

# The Spagnola Law Firm

## ***Pre Bankruptcy Filing Checklist***

CLIENT NAME \_\_\_\_\_

- 1) \_\_\_\_\_ Completed Intake
- 2) \_\_\_\_\_ Last Two Tax Returns
- 3) \_\_\_\_\_ Attorney Fee
- 4) \_\_\_\_\_ Filing Fee
- 5) \_\_\_\_\_ First Payment (Ch. 13 Only)
- 6) \_\_\_\_\_ Credit Counseling Completed
- 7) \_\_\_\_\_ Credit Counseling Fee & FMC Fee if applicable
- 8) \_\_\_\_\_ Signed Contract
- 9) \_\_\_\_\_ Paystubs for the past 6 months
- 10) \_\_\_\_\_ Business Income and Loss Statement for past 6months if Self Employed or a business owner
- 11) \_\_\_\_\_ Completed credit authorization (attached) and copy of photo I.D. for all filers

Debtor Name \_\_\_\_\_ Co Debtor Name \_\_\_\_\_

Husband Social Security Number \_\_\_\_\_ Wife Social Security Number \_\_\_\_\_

Address \_\_\_\_\_

Phone Number (H) \_\_\_\_\_ (W) \_\_\_\_\_ (O) \_\_\_\_\_

### Items needed for Bankruptcy

- 1) Tax returns for last two (2) years. IF YOU HAVE NOT FILED ALL TAX RETURNS YOU CANNOT FILE BANKRUPTCY.
- 2) ALL lawsuits or judgments that are pending or have not been satisfied, including case number, name of opposing party, and amount owed.
- 3) ALL payments made to creditors within the past 90 days.
- 4) ALL payments made to a family member within 1 year.

A. List all your real property:

#### PRIMARY RESIDENCE

Address \_\_\_\_\_

Market Value of Property \_\_\_\_\_ Do you plan to keep this property? \_\_\_\_\_

First Mortgagor & Address \_\_\_\_\_

Monthly Payment \_\_\_\_\_ Interest Rate \_\_\_\_\_

Amount Owed \_\_\_\_\_ Amount you are behind on payments \_\_\_\_\_

Second Mortgagor & Address \_\_\_\_\_

Monthly Payment \_\_\_\_\_ Interest Rate \_\_\_\_\_

Amount Owed \_\_\_\_\_ Market Value of Property \_\_\_\_\_

Amount you are behind on payments \_\_\_\_\_ Do you plan to keep this property? \_\_\_\_\_

#### OTHER REAL ESTATE OWNED

Address \_\_\_\_\_

Market Value of Property \_\_\_\_\_ Do you plan to keep this property? \_\_\_\_\_

First Mortgagor & Address \_\_\_\_\_

Monthly Payment \_\_\_\_\_ Interest Rate \_\_\_\_\_

Amount Owed \_\_\_\_\_ Amount you are behind on payments \_\_\_\_\_

Second Mortgagor & Address \_\_\_\_\_

Monthly Payment \_\_\_\_\_ Interest Rate \_\_\_\_\_

Amount Owed \_\_\_\_\_ Market Value of Property \_\_\_\_\_

Amount you are behind on payments \_\_\_\_\_ Do you plan to keep this property? \_\_\_\_\_

B. Personal Property

1) Automobile (Year,Make,Model) \_\_\_\_\_

Mileage \_\_\_\_\_ Monthly Payment \_\_\_\_\_ Interest Rate \_\_\_\_\_

Creditor & Address \_\_\_\_\_

Account Number \_\_\_\_\_

Amount Owed \_\_\_\_\_ Market Value of Property \_\_\_\_\_

Amount you are behind on payments \_\_\_\_\_ Do you plan to keep this property? \_\_\_\_\_

2) Automobile (Year,Make,Model) \_\_\_\_\_

Mileage \_\_\_\_\_ Monthly Payment \_\_\_\_\_ Interest Rate \_\_\_\_\_

Creditor & Address \_\_\_\_\_

Account Number \_\_\_\_\_

Amount Owed \_\_\_\_\_ Market Value of Property \_\_\_\_\_

Amount you are behind on payments \_\_\_\_\_ Do you plan to keep this property? \_\_\_\_\_

3)	List your furniture:	How much is it worth?
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

4)	List your appliances:	How much is it worth?
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

5)	List your clothing & jewelry:	How much is it worth?
	_____	_____

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

6) List any other vehicles (boats, etc): How much is it worth?  
\_\_\_\_\_  
\_\_\_\_\_

7) List any other items (lawn,tools,guns, collectibles, computers, tv's, stereo) How much is it worth?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BANK ACCOUNTS**

**Checking Account info:** Bank \_\_\_\_\_ Address \_\_\_\_\_

Account Number \_\_\_\_\_ Balance \_\_\_\_\_

**Savings Account info:** Bank \_\_\_\_\_ Address \_\_\_\_\_

Account Number \_\_\_\_\_ Balance \_\_\_\_\_

**Life Insurance with cash value:** Company \_\_\_\_\_ Policy No. \_\_\_\_\_

Address \_\_\_\_\_ Cash Value \$ \_\_\_\_\_

**IRA Accounts :** Bank \_\_\_\_\_ Address \_\_\_\_\_

Account Number \_\_\_\_\_ Balance \_\_\_\_\_

**Other Account info:** Bank \_\_\_\_\_ Address \_\_\_\_\_

Account Number \_\_\_\_\_ Balance \_\_\_\_\_

**PRIORITY CREDITORS**  
**TAXES, CHILD SUPPORT, ALIMONY**

Do you owe any federal, state or local taxes or Child Support or Alimony? If so, please list them along with the amount owed:

Who is owed (include tax year)

How much is owed

_____	_____
_____	_____
_____	_____
_____	_____

**OUTSTANDING MEDICAL BILLS**

List all information for outstanding medical/dental bills

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Phone# \_\_\_\_\_ Acct# \_\_\_\_\_

Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_

Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Phone# \_\_\_\_\_ Acct# \_\_\_\_\_

Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_

Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Phone# \_\_\_\_\_ Acct# \_\_\_\_\_

Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_

Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Phone# \_\_\_\_\_ Acct# \_\_\_\_\_

Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_

Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Phone# \_\_\_\_\_ Acct# \_\_\_\_\_

Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_

Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_

**OTHER CREDITORS**

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Phone# \_\_\_\_\_ Acct# \_\_\_\_\_  
 Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_  
 Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_  
Name of Creditor \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone# \_\_\_\_\_ Acct# \_\_\_\_\_  
 Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_  
 Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_  
Name of Creditor \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone# \_\_\_\_\_ Acct# \_\_\_\_\_  
 Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_  
 Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_  
Name of Creditor \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone# \_\_\_\_\_ Acct# \_\_\_\_\_  
 Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_  
 Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_  
Name of Creditor \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone# \_\_\_\_\_ Acct# \_\_\_\_\_  
 Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_  
 Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_  
Name of Creditor \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone# \_\_\_\_\_ Acct# \_\_\_\_\_  
 Amount Owed \$ \_\_\_\_\_ When did you open this account? \_\_\_\_\_  
 Last payment date \_\_\_\_\_ Is this a joint debt, husband only or wife only? \_\_\_\_\_

**EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Are you leasing any property including vehicles? \_\_\_\_\_  
 If so, complete the following:

Property leased \_\_\_\_\_  
 Name of Lease Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 Account # \_\_\_\_\_  
 Monthly Payment \_\_\_\_\_

Property leased \_\_\_\_\_

Name of Lease Company \_\_\_\_\_

Address \_\_\_\_\_

Account # \_\_\_\_\_

Monthly Payment \_\_\_\_\_

H. Please state the name and address of any other person that is a codebtor for any debt owed and the name and address of the creditor to whom the debt is owed:

Codebtor & Address \_\_\_\_\_

Creditor & Address \_\_\_\_\_

Codebtor & Address \_\_\_\_\_

Creditor & Address \_\_\_\_\_

**CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in ALL CASES whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor

Spouse

Employer: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Length of  
Employment \_\_\_\_\_

\_\_\_\_\_

Position/Job \_\_\_\_\_

\_\_\_\_\_

Are you married ? \_\_\_\_\_

List all your dependents and their ages:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Income:** (estimate of average monthly income for past 6 months)

Debtor

Spouse

**Average** monthly gross wages, salary, and commissions past **6 Months**

(pro rate if not paid monthly) . . . . .

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

Estimate monthly overtime . . . . .

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

**SUBTOTAL:** . . . . .

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

**LESS PAYROLL DEDUCTIONS LESS PAYROLL DEDUCTIONS**

a. Payroll taxes and social security . . . . .

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

b. Insurance . . . . .

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

c. Union Dues . . . . .

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

d. Other (Specify) . . . . .

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

**SUBTOTAL OF PAYROLL DEDUCTIONS** . . . . .

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

**TOTAL NET MONTHLY TAKE HOME PAY** . . . . .

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

Regular income from operation of business or profession **Regular income from operation of business or profession**

(attach detailed statement) ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 Income from real property ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 Interest and dividends ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_

Alimony, maintenance or support payments payable to you.... \$ \_\_\_\_\_ \$ \_\_\_\_\_

**Social Security or other government assistance**

(Specify) ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 Pension or retirement income ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 Other monthly income (Specify) ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL NET MONTHLY INCOME** ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL COMBINED NET MONTHLY INCOME** ..... \$ \_\_\_\_\_

**CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**  
**TOTAL FOR HOUSEHOLD**

**Monthly**

Rent, mortgage payment or lot rent being paid directly by Debtor(s)  
 not included in Chapter 13 payment ..... \$ \_\_\_\_\_

Are real estate taxes included?     Yes     No

Is property insurance included?     Yes     No

Car payment ..... \$ \_\_\_\_\_

Utilities: Electricity and heating fuel ..... \$ \_\_\_\_\_

    Water and Sewer ..... \$ \_\_\_\_\_

    Telephone ..... \$ \_\_\_\_\_

    Other ..... \$ \_\_\_\_\_

    Cell Phone ..... \$ \_\_\_\_\_

Home maintenance (repairs and upkeep) ..... \$ \_\_\_\_\_

Food (included lunches) ..... \$ \_\_\_\_\_

Clothing ..... \$ \_\_\_\_\_

Laundry and dry cleaning ..... \$ \_\_\_\_\_

Medical and dental expenses ..... \$ \_\_\_\_\_

Child Care ..... \$ \_\_\_\_\_

Transportation (not including car payments) ..... \$ \_\_\_\_\_

Recreation, clubs and entertainment, newspapers, magazines, etc. \$ \_\_\_\_\_

Charitable Contributions ..... \$ \_\_\_\_\_

Insurance (not deducted from wages or included in home mortgage payments):

    Homeowner's or renter's ..... \$ \_\_\_\_\_

    Life ..... \$ \_\_\_\_\_

    Health ..... \$ \_\_\_\_\_

    Auto ..... \$ \_\_\_\_\_

    Other ..... \$ \_\_\_\_\_

Taxes (not deducted from wages or included in home mortgage payments)  
(specify) . . . . . \$ \_\_\_\_\_  
Alimony, maintenance, and support paid to others . . . . . \$ \_\_\_\_\_  
Payments for support of additional dependents not living at your home. \$ \_\_\_\_\_  
Regular expenses from operation of business, profession, or farm  
(attach detailed statement) . . . . . \$ \_\_\_\_\_  
Other . . . . . \$ \_\_\_\_\_

**TOTAL MONTHLY EXPENSES** . . . . . \$ \_\_\_\_\_

CURRENT INDIVIDUAL EXPENSES OF NON-FILING SPOUSE (expenses of non-filing spouse in cases where only one spouse is filing)

DO NOT INCLUDE HOUSEHOLD EXPENSES ALREADY LISTED BY THE DEBTOR ABOVE (the filing Spouse)

Alimony, maintenance, and support paid to others . . . . . \$ \_\_\_\_\_  
Payments for support of additional dependents not living at your home. \$ \_\_\_\_\_  
Regular expenses from operation of business, profession, or farm  
(attach detailed statement) . . . . . \$ \_\_\_\_\_  
Credit Cards in name of non-filing spouse only \$ \_\_\_\_\_  
Other debts/expenses (list)  
\_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL MONTHLY EXPENSES FOR NON FILING SPOUSE** \$ \_\_\_\_\_

List any previous bankruptcies you have filed including the date, case number, location, dismissal date if applicable, or discharged.

Date Filed \_\_\_\_\_ Location \_\_\_\_\_ Case No. \_\_\_\_\_ Dismissal Date \_\_\_\_\_ Discharged ? Y  
N  
Date Filed \_\_\_\_\_ Location \_\_\_\_\_ Case No. \_\_\_\_\_ Dismissal Date \_\_\_\_\_ Discharged ? Y  
N  
Date Filed \_\_\_\_\_ Location \_\_\_\_\_ Case No. \_\_\_\_\_ Dismissal Date \_\_\_\_\_ Discharged ? Y  
N

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)

2. 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

<u>Period</u>	<u>\$ Amount</u>	<u>Source</u>	<u>Husband/Wife</u>
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During the last year

Year before last

3. Payments to creditors

*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

<u>Name and Address of Creditor</u>	<u>Dates of Payments</u>	<u>Amount paid</u>	<u>Amount still owed</u>
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b. *If your debts are **not** primarily consumer debts*, list each payment or other transfer, aggregating more than \$5,475 to any creditor made within **90 days** immediately preceding the commencement of this case.

? NONE

<u>Name and Address of Creditor</u>	<u>Dates of Payments</u>	<u>Amount paid</u>	<u>Amount still owed</u>
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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". ("Insiders" include your relatives, your business partners and their relatives, your corporations, or your affiliates.)

? NONE

<u>Name and Address of Creditor and Relationship to You</u>	<u>Dates of Payments</u>	<u>Amount Paid</u>	<u>Amount Still Owed</u>
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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

<u>Caption of Suit and Case Number</u>	<u>Nature of Proceeding</u>	<u>Court or Agency and Location</u>	<u>Status or Disposition</u>
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- 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

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

Name and Address of Transferee and Relationship to you	Description of Property Date of Transfer	Transferred and Value Received
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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

Name of Trust or Similar Device	Date of Transfer	Amount of Money or Description and Value of Property or Interest
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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

Name and Address of Institution	Type and Number of Account & Final Balance	Amount and Date of Sale or Closing
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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

Name and Address of Bank or Other Depository	Name and Address of Those With Access to Box or Depository	Description of Contents	Date of Transfer, if Any
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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

Name and Address of Creditor	Date of Setoff	Amount of Setoff
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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
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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

		Dollar Amount of Inventory
Date of Inventory	Inventory Supervisor	(specify cost, market, or other basis)
<hr/>		

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
<hr/>	

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
<hr/>		

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
<hr/>		

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
<hr/>	

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
<hr/>		

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

Name and Address of Recipient, and Relationship to You of Withdrawal	Date and Purpose and Value of Property	Amount of Money or Description
----------------------------------------------------------------------	----------------------------------------	--------------------------------

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

Name of Parent Corporation	Taxpayer Identification Number
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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

Name of Pension Fund	Taxpayer Identification Number
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By signing below, you are certifying that this information is true and correct to the best of your knowledge.

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

Debtor 1

Debtor 2

Date \_\_\_\_\_

Date \_\_\_\_\_

**THE SPAGNOLA LAW FIRM  
BANKRUPTCY CONTRACT FOR LEGAL SERVICES**

\_\_\_\_\_ (“Client”) employs and authorizes The Spagnola Law Firm (“Firm”) to represent Client. The Firm agrees to provide legal services to you, subject to the terms set forth below.

**1. MATTERS OF REPRESENTATION.**

\_\_\_\_\_ CHAPTER 7 CONSUMER BANKRUPTCY  
\_\_\_\_\_ CHAPTER 13 CONSUMER BANKRUPTCY

**2. FEES**

Deposit

A minimum non-refundable deposit towards attorney fees of \$750.00 is required at the time this contract is signed. This money is used to calculate and prepare bankruptcy schedules to determine your eligibility to file. This fee is credited towards the fees listed below.

Chapter 7

The base attorney fee for the normal routine "consumer" Chapter 7 bankruptcy is \$1200.00. This base fee will cover all necessary matters in the vast majority of Chapter 7 cases and includes all matters described below in the section labeled “Services Provided”. If it becomes necessary for the Firm to render *non-routine* services to you, we shall also be compensated for those services as described in the “Additional Fees” section below.

Chapter 13

In a Chapter 13 consumer case the total base fee is \$3000.00. \$1000 of this fee is payable prior to filing your case and the balance is paid as an administrative claim out of the money you pay into the Chapter 13 Plan. Under the laws of the Bankruptcy Code, you must continue to make payments to secured debtors pending confirmation of your plan, and make the first payment towards the Chapter 13 plan when the plan is filed. You will be notified of the proposed payment prior to the filing of the repayment plan. The Client (you) will pay to the Firm the proposed first payment towards the Plan at the time the Plan is filed. The Firm will forward this payment to the Chapter 13 Trustee. **In the event that you do not complete your plan before your attorney’s fees are paid in full or if your case is dismissed, the Firm will petition the court to be paid from any remaining funds on deposit with the Trustee AND the Client shall remain liable to the Firm for any remaining balance of the base fee that is owed to the Firm. This balance shall be paid within 30 days of the Chapter 13 dismissal, and the Firm may use all legal measures available to collect balances owed.**

Services Provided

This fee includes one meeting to turn your paperwork in, preparing your paperwork, a meeting to sign the paperwork, filing the petition and schedules, reaffirmations and appearing at the initial meeting of creditors. It does not include any other services except as required by the local rules of the Middle District of North Carolina. In order to maintain the minimum fee quoted, any inquiries from the Client or additional meetings with the Client after the bankruptcy is filed will be billed at the hourly rate of \$200.00. This includes all inquiries made on behalf of the Client, such as to real estate agents or other attorneys, or the Trustee.

The fees set forth in this contract are valid for 60 days. Any increase in the Firm’s attorney fees that occur after 60 days of the execution of this contract will apply to all cases filed after 60 days of execution of this contract. If your case is not filed within 60 days of the initial payment, the ENTIRE FEE WILL BE FORFEITED and the Firm’s representation terminated.

Audit Fees

The Bankruptcy Administrator randomly audits approximately 1 in 200 cases filed. Time spent responding to an audit is not included in the base fee, and the Client will be charged at the hourly rate of \$200 per hour for time spent responding to an audit. The Firm may require a deposit prior to responding to an audit and the failure to provide a deposit when requested shall be grounds for the Firm to withdraw.

Changes in Fees

Certain obligations for basic services are imposed on attorneys by the local rules of the Court. These services are included in the base fee for your case. However, if these obligations or fees change at any time during the Firm’s representation of you, the Firm may charge you an additional fee based on the new obligation that was not previously part of

the base service when this contract was executed. Examples of current non-base services is provided in the section “Additional Fees”, below.

#### Filing Fees

In all cases there is a filing fee in **addition to our fee**, which is charged by the court. The filing fee in chapter 7 is \$299.00; in Chapter 13 is \$274.00.

#### Credit Report Fee

We will obtain a credit report for you. The cost is \$30.00 per individual, \$50.00 per couple.

#### Credit Counseling Fee

Under Bankruptcy law, you are required to obtain a credit counseling certificate. This can be done online for a fee of \$34.00 through Hummingbird.org. We will collect this fee in advance unless you choose to obtain credit counseling elsewhere, in which case you will be responsible for payment of the fee to the credit counseling agency.

#### Financial Management Course Fee

**You must also complete a financial management course prior to discharge.** The fee for this if done through Hummingbird is \$8.00 per person. Failure to complete the course within the time required may result in a show cause order being issued against you by the Court. If the Firm is required to attend any such hearing as a result of your failure to complete this course, you will be charged an additional \$250.00 for the court appearance.

#### Amendments

The client shall be responsible for all fees associated with any amendment to any petition.

#### Additional Fees

1. Motion to Avoid Lien (uncontested) \$250.00
2. Motion to Redeem Secured property (uncontested) \$250.00
3. Typing and Filing of Petition in 3 days or less \$250.00
4. Hourly Rate For Services Not Listed \$200
5. DEFENSE of ANY Motion, Complaint, or Petition \$200 per hour (requires deposit in Ch. 7)
6. Motion for Authority to Sell Real Property \$350.00
7. Motion for Authority to Refinance Real Property \$450.00
8. Motion for Authority to Sell Personal Property \$250.00
9. Motion to Substitute Collateral \$450.00
10. Motion to Incur Indebtedness \$250.00
11. Motion to Reinstate Case \$400.00
12. Motion to Modify Chapter 13 Plan \$250
13. Failure to Appear at Creditor’s Meeting \$250
14. Conversion from Chapter 13 to Chapter 7 \$750 (+ balance of any unpaid Chapter 13 attorney fees).
15. Conversion from Chapter 7 to Chapter 13 \$2000.00 (\$500 deposit, with balance to be paid as part of plan).

**3. LIMITS OF REPRESENTATION.** This Agreement is limited to representation for those matters specifically designated in Paragraph 1. The Firm is not obligated to defend against a motion to dismiss filed by the Trustee for failure to pay or debtors failure to appear. The Firm is not obligated to represent client for any additional matters after approval of a payment plan or discharge without additional compensation, including a conversion.. The Firm or its attorney's cannot and do not guarantee a particular result or the outcome of any matter. **This Firm is regulated by state and federal ethical rules, and will not file a bankruptcy that does not meet the statutory criteria or that we deem to be filed in bad faith. This Firm will not refund fees due to a debtor’s ineligibility to file debtor’s failure to comply with all bankruptcy requirements including tax filings or because the Firm has determined that a filing would be in bad faith, or because the some or all of the Client’s debt is not discharged.**

**4. TERMINATION OF SERVICES.** You may terminate our representation of you at any time. Any termination of our representation of you does not relieve you of the obligation to pay any amounts owed to us for expenses and fees incurred through the date of termination. We may terminate our representation of you, and withdraw as your counsel; if:

- a. We discover any conflict of interest;
- b. You fail to pay immediately when due any amounts required to be paid under this agreement;
- c. We discover that you have made any misrepresentation in connection with the matter that we are handling for you, or we discover any material variance between the facts as related to us by you and the facts as they actually exist;
- e. You fail to heed our ad-vice or recommendations or otherwise do not cooperate with us in our representation of you; or,

f. We have a disagreement over what legal matters the Firm is supposed to be handling for you.

5. **EXECUTION.** By signing below, the Client agrees to be bound by all the terms of this Contract.

\_\_\_\_\_  
CLIENT DATE

\_\_\_\_\_  
CLIENT DATE

\_\_\_\_\_  
SAMUEL S. SPAGNOLA, Attorney at Law DATE

In order to **PREPARE** your bankruptcy filing, we need the following fees:

\$750 document prep fee  
\$\_\_\_\_\_ Credit report fee TOTAL \$\_\_\_\_\_

In order to **FILE** your bankruptcy, we need the following fee:

Chapter 7 \$299 Filing Fee + \$450 Attorney Fee Balance + \$\_\_\_\_\_ Credit Counseling Fee  
Chapter 13 \$274 Filing Fee + \$250 Attorney Fee Balance + first plan payment + \$\_\_\_\_\_ Credit Counseling Fee

Post Filing Financial Management Course Fee \$ \_\_\_\_\_ per person if done through Hummingbird.org.

GRAND TOTAL NEEDED TO FILE CHAPTER 7 \$ \_\_\_\_\_ CHAPTER 13 \$ \_\_\_\_\_