1,301.00</b>																
b.	Average Monthly Payment for any debts secured by home, if any, as stated in Line 42.	<b>\$ 1,301.00</b>																
c.	Net mortgage/rental expense	Subtract Line b from Line a																
21	<p><b>Local Standards: housing and utilities; adjustment.</b> If you contend that the process set out in Lines 20A and 20B does not accurately compute the allowance to which you are entitled under the IRS Housing and Utilities Standards, enter any additional amount to which you contend you are entitled, and state the basis for your contention in the space below:</p>	\$																
22A	<p><b>Local Standards: transportation; vehicle operation/public transportation expense.</b> You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation.</p> <p>Check the number of vehicles for which you pay the operating expenses or for which the operating expenses are included as a contribution to your household expenses in Line 8.    <input type="checkbox"/> 0    <input type="checkbox"/> 1    <input checked="" type="checkbox"/> 2 or more.</p> <p>If you checked 0, enter on Line 22A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 22A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (These amounts are available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)</p>	<b>\$ 374.00</b>																
22B	<p><b>Local Standards: transportation; additional public transportation expense.</b> If you pay the operating expenses for a vehicle and also use public transportation, and you contend that you are entitled to an additional deduction for your public transportation expenses, enter on Line 22B the "Public Transportation" amount from IRS Local Standards: Transportation. (This amount is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)</p>	<b>\$ 0.00</b>																

23	<p><b>Local Standards: transportation ownership/lease expense; Vehicle 1.</b> Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.)  <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 or more.</p> <p>Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 42; subtract Line b from Line a and enter the result in Line 23. <b>Do not enter an amount less than zero.</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">a.</td> <td style="width:60%;">IRS Transportation Standards, Ownership Costs</td> <td style="width:35%; text-align:right;"><b>\$ 489.00</b></td> </tr> <tr> <td>b.</td> <td>Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 42.</td> <td style="text-align:right;"><b>\$ 559.00</b></td> </tr> <tr> <td>c.</td> <td>Net ownership/lease expense for Vehicle 1</td> <td style="text-align:right;">Subtract Line b from Line a</td> </tr> </table>	a.	IRS Transportation Standards, Ownership Costs	<b>\$ 489.00</b>	b.	Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 42.	<b>\$ 559.00</b>	c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a	<b>\$ 0.00</b>
a.	IRS Transportation Standards, Ownership Costs	<b>\$ 489.00</b>									
b.	Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 42.	<b>\$ 559.00</b>									
c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a									
24	<p><b>Local Standards: transportation ownership/lease expense; Vehicle 2.</b> Complete this Line only if you checked the "2 or more" Box in Line 23.</p> <p>Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 42; subtract Line b from Line a and enter the result in Line 24. <b>Do not enter an amount less than zero.</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">a.</td> <td style="width:60%;">IRS Transportation Standards, Ownership Costs</td> <td style="width:35%; text-align:right;"><b>\$ 489.00</b></td> </tr> <tr> <td>b.</td> <td>Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 42</td> <td style="text-align:right;"><b>\$ 411.00</b></td> </tr> <tr> <td>c.</td> <td>Net ownership/lease expense for Vehicle 2</td> <td style="text-align:right;">Subtract Line b from Line a</td> </tr> </table>	a.	IRS Transportation Standards, Ownership Costs	<b>\$ 489.00</b>	b.	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 42	<b>\$ 411.00</b>	c.	Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a	<b>\$ 78.00</b>
a.	IRS Transportation Standards, Ownership Costs	<b>\$ 489.00</b>									
b.	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 42	<b>\$ 411.00</b>									
c.	Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a									
25	<p><b>Other Necessary Expenses: taxes.</b> Enter the total average monthly expense that you actually incur for all federal, state and local taxes, other than real estate and sales taxes, such as income taxes, self employment taxes, social security taxes, and Medicare taxes. <b>Do not include real estate or sales taxes.</b></p>	<b>\$ 3,000.00</b>									
26	<p><b>Other Necessary Expenses: involuntary deductions for employment.</b> Enter the total average monthly payroll deductions that are required for your employment, such as retirement contributions, union dues, and uniform costs. <b>Do not include discretionary amounts, such as voluntary 401(k) contributions.</b></p>	<b>\$</b>									
27	<p><b>Other Necessary Expenses: life insurance.</b> Enter total average monthly premiums that you actually pay for term life insurance for yourself. <b>Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.</b></p>	<b>\$ 150.00</b>									
28	<p><b>Other Necessary Expenses: court-ordered payments.</b> Enter the total monthly amount that you are required to pay pursuant to the order of a court or administrative agency, such as spousal or child support payments. <b>Do not include payments on past due obligations included in Line 44.</b></p>	<b>\$ 0.00</b>									
29	<p><b>Other Necessary Expenses: education for employment or for a physically or mentally challenged child.</b> Enter the total average monthly amount that you actually expend for education that is a condition of employment and for education that is required for a physically or mentally challenged dependent child for whom no public education providing similar services is available.</p>	<b>\$</b>									
30	<p><b>Other Necessary Expenses: childcare.</b> Enter the total average monthly amount that you actually expend on childcare—such as baby-sitting, day care, nursery and preschool. <b>Do not include other educational payments.</b></p>	<b>\$</b>									
31	<p><b>Other Necessary Expenses: health care.</b> Enter the total average monthly amount that you actually expend on health care that is required for the health and welfare of yourself or your dependents, that is not reimbursed by insurance or paid by a health savings account, and that is in excess of the amount entered in Line 19B. <b>Do not include payments for health insurance or health savings accounts listed in Line 34.</b></p>	<b>\$ 100.00</b>									
32	<p><b>Other Necessary Expenses: telecommunication services.</b> Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone service— such as pagers, call waiting, caller id, special long distance, or internet service—to the extent necessary for your health and welfare or that of your dependents. <b>Do not include any amount previously deducted.</b></p>	<b>\$</b>									
33	<p><b>Total Expenses Allowed under IRS Standards.</b> Enter the total of Lines 19 through 32.</p>	<b>\$ 5,793.00</b>									
<b>Subpart B: Additional Living Expense Deductions</b>											
<b>Note: Do not include any expenses that you have listed in Lines 19-32</b>											

34	<b>Health Insurance, Disability Insurance, and Health Savings Account Expenses.</b> List the monthly expenses in the categories set out in lines a-c below that are reasonably necessary for yourself, your spouse, or your dependents.			
	a.	Health Insurance	\$250.00	
	b.	Disability Insurance	\$	
	c.	Health Savings Account	\$	
Total and enter on Line 34				\$ 250.00
If you do not actually expend this total amount, state your actual total average monthly expenditures in the space below: \$ _____				
35	<b>Continued contributions to the care of household or family members.</b> Enter the total average actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses.			\$
36	<b>Protection against family violence.</b> Enter the total average reasonably necessary monthly expenses that you actually incurred to maintain the safety of your family under the Family Violence Prevention and Services Act or other applicable federal law. The nature of these expenses is required to be kept confidential by the court.			\$
37	<b>Home energy costs.</b> Enter the total average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities, that you actually expend for home energy costs. <b>You must provide your case trustee with documentation of your actual expenses, and you must demonstrate that the additional amount claimed is reasonable and necessary.</b>			\$
38	<b>Education expenses for dependent children less than 18.</b> Enter the total average monthly expenses that you actually incur, not to exceed \$137.50 per child, for attendance at a private or public elementary or secondary school by your dependent children less than 18 years of age. <b>You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in the IRS Standards.</b>			\$
39	<b>Additional food and clothing expense.</b> Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National Standards, not to exceed 5% of those combined allowances. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.) <b>You must demonstrate that the additional amount claimed is reasonable and necessary.</b>			\$
40	<b>Continued charitable contributions.</b> Enter the amount that you will continue to contribute in the form of cash or financial instruments to a charitable organization as defined in 26 U.S.C. § 170(c)(1)-(2).			\$
41	<b>Total Additional Expense Deductions under § 707(b).</b> Enter the total of Lines 34 through 40.			\$ 250.00

**Subpart C: Deductions for Debt Payment**

42	<b>Future payments on secured claims.</b> For each of your debts that is secured by an interest in property that you own, list the name of the creditor, identify the property securing the debt, state the Average Monthly Payment, and check whether the payment includes taxes or insurance. The Average Monthly Payment is the total of all amounts scheduled as contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60. If necessary, list additional entries on a separate page. Enter the total of the Average Monthly Payments on Line 42.			
		Name of Creditor	Property Securing the Debt	Average Monthly Payment
	a.	m	1826	\$ 2,300.00
	b.	N	A	\$ 330.00
	c.	O	B	\$ 559.00
				Does payment include taxes or insurance?
				<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
				<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
				<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Total: Add Lines a, b and c				\$ 3,600.00

43	<p><b>Other payments on secured claims.</b> If any of debts listed in Line 42 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 42, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:5%;"></th> <th style="width:35%;">Name of Creditor</th> <th style="width:35%;">Property Securing the Debt</th> <th style="width:25%;">1/60th of the Cure Amount</th> </tr> </thead> <tbody> <tr> <td style="text-align:center;">a.</td> <td></td> <td></td> <td style="text-align:right;">\$</td> </tr> </tbody> </table> <p style="text-align:right;">Total: Add Lines a, b and c</p>			Name of Creditor	Property Securing the Debt	1/60th of the Cure Amount	a.			\$	<b>\$ 0.00</b>	
	Name of Creditor	Property Securing the Debt	1/60th of the Cure Amount									
a.			\$									
44	<p><b>Payments on prepetition priority claims.</b> Enter the total amount, divided by 60, of all priority claims, such as priority tax, child support and alimony claims, for which you were liable at the time of your bankruptcy filing. <b>Do not include current obligations, such as those set out in Line 28.</b></p>		<b>\$ 202.18</b>									
45	<p><b>Chapter 13 administrative expenses.</b> If you are eligible to file a case under Chapter 13, complete the following chart, multiply the amount in line a by the amount in line b, and enter the resulting administrative expense.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td style="width:5%; text-align:center;">a.</td> <td style="width:60%;">Projected average monthly Chapter 13 plan payment.</td> <td style="width:35%; text-align:right;"><b>\$0.00</b></td> </tr> <tr> <td style="text-align:center;">b.</td> <td>Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)</td> <td style="text-align:right;"><b>x 7.00</b></td> </tr> <tr> <td style="text-align:center;">c.</td> <td>Average monthly administrative expense of Chapter 13 case</td> <td style="text-align:right;">Total: Multiply Lines a and b</td> </tr> </tbody> </table>		a.	Projected average monthly Chapter 13 plan payment.	<b>\$0.00</b>	b.	Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)	<b>x 7.00</b>	c.	Average monthly administrative expense of Chapter 13 case	Total: Multiply Lines a and b	<b>\$ 0.00</b>
a.	Projected average monthly Chapter 13 plan payment.	<b>\$0.00</b>										
b.	Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at <a href="http://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)	<b>x 7.00</b>										
c.	Average monthly administrative expense of Chapter 13 case	Total: Multiply Lines a and b										
46	<p><b>Total Deductions for Debt Payment.</b> Enter the total of Lines 42 through 45.</p>		<b>\$ 3,802.18</b>									
<b>Subpart D: Total Deductions from Income</b>												
47	<p><b>Total of all deductions allowed under § 707(b)(2).</b> Enter the total of Lines 33, 41, and 46.</p>		<b>\$9,845.18</b>									

<b>Part VI. DETERMINATION OF § 707(b)(2) PRESUMPTION</b>		
48	<p><b>Enter the amount from Line 18 (Current monthly income for § 707(b)(2))</b></p>	<b>\$ 12,500.00</b>
49	<p><b>Enter the amount from Line 47 (Total of all deductions allowed under § 707(b)(2))</b></p>	<b>\$ 9,845.18</b>
50	<p><b>Monthly disposable income under § 707(b)(2).</b> Subtract Line 49 from Line 48 and enter the result</p>	<b>\$ 2,654.82</b>
51	<p><b>60-month disposable income under § 707(b)(2).</b> Multiply the amount in Line 50 by the number 60 and enter the result.</p>	<b>\$ 159,289.20</b>
52	<p><b>Initial presumption determination.</b> Check the applicable box and proceed as directed.</p> <p><input type="checkbox"/> <b>The amount on Line 51 is less than \$6,575</b> Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII. Do not complete the remainder of Part VI.</p> <p><input checked="" type="checkbox"/> <b>The amount set forth on Line 51 is more than \$10,950.</b> Check the box for "The presumption arises" at the top of page 1 of this statement, and complete the verification in Part VIII. You may also complete Part VII. Do not complete the remainder of Part VI.</p> <p><input type="checkbox"/> <b>The amount on Line 51 is at least \$6,575, but not more than \$10,950.</b> Complete the remainder of Part VI (Lines 53 through 55).</p>	
53	<p><b>Enter the amount of your total non-priority unsecured debt</b></p>	<b>\$</b>
54	<p><b>Threshold debt payment amount.</b> Multiply the amount in Line 53 by the number 0.25 and enter the result.</p>	<b>\$ 0.00</b>
55	<p><b>Secondary presumption determination.</b> Check the applicable box and proceed as directed.</p> <p><input type="checkbox"/> <b>The amount on Line 51 is less than the amount on Line 54.</b> Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII.</p> <p><input type="checkbox"/> <b>The amount on Line 51 is equal to or greater than the amount on Line 54.</b> Check the box for "The presumption arises" at the top of page 1 of this statement, and complete the verification in Part VIII. You may also complete Part VII.</p>	

**Part VII. ADDITIONAL EXPENSE CLAIMS**

56	<p><b>Other Expenses.</b> List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses.</p>	
	Expense Description	Monthly Amount
	a.	\$
	Total: Add Lines a, b, and c	
		<b>\$0.00</b>

**Part VIII: VERIFICATION**

57	<p>I declare under penalty of perjury that the information provided in this statement is true and correct. <i>(If this a joint case, both debtors must sign.)</i></p> <p>Date: <u>1/22/2009</u> Signature: <u>s/ Hiro madeup Nakurmura</u>  <b>Hiro madeup Nakurmura, (Debtor)</b></p>	
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**Future payments on secured claims (continued)**

	Name of Creditor	Property Securing the Debt	Average Monthly Payment	Does payment include taxes or insurance?
d.	<b>P</b>	<b>C</b>	<b>\$ 411.00</b>	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the briefing.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

**JOHN A HEDBACK**  
Printed Name of Attorney

**1/22/2009**  
Signature of Attorney Date

Address:

**HEDBACK ARENDT, KOHL & CARLSON PLLC  
SUITE 201 ANTHONY PLACE  
2855 ANTHONY LN S  
ST ANTHONY MN 55418**

**612-436-3280**

**Certificate of the Debtor**

I, the debtor, affirm that I have received and read this notice.

**Hiro madeup Nakurmura**  
Printed Name of Debtor

**Xs/ Hiro madeup Nakurmura**  
**Hiro madeup Nakurmura**  
Signature of Debtor Date

Case No. (if known) \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

**Hiro madeup Nakurmura**

**SIGNATURE DECLARATION**

Debtor(s).

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

- PETITION, SCHEDULES & STATEMENTS  
 CHAPTER 13 PLAN  
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
 AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
 MODIFIED CHAPTER 13 PLAN  
 OTHER (Please describe: \_\_\_\_\_)

I **Hiro madeup Nakurmura**, the undersigned debtor(s) or authorized representative of the debtor,  
***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 1/22/2009

**X** s/ Hiro madeup Nakurmura  
Signature of Debtor or Authorized Representative

Hiro madeup Nakurmura  
Printed Name of Debtor or Authorized Representative

STATEMENT OF SOCIAL-SECURITY NUMBER OR INDIVIDUAL TAXPAYER-IDENTIFICATION NUMBER (ITIN) UNITED STATES BANKRUPTCY COURT District of Minnesota

In re Hiro madeup Nakurmura, Debtor ) Case No. \_\_\_\_\_ ) Address: 1234 Savethecheerleader ) Chapter 7 ) Minneapolis MN 55401 ) Last four digits of Social-Security or Individual Taxpayer- ) Identification (ITIN) No(s), (if any): 9876 ) Employer Tax-Identification (EIN) No(s), (if any): )

STATEMENT OF SOCIAL-SECURITY NUMBER(S) (or other Individual Taxpayer-Identification Number(s) (ITIN(s)))

1. Name of Debtor (Last, First, Middle): Nakurmura, Hiro, madeup (Check the appropriate box and, if applicable, provide the required information.)

- Debtor has a Social-Security Number and it is: 123 - 54 - 7890 (If more than one, state all.) Debtor does not have a Social-Security Number but has an Individual Taxpayer-Identification Number (ITIN), and it is: (if more than one, state all.) Debtor does not have either a Social-Security Number or an Individual Taxpayer-Identification Number (ITIN).

2. Name of Joint Debtor (Last, First, Middle): (Check the appropriate box and, if applicable, provide the required information.)

- Joint Debtor has a Social-Security Number and it is: (If more than one, state all.) Joint Debtor does not have a Social-Security Number but has an Individual Taxpayer-Identification Number (ITIN), and it is: (if more than one, state all.) Joint Debtor does not have either a Social-Security Number or an Individual Taxpayer-Identification Number (ITIN).

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

X s/ Hiro madeup Nakurmura 1/22/2009 Hiro madeup Nakurmura Signature of Debtor Date

\*Joint debtors must provide information for both spouses. Penalty for making a false statement: Fine of up to \$250,000 or up to 5 years imprisonment or both. 18 U.S.C. §§ 152 and 3571.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE: **Hiro madeup Nakurmura**

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

**STATEMENT UNDER PENALTY OF PERJURY RE:  
PAYMENT ADVICES DUE PURSUANT TO 11 U.S.C. § 521(a)(1)(B)(iv)**

- Debtor** has attached to this statement copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition from any employer.
- Debtor** has not filed copies of payment advices or other evidence of payment received within 60 days before the date of the filing of the petition from any employer because:
- Debtor was not employed during the 60 days preceding the filing of the petition;
  - Debtor was employed for only a portion of the 60 days preceding the filing of the petition. Please specify period during which debtor was unemployed:
  
  - Debtor was self-employed during the 60 days preceding the filing of the petition;
  - Debtor received only unemployment, veteran's benefits, social security, disability or other retirement income during the 60 days preceding the filing of the petition; or
  - Other (please explain):

I declare under penalty of perjury that I have read this Statement and it is true to the best of my knowledge, information and belief.

Signature of Debtor: **s/ Hiro madeup Nakurmura** \_\_\_\_\_  
**Hiro madeup Nakurmura**

Date: **1/22/2009** \_\_\_\_\_

## **NOTICE TO DEBTOR(S) AND ATTORNEY**

**Effective March 1, 2002, all individual debtors must provide picture identification and proof of social security number to the Trustee at the 341 Meeting of Creditors.**

Proof of identity may include:

- Driver's License
- Government ID
- State Picture ID
- Student ID
- U.S. Passport
- Military ID
- Resident Alien Card

Proof of social security number may include:

- Social Security Card
- Paycheck Stub
- W-2 Form
- Internal Revenue Service Form 1099
- Social Security Administration (SSA) Report
- Other government-produced document which has the social security number listed

**\*If the debtor does not have the required identification, the meeting WILL BE continued to the Trustee's next calendar date to allow the debtor to produce the required identification.**

**\*Failure to provide the required identification may result in the case being dismissed.**