

Gunn and Gunn
Bankruptcy Worksheet Instructions

Please read this letter before you attempt to complete the questionnaire.

We are pleased that you have determined to place confidence in us as your attorneys for the purpose of assisting your business with its bankruptcy case. We will do our best to see that the case proceeds in a timely and well organized manner. We will also strive to do what we can to give you good legal advice and to protect your business's financial and legal interests. In order to accomplish that goal, however, we require your assistance.

In order for our firm to accurately represent you with respect to a bankruptcy filing, we require additional information which was not obtained during our initial interview. This packet contains questionnaires that need to be completed in order for us to prepare a bankruptcy petition. Some of the information requested is the same as provided in our initial interview. Nevertheless, please complete this questionnaire completely – even if you already gave us this information before.

We will be relying upon the information that you provide. We will not “second guess” your answers nor are we going to make “corrections” to the answers you provide. We will assume that you have fully and accurately completed the questionnaire. ***Do not leave any question blank.*** If the answer to a question is “none” or “not applicable” please so indicate. It is very important that you are accurate, as providing inaccurate information on a bankruptcy petition can have serious negative consequences.

When listing creditors, please remember that we must have a complete address. The address information you provide will be used to send a notice to the creditor. If you list only a creditor's name, the bankruptcy court will reject the petition. If you do not have a bill for a creditor, we suggest that you call information, look in the telephone book, search your old files, look at a credit report, check on the Internet or take other action to locate a mailing address. If after all of these methods have failed, you may list the address as “General Delivery” to the City, State, and Zip code for the creditor. General Delivery should be used only as a last resort.

Once you have completed these forms, you should return them to our office. One of the attorneys will take some time to review this information. Once that has been done, we will call you to clarify the information which you provided. Though we often catch many of our client's oversights, please do not assume that we will catch all of your errors. Because we do not know the businesses financial affairs in detail, we must assume that you have provided all of the required information.

After we have clarified any information you have provided, we will have a member of our bankruptcy staff prepare the bankruptcy schedules in your case. Our staff will rely upon the information you have given in preparing those documents. At times, additional clarification will be needed, and a member of our staff will contact you regarding the additional information that is required. Once the petition has been prepared, we will contact you so that you may come to our office to review and sign the final documents. The petition will need to be signed by a corporate officer or a general partner who has been authorized by the business to file the petition. The signer of the bankruptcy documents should be familiar with the financial situation of the business, and be prepared to appear on behalf of the business at the hearing with the bankruptcy trustee.

Again, we thank you for placing confidence in our firm and hope that our representation in this matter meets with your expectations. Please remember to print legibly and to fully provide all information.

Sincerely,

Robert, Marc and Jana Gunn
Attorneys

Required Documents

Business Bankruptcy

We are required to review the following documents in order to properly advise you regarding your case and in order to prepare bankruptcy schedules. These documents must be provided before we can proceed. We realize that this is a significant amount of information and that it may take some time to provide all of this information. Realize that we are asking for this information for a reason, and that obtaining the information is important to your case. At a *minimum* we need you to obtain and provide the following:

1. **Profit / Loss Statements for past Six (6) months** (showing income and expenses from business operations)
2. Evidence of **income from any other source** (i.e. other than business operations) for the **preceding six (6) months**
3. A copy of the complaint for any lawsuit filed against the business in the last 2 years (if you do not have a copy, provide at a minimum the parties to the lawsuit, the court in which the case was filed, the court case number, the nature of the lawsuit, the date a judgment (if any) was entered, and the present status of any pending case)
4. Copy of any judgment(s) entered against the business in the last 2 years.
5. Copy of any writ of garnishment received by the business, the business bank, or customers within the last 4 months
6. Copies of **Federal and State income tax returns** (including all schedules) for the previous two (2) years
7. Copy of **title or registration for every vehicle** upon which the business name appears
8. Copy of the **most recent property tax statement** for any real estate upon which the business name appears
9. Copy of **most recent mortgage statement** for any real property. This includes primary mortgage, second mortgage, equity line of creditor or any other debt secured by an interest in real estate.
10. Copy of **most recent statement for any vehicle** on which the business owes money that shows the current balance owing, the monthly payment, and if possible the interest rate on the loan.
11. Copy of **purchase agreement for any vehicle**, or if not available, information regarding the date the vehicle was purchased.
12. Copy of **Kelly Blue Book value for each vehicle** (www.kbb.com) the business owns or is purchasing.
13. **Completed Homework Packet** (attached).

Note We do **not need** credit card statements or copies of other bills. You should list the information for these debts on the creditor information worksheets at the end of the Homework Packet. Please make sure the information you provide is accurate and complete.

GUNN & GUNN
Attorneys at Law
Post Office Box 4057
Salem, Oregon 97302
(503) 362-6528

Date Completed: _____

Business Information

Corporation / Partnership:	
<i>Full Registered Name:</i>	<i>D.B.A if Any:</i>
<i>Federal Tax Identification No:</i>	<i>Social Security No.</i>
<i>Date Started (Registered)</i>	<i>Date Ceased Business (if closed):</i>
<i>Within the last 6 YEARS have you been: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner in a partnership; a sole proprietor of any business, or self employed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If Yes, Please complete Business Information Schedule as well</i>	<i>Within the last 6 YEARS have you been: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner in a partnership; a sole proprietor of any business, or self employed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If Yes, Please complete Business Information Schedule as well</i>
<i>Nature of Business(s):</i>	
<i>Corporate Officers (corporations):</i>	<i>General Partners (partnerships)</i>

Prior Business Addresses or Registered Offices (Last 2 Years)

If the business has operated from other locations within the last two (2) years, or if the registered office has changed within the last two (2) years please provide the following information:

Address	Nature of Office	Date Started	Date Ended

Prior Bankruptcy Cases

If the business has filed for bankruptcy in the last 10 years, please provide the following information. If no prior bankruptcy cases in the last 10 years, so indicate.

Type of Case (CH 7 or CH 11)	When Filed	Business Name at Time	Where Filed

Hazardous Property / Materials

Does the business own or possess any real or personal property, which, to the best of your knowledge, information and belief, possesses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety? Yes No

If Yes describe here the property involved and the location of the property.

Further, if Yes for each property, describe the nature and location of the dangerous condition, whether environmental or otherwise, that possesses or is alleged to pose a threat of imminent and identifiable harm to the public health and safety.

Business Assets

We need an accurate list of all property of every kind, nature and description. For each category of asset, please provide a description so that we can identify the asset or property. That description does not need to be detailed, a general description such as “Real Property at 1234 Any Street, Salem, Oregon” is sufficient. When completing this information, the value that is required to be listed is the replacement value. Replacement Value can be defined as the price necessary to replace any given item with an item of the same or substantially similar condition. It is **not** the same as “Retail Value” which is the price if the item were new. This may be a different value than is on the balance sheet, and may not take into account the depreciated value of property.

If the business owes money on an asset (i.e. real estate, equipment, etc.), please provide the amount owed. Please also write the name of the creditor. If a single item of property has more than one creditor (for example a first and second mortgage on real property), please list the amount of each debt and the name of each creditor. **Remember to list the debt, as well as the name and address of the creditor on the creditor worksheets.**

If the business does not own a given type of property, please indicate **None** so that we know you have considered the question.

Schedule A - Real Estate

List any interest in real property, including leasehold interests.

Description of Property	Owner	Fair Market Value	Amount Owed	Creditor Owed

Schedule B - Personal Property

Personal Property includes anything that is not Real Property. List all property, of any kind nature and description owed by the business. This includes not only fixed assets, but also intellectual property, accounts receivable, intangibles, etc. The attached list is based upon the bankruptcy schedules, and many types of assets may not be owned by the business. If the business does not own an asset of a particular type or category, please so indicate. **Remember, we need to know the assets owned by the business, NOT assets owned by the shareholders or partners.**

Even if an asset does not have a “value” you still need to list the asset. For example, the company may have a potential claim against a third party which may not yet be liquidated. If you don’t know where to list an item, simply list it under item 33 “Any other Property”.

Description of Property	Owner	Fair Market Value	Amount Owed	Creditor Owed
1. Cash on Hand				
2. Bank Accounts (include type of account, i.e. checking, savings, money market, and name of bank, List ALL Accounts)				
3. Security Deposits (examples would be cleaning or damage deposit with a landlord or a deposit with a utility company)				
4. Household Goods, Furnishings, Appliances, and Electronics (if any)				
5. Books, Pictures, Art, Video Tapes, CD’s, Records, Collections, or Other Miscellaneous items				
6. Clothing (i.e uniforms if any)				
7. Jewelry and Furs (if any)				
8. Firearms, Sporting Equipment, Photographic Equipment, Hobby Equipment				

Description of Property	Owner	Fair Market Value	Amount Owed	Creditor Owed
9. Life Insurance Policies (Indicate company and whether term, universal life, whole life. If policy has a cash surrender value, so indicate otherwise indicate no fair market value)				
10. Annuities				
11. Retirement Accounts (Indicate type of account, i.e PERS, FERS, IRA, 401(k), Profit Sharing Plan)				
12. Stock in other Companies (list company, number of shares, and value)				
13. Partnership Interests (interests in other businesses)				
14. Government Bonds, Promissory Notes, Uncashed Checks, other Negotiable Instruments				
15. Accounts Receivable (list any money owed to you by other people and indicate the reason the money is owed)				
16. Alimony, Maintenance, Child Support, Property Settlement				
17. Tax Refunds (indicate expected amount and tax year) <input type="checkbox"/> IRS (Federal) <input type="checkbox"/> DOR (State)				
18. Life Estates, Future interests				
19. Interests in Decedents Estates, death benefits, insurance benefits, trusts				
20. Other Contingent Claims (Personal Injury Claims, Workers Compensation Claims, or other claims to recover money or property. Even if you don't think your claim is valuable, you still need to list the claim)				
21. Patents and Copyrights				
22. Licenses, Franchises, Intangibles				

Description of Property	Owner	Fair Market Value	Amount Owed	Creditor Owed
23. Automobiles (Provide the year, make, model of the vehicle) Year Make Model Year Make Model Year Make Model				
24. Boats, Motors, etc.				
25. Aircraft				
26. Office Equipment, Furnishings, Supplies				
27. Machinery, Fixtures, Equipment, Tools				
28. Inventory				
29. Animals, Livestock				
30. Crops				
31. Farming Equipment				
32. Farm Supplies, Chemicals, etc.				
33. All Other Personal Property (list any other property which has not been listed above, this would include a mobile home for example if it was not already listed)				

Statement of Financial Affairs

Please answer all questions. Do not leave any questions blank. If you are uncertain if a given transaction applies to a given question, disclose the transaction and make a note of your question. When in doubt as to whether or not to list a transaction, full disclosure is preferred.

1. Indicate your *gross* annual income from business operations the beginning of this year and for the prior two calendar years.

Year to Date Gross Income (2010)	
2009 Gross Annual Income	
2008 Gross Annual Income	

2. If the business received any income from any other source this year or in the previous two calendar years, please indicate the year, the source and the *gross* amount of that income.

Year	Source	Amount

- 3(a). List all payments to creditors made within the last 90 days which total \$5,860.00 or more to any single creditor. This would include, for example a car payment of \$200.00 which has been made every month for the last three months.

Creditor Name	Approximate Payment Dates	Payment Amounts	Balance Owing

- 3(b). List all payments made in the last 12 months to any insider (i.e. partner, shareholder, business associate, etc.). Indicate the persons name, relationship and address, the time period of the payments, the amount of the payments, the reason for the payments, and the balance owed to that person (if any).

Name, Relationship, Address	Reason for Payment	Approximate Payment Dates	Amount of Payment	Balance Owing

4(a). List any lawsuits or administrative proceedings to which the business is or was a party within the last 12 months. Provide the requested information.

Parties	Court and Case No.	Nature of Case & Amount in Dispute	Status of Case

4(b). List any creditors who have garnished wages, seized bank accounts, or taken other similar actions against you within the last 12 months. Provide the information requested.

Name of Creditor	Date Garnished / Seized	Amount Garnished / Seized	Is this Creditor Still Garnishing?

5. List any property that has been repossessed, voluntarily returned, sold at foreclosure, transferred by way of a deed in lieu of foreclosure or returned to the seller within the last 12 months. Provide the requested information.

Name of Creditor	Nature of Action (i.e. repossession, foreclosure)	Date of Action	Property and Value

6(a). List any property which has been assigned to or for the benefit of any creditor within the last 120 days (6 months).

Name of Creditor	Date of Assignment	Nature of Property and Terms of Assignment

6(b) Has any property been placed in the hands of a receiver or custodian? Yes No

7. List any gifts or charitable contributions made within the last 12 months other than ordinary and usual gifts of less than \$200.00 or gifts to charity less than \$100.00

Name and Address of Recipient	Relationship	Date of Gift	Property and Value

8. List any losses from fire, theft, casualty or gambling within the last 12 months.

Description and Value of Property	Date of Loss	Circumstances of Loss (including whether or not covered by insurance)

9. List any payments made to any person, including attorneys, consumer credit counseling, or others for debt counseling or bankruptcy within the last 12 months.

Name and Address of Person Paid	Date of Payment	Amount and reason for Payment

10. List any property which you have **assigned, transferred, sold or given away** for any reason within the last 24 months (2 years). Common examples include selling of real estate, equipment, vehicles, etc. Trading in a vehicle to purchase another vehicle. Signing off the title to a vehicle for the benefit of a co-owner or new owner. Sale or transfer of assets to a new business entity, or another company should also be listed here.

Description and Value of Property	Date of Transfer	Name and Address of Transferee and Relationship

11. List any financial accounts which have been closed, sold, or otherwise transferred within the last 12 months.

Name of Institution (i.e. Bank Name)	Date of Closing	Value of Account at Closing and Type of Account

12. List any safe deposit box which is currently held or which has been held within the last 12 months. Provide the requested information.

Name and Address of Bank	Who Has Access?	Contents	If Closed, Date of Closure

13. Are you aware of any set offs made by any creditor against any personal property. Yes No

14. List any property which you hold for another person. For example, if you have a bank account for a parent or for a child, or if you have a vehicle that belongs to your employer.

Name of Owner	Property Location	Description of Property

15. Please make sure you have completed the prior address information completely where indicated.

16. N/A

17. Has the business ever received written notice from a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law? Yes No

If Yes provide the following information:

Site Name (if any) and Address	Name and Address of Governmental Unit Providing Notice	Date of Notice	Environmental Law Involved

Have the business ever given notice to a governmental unit of a release of Hazardous Materials? Yes No

If Yes provide the following information:

Site Name (if any) and Address	Name and Address of Governmental Unit Providing Notice	Date of Notice	Environmental Law Involved

Has the business ever been a party to any judicial or administrative proceedings, including settlements and orders, under any Environmental Law ? Yes No

If Yes provide the following information:

Name and Address of Governmental Unit	Docket Number	Status or Disposition

18. Business Interests: List the Nature, Location and name of Business of which the debtor business was a partner, or owned 5% of voting securities within last 6 years

Business Name / Address	Nature of Business	Date Started	Date Ceased

19. Business Records: List Any Bookkeepers, accountants who have kept or supervised books of account and records for the business within last 6 years

Name and Address	Services

Audits: List all firms who have audited account and records, or prepared financial statements for the business within last **2 years**.

Name and Address	Date and Service

Business Accounts / Records: List any Firms or individuals in possession of accounts at this time other than you.

Name and Address	Services

Financial Statements: List the name and address of financial institutions, creditors, and trade agencies to whom a financial statement was issued within the last **2 years**

Name and Address	Date of Statement

20. **Inventory:** List the following information for the last two inventories, if none so state.

Date of Inventory	Inventory	Supervisor	Dollar Amount

List Name and address of persons having possession of the records of the inventories

Name and Address	Date of Inventory

PARTNERSHIPS AND CORPORATIONS ONLY

*To be completed only where **the debtor** is the corporation or partnership itself.*

Corporate Management / Shareholders: List Current Partners, Officers, Shareholders, Directors.

Name and Address	Title / Nature of Interest	Percentage / Stock Ownership & Class

Former Management / Owners / Shareholders: List All Former Partners, Officers, Directors, or Shareholders within **12 months**

Name and Address	Title (Corporation ONLY)	Date of Withdrawal / Termination

Payments and Distributions: List all withdrawals or distributions given or credited to an insider within **12 months**, including compensation in any form, bonuses, loans, stock redemptions, options exercised.

Name and Address and Relationship	Purpose of Withdrawal	Amount / Value

Is the business a member of a Tax Consolidation Group (last 6 years)? Yes No

If yes: Provide Name of Parent Corporation and Taxpayer Identification Number.

Has the business, as an employer, been responsible for contributing to any pension fund within the last six years?? Yes No

If yes: provide name of Pension Fund and Taxpayer Identification Number.

Creditor Information Worksheet

We need an accurate and complete list of all business creditors. We have prepared this form to assist you in providing us with the required information. **ALL of debts must be listed.** List **all** debts, including, but not limited to, vehicle loans, real estate loans, equipment loans, credit card debts, department store cards, bank loans, personal loans, loans from shareholders, partners, or members, utility bills, medical bills, taxes, debts to courts or other government agencies, leases of any type or nature, or any other type of debt or bill that the business may claim.

Remember, you are the only source of the information regarding your debts. We do not verify this information, and we do not contact other sources to obtain this information. If you have received a bill from the creditor in the last 90 days (3 months), you must use the address on the most recent bill. **If you do not list a creditor in this sheet and provide us with the necessary information, that creditor will not get notice if you file a bankruptcy and the debt to that creditor may not be discharged.**

SECURED DEBT

Real Estate Loans

Creditor Name (Mortgage Holder)	Creditor Address	Account Number	Balance Due <i>(not monthly payment)</i>	Joint Debtors <i>(name and address of all persons responsible to pay this bill – other than the business)</i>

Car, Truck, Motorcycle, Trailer, Boat, and other Vehicle Loans

Creditor Name (Lender)	Creditor Address	Account Number and Vehicle Description	Balance Due <i>(not monthly payment)</i>	Joint Debtors <i>(name and address of all persons responsible to pay this bill – other than the business)</i>

Furniture or Equipment loans

Creditor Name (Lender)	Creditor Address	Account Number and Description of Collateral	Balance Due (not monthly payment)	Joint Debtors (name and address of all persons responsible to pay this bill – other than the business)

PRIORITY DEBT

Income Taxes, Payroll Taxes, Property Taxes, Other Taxes

Creditor Name and Address	Balance Owed	Tax Year Owed	Type of Tax (Income Tax, Payroll Tax, Property Tax, Excise Tax, etc.)	Joint Debtors (name and address of all persons responsible to pay this bill – other than the business)
Internal Revenue Service Post Office Box 21125 Philadelphia, PA 19114				
Oregon Dept of Revenue 955 Center NE #353 Salem, OR 97301				

GENERAL UNSECURED

All other debts, of any kind, nature or description

Creditor Name	Creditor Address	Account No.	Balance Due	Character of Debt <i>(i.e. Credit Card, Tax., Furniture, Medical, Court Fines, etc..)</i>	Joint Debtor(s) Name & Address <i>(i.e if there is a co-signer on this account, or if any other person or persons are responsible to pay this bill - other than the business)</i>

General Unsecured Debt Continued

Creditor Name	Creditor Address	Account No.	Balance Due	Character of Debt <i>(i.e. Credit Card, Tax., Furniture, Medical, Court Fines, etc.)</i>	Joint Debtor(s) Name & Address <i>(i.e if there is a co-signer on this account, or if any other person or persons are responsible to pay this bill - other than the business)</i>

General Unsecured Debt Continued

Creditor Name	Creditor Address	Account No.	Balance Due	Character of Debt <i>(i.e. Credit Card, Tax., Furniture, Medical, Court Fines, etc..)</i>	Joint Debtor(s) Name & Address <i>(i.e if there is a co-signer on this account, or if any other person or persons are responsible to pay this bill - other than the business)</i>

Use other Side of Sheets if Necessary and Check Here

Additional Information Other Side