

Dear Chapter 7 Petitioner:

I have been assigned as the Trustee for your bankruptcy case. As a representative of the Court, it is my responsibility to determine whether or not you have any assets which can be reduced to cash in order to bring about a dividend to your creditors.

It is important that you are aware that your case will remain open until all of my requests have been satisfied. **Even after you have received your discharge in the mail, your case will remain open and your discharge will be subject to revocation if you fail to meet any of the Trustee's requirements.** The attached checklist details the MINIMUM requirements for your trustee. If you have any questions regarding this letter, the checklist or any other requirements, please visit the website above, as all information is available there.

You MUST have the requested documents to our office no less than 5 business days prior to the 341 Hearing/First Meeting of Creditors to avoid a motion to dismiss the bankruptcy. Any case in which documents are not received by the deadline above is subject to a motion for dismissal.

Submitting Documents:

Email, fax or mail the attached checklists with your documents as soon as possible, after receipt of this letter and AT LEAST 5 BUSINESS DAYS prior to your 341 hearing (first meeting of creditors). Submit by email to: debtordocs@azbktrustee.com. Please note that we do not open .zip files or retrieve documents from cloud services/third-party websites; all emailed documents must be sent as regular .pdf attachments to an email(s). If submitting hard copies of documents, please send **copies only** as we cannot guarantee original documents will be returned.

The office has a secure drop box that is available 24 hours a day at the address above. Your documents must be in an envelope with your case number and name written on the outside. My office is not able to assist any debtors without an appointment. We will not provide directions to the office, as that information is available on our website.

Other Requirements:

1. Be prepared to turnover to the Trustee any non-exempt assets (tax refunds are not exempt).
2. Do not drive any non-exempt vehicles (of any kind) without insurance
3. Please complete the enclosed questionnaires and return them to my office along with the other requested documents.
4. If you own a business, it is your responsibility to file all payroll reports and W-2's
5. Be prepared to turnover any personal and/or business records
6. You will receive a notice in the near future regarding your 341 hearing which you are required to attend. When you prepare to come to this hearing please be advised that you must bring with you two (2) forms of identification:
 - a. **PHOTO IDENTIFICATION** (approved forms: state driver license, state issued picture identification card, passport or legal resident alien card.)
 - b. **SOCIAL SECURITY IDENTIFICATION** (approved forms: social security card, a W-2 form for the most recent tax year, recent pay stub or other official document which identifies your name along with your social security number)

Enclosed you will find a Bankruptcy Information Sheet that has been prepared by the United States Trustee. **This statement must be read by each Chapter 7 petitioner prior to your 341 hearing.** At your 341 Hearing, you will be required to take an oath prior to testifying. At this hearing, you will be specifically asked if you read the included Bankruptcy Information Sheet. If you state that you have not read this information sheet, your hearing will be continued to a later date in order to give you additional time to review this letter. You will be required to have turned in your documents by the first hearing date to avoid a motion for dismissal. You will be required to attend the second hearing date.

Thank you for your anticipated cooperation regarding these requests for documents and information.
Very truly yours,

David A. Birdsell
Bankruptcy Trustee

**Please do NOT use fasteners or dividers on any documents sent to the Trustee's office!
(staples, paperclips, binder clips, page dividers, tabs, sticky notes, tape, etc.)**

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DOCUMENT CHECKLIST

(Use this document as a coversheet for your packet)

If submitting hard copies of documents, please send copies only as we cannot guarantee original documents will be returned

Complete Name(s): _____

Case Number: _____

Documents will not be accepted unless full name(s) and case number are filled out above.

Check if enclosed, (if not applicable please write "n/a"):

1. _____ Complete copies (all pages) of your 2012, 2013 and 2014 federal and state tax returns for now and 2015 federal & state tax returns (if requested) when you file them in 2016. If you do not have your tax returns, request federal transcripts from the IRS online at <http://www.irs.gov/Individuals/Get-Transcript> & state transcripts from the AZDOR by completing *Arizona Form 450* found on the AZDOR website at <http://www.azdor.gov/About/FAQs/Individual.aspx>
2. _____ **Any tax refunds you receive after your date of filing bankruptcy, including prior year(s) tax refunds are the property of your bankruptcy estate. Refund checks may not be cashed by you and must be turned over to my office.** Do not endorse the back of your refund checks. If you receive direct deposit, you will need to cut a cashier's check for the amount matching the refund listed on the tax returns. **Failure to do so will result in my objection to your bankruptcy discharge.**
3. _____ Date & amount you received last tax refunds:
Date: _____ Fed \$: _____ Date: _____ State \$: _____
4. _____ Copies of all auto, boat, mobile home and any other recreational vehicle titles/registrations, payoff statements and proof of insurance. Please complete the attached checklist on ALL vehicles in your possession.
5. _____ Complete copies (all pages) of your last six months bank statements, including the full month of your bankruptcy filing date, for each checking, savings, prepaid card(s), PayPal or other online financial account(s), and investment accounts(s) held in your name(s), either individually or jointly.
(Example #1: Filing date is in July 20xx, so provide statements for the time period 02/01/xx to 07/31/xx).
(Example #2: Filing date is in Aug 20xx, so provide statements for the time period 03/01/xx to 08/31/xx).
6. _____ Copies of the last statements you received from your pension, 401K or IRA accounts
7. _____ Completed questionnaires regarding documents, contact information, vehicles and life insurance policies. Also include a current statement showing the cash surrender value of any life insurance policy (if it applies to you).
8. _____ Copies of last two year tax returns of any corporation or partnership of which you are a partner/
shareholder
9. _____ Copies of deeds for ANY REAL ESTATE. If you purchased real estate within the last 5 years, send copies of your mortgage application, declaration page of homeowner's insurance policy, and mortgage payoff statement.

IF YOU HAVE QUESTIONS... Please visit our website at www.azbktrustee.com. The office does not provide info available online.

SEE NEXT TWO PAGES FOR REQUIRED QUESTIONNAIRES (#7 above)

Debtor Questionnaire

Vehicle Questionnaire

**Please do NOT use fasteners or dividers on any documents sent to the Trustee's office!
(staples, paperclips, binder clips, page dividers, tabs, sticky notes, tape, etc.)**

Complete Name(s): _____

Case Number: _____

**Documents will not be accepted unless full
name(s) and case number are filled out above.**

DEBTOR QUESTIONNAIRE

Please answer each question below, sign and date the form, and return to your trustee by the date indicated in the letter.

ALL QUESTIONS ARE REQUIRED:

- | | <u>YES</u> | <u>NO</u> |
|--|------------|-----------|
| 1. Do you understand and acknowledge the requirement to turn over your 2015 refunds and any other tax refunds if received after your filing date (including 2014)? | _____ | _____ |
| 2. Are you currently married and filing bankruptcy individually? | _____ | _____ |
| 3. Have you been divorced in the past 2 years? If yes, Please send a copy of your divorce decree, including the property settlement documentation. | _____ | _____ |
| 4. Do you have a claim or could you file a claim (lawsuit) for money, property or person injury? | _____ | _____ |
| 5. Are you the beneficiary in any trusts or estates? | _____ | _____ |
| 6. In the last 4 years, did you ever have the right to a trust or inheritance that you refused to accept? | _____ | _____ |
| 7. Should you become entitled to receive an inheritance at any time within the next 6 months, it is property of the bankruptcy estate, and you will have to notify the trustee. Do you understand? | _____ | _____ |
| 8. In the 24 months prior to filing, did you give any gifts, payments, loans or transfers to any friends, family members, or persons close to you? | _____ | _____ |
| 9. Have you financed a vehicle in the last 4 months? | _____ | _____ |
| 10. Have you contributed any money to a retirement plan in the past 6 months? | _____ | _____ |
| 11. Have you purchased or made a down payment, or do you hold any season tickets for any future sporting events and/or concerts or plays? | _____ | _____ |

Home Phone: _____ Mobile Phone: _____ Email: _____
(if different from mobile)

I declare under penalty of perjury that the information I have provided in this questionnaire is accurate and true.

Debtor's Signature Date

Joint Debtor's Signature Date

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VEHICLE QUESTIONNAIRE

(If more than three vehicles, include information on additional sheets)

Vehicle 1: Transmission: Automatic or Manual (circle one)

Make _____ Model _____ Year _____ Miles _____ # of Doors _____

Circle applicable specifications: cruise control air conditioning power windows/locks stereo, cassette, cd tilt wheel 4x4
power seats sun roof convertible leather seats abs brakes airbag

Condition _____ Lien amount \$ _____ (current balance due) **attach most recent statement**

Vehicle 2: Transmission: Automatic or Manual (circle one)

Make _____ Model _____ Year _____ Miles _____ # of Doors _____

Circle applicable specifications: cruise control air conditioning power windows/locks stereo, cassette, cd tilt wheel 4x4
power seats sun roof convertible leather seats abs brakes airbag

Condition _____ Lien amount \$ _____ (current balance due) **attach most recent statement**

Vehicle 3: Transmission: Automatic or Manual (circle one)

Make _____ Model _____ Year _____ Miles _____ # of Doors _____

Circle applicable specifications: cruise control air conditioning power windows/locks stereo, cassette, cd tilt wheel 4x4
power seats sun roof convertible leather seats abs brakes airbag

Condition _____ Lien amount \$ _____ (current balance due) **attach most recent statement**

LIFE INSURANCE POLICY QUESTIONNAIRE

(If more than three policies, include information on additional sheets)

Policy #1: Insurance Co. _____ Face amount of Insurance Policy: \$ _____ Age of person Insured: _____

Kind of Policy: Term cash value (circle) Cash surrender value of Policy: \$ _____ Loans Against CSV: \$ _____

Policy #2: Insurance Co. _____ Face amount of Insurance Policy: \$ _____ Age of person Insured: _____

Kind of Policy: Term cash value (circle) Cash surrender value of Policy: \$ _____ Loans Against CSV: \$ _____

Policy #3: Insurance Co. _____ Face amount of Insurance Policy: \$ _____ Age of person Insured: _____

Kind of Policy: Term cash value (circle) Cash surrender value of Policy: \$ _____ Loans Against CSV: \$ _____

If your life insurance is through your employer, the trustee understands that you may not be able to provide a copy of a policy. Please note any policy that is provided by through an employer. Please be prepared to provide the trustee with a copy of any insurance policies held by you at the Trustee's request.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA
SUPPORT FORM

Case No.: _____ Case Name: _____

Chapter: 7 Trustee: David A. Birdsell

*If you are required to pay alimony or child support, you **MUST** complete this form and return it to your Trustee.*

Provide the following information:

Name of <u>person</u> you owe support:	Address & phone number of <u>person</u> you owe support:
Phone #:	Phone #:
Your employer's name:	Address & phone number of your employer:
Amount of support owed as of petition date: \$ _____	

Dated

Signed

Printed Name

.....
(Submit this form with all other requested information to your Trustee)

DECLARATION FOR DEBTORS WITHOUT AN ATTORNEY

Debtor's Name: _____ Case No. _____

Joint Debtor's Name: _____ Telephone No. _____

Debtor(s) Address: _____

Case Trustee Name: _____ 341(a) Meeting Date: _____

1. Did you pay someone to assist you in preparing your bankruptcy documents? Yes _____ No _____
(IF NO, skip the rest of the questions and sign and date this document at the bottom)

2. Information about the person who assisted you in preparing your bankruptcy documents (hereinafter the "preparer"):

Name of Preparer: _____ Telephone No.: (____) _____

Company Name: _____ Fee Charged: \$ _____

Address: _____

3. Amount Paid: \$ _____ Date of Payment: _____

4. Form of Payment: Cash _____ Check _____ Money Order/Cashier's Check _____
Other (please describe) _____

5. Were you given a contract of services from the preparer? Yes _____ No _____
If yes, please enclose a copy with this completed questionnaire

6. Were you given a receipt for the money that you paid? Yes _____ No _____
If yes, please enclose a copy with this completed questionnaire

7. Was any amount paid to the preparer after the bankruptcy petition was filed? Yes _____ No _____
If yes, how much \$ _____

8. Do you still owe any money to the preparer? Yes _____ No _____
If yes, how much \$ _____

9. Did you give the preparer money for the Bankruptcy Court filing fee? Yes _____ No _____
If yes, how much \$ _____ Was payment made payable to the Bankruptcy Court? Yes _____ No _____

10. Did the preparer give you the petition and schedules to review before you signed them? Yes _____ No _____

11. If yes, did you find any errors? Yes _____ No _____ If so, were they corrected? Yes _____ No _____

12. Was there an additional fee charged for any corrections or changes? Yes _____ No _____
If yes, how much \$ _____

13. Did you sign your own name on the petition and schedules? Yes _____ No _____

14. Did anyone else assist you with the preparation of your petition and schedules in addition to the name of the person shown on your petition? Yes ___ No ___
15. Did the preparer file your bankruptcy petition and schedules for you with the Court? Yes ___ No ___
16. Did the preparer explain the differences between Chapter 7 and Chapter 13 to you? Yes ___ No ___
17. Did the preparer explain reaffirmation? Yes ___ No ___
18. Did the preparer explain the different exemptions to you? Yes ___ No ___
19. At any time did you believe the preparer was an attorney? Yes ___ No ___
 If yes, when did you determine that they were not an attorney? _____

20. At any time did the preparer say or indicate he/she was working with an attorney or a retired attorney? Yes ___ No ___
 If yes, did you meet with the attorney? Yes ___ No ___
 What was the attorney's name? _____

21. Did the preparer direct you to omit information from your bankruptcy documents? Yes ___ No ___
22. Were you directed by the preparer to put false information on your bankruptcy documents? Yes ___ No ___
 The false information is: _____

23. Did the preparer give you any written information about bankruptcy? Yes ___ No ___
 If so, what? _____

24. You engaged the services of the preparer as a result of:
- | | | | |
|------------------------------|-------|-----------------|-------|
| Newspaper advertisement | _____ | Referral | _____ |
| Billboard | _____ | Other (specify) | _____ |
| Telephone book advertisement | _____ | | |

25. Did the preparer charge you any fees for any other services? Yes ___ No ___

26. If yes, were any of the following services performed by the preparer?
- | | | | |
|--|-------|-----------------------------------|-------|
| Deed your home to the preparer or another person | _____ | Have you sign a power of attorney | _____ |
| Get a reverse mortgage for you | _____ | Help with a short sale | _____ |

27. Did the preparer tell you:
- | | | |
|---|---------|--------|
| To change where/how you paid your mortgage? | Yes ___ | No ___ |
| To stop talking to your attorney or the mortgage company? | Yes ___ | No ___ |
| The preparer would stop the foreclosure? | Yes ___ | No ___ |
| Keep you in your home after foreclosure? | Yes ___ | No ___ |
| Change/modify your home loan? | Yes ___ | No ___ |

Any other comments: _____

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

 Signature (Debtor)

 Date

 Signature (Joint Debtor, if any)

 Date

SUBMIT THIS FORM WITH ALL OTHER REQUESTED INFORMATION TO YOUR TRUSTEE

BANKRUPTCY INFORMATION SHEET

BANKRUPTCY LAW IS A FEDERAL LAW. THIS SHEET PROVIDES YOU WITH GENERAL INFORMATION ABOUT WHAT HAPPENS IN A BANKRUPTCY CASE. THE INFORMATION HERE IS NOT COMPLETE. YOU MAY NEED LEGAL ADVICE.

WHEN YOU FILE BANKRUPTCY

You can choose the kind of bankruptcy that best meets your needs (provided you meet certain qualifications):

Chapter 7 – A trustee is appointed to take over your property. Any property of value will be sold or turned into money to pay your creditors. You may be able to keep some personal items and possibly real estate depending on the law of the State where you live and applicable federal laws.

Chapter 13 – You can usually keep your property, but you must earn wages or have some other source of regular income and you must agree to pay part of your income to your creditors. The court must approve your repayment plan and your budget. A trustee is appointed and will collect the payments from you, pay your creditors, and make sure you live up to the terms of your repayment plan.

Chapter 12 – Like chapter 13, but it is only for family farmers and family fishermen.

Chapter 11 – This is used mostly by businesses. In chapter 11, you may continue to operate your business, but your creditors and the court must approve a plan to repay your debts. There is no trustee unless the judge decides that one is necessary; if a trustee is appointed, the trustee takes control of your business and property.

If you have already filed bankruptcy under chapter 7, you may be able to change your case to another chapter.

Your bankruptcy may be reported on your credit record for as long as ten years. It can affect your ability to receive credit in the future.

WHAT IS A BANKRUPTCY DISCHARGE AND HOW DOES IT OPERATE?

One of the reasons people file bankruptcy is to get a “discharge.” A discharge is a court order which states that you do not have to pay most of your debts. Some debts cannot be discharged. For example, you cannot discharge debts for–

- most taxes;
- child support;
- alimony;
- most student loans;
- court fines and criminal restitution; and
- personal injury caused by driving drunk or under the influence of drugs.

The discharge only applies to debts that arose before the date you filed. Also, if the judge finds that you received money or property by fraud, that debt may not be discharged.

It is important to list all your property and debts in your bankruptcy schedules. If you do not list a debt, for example, it is possible the debt will not be discharged. The judge can also deny your discharge if you do

something dishonest in connection with your bankruptcy case, such as destroy or hide property, falsify records, or lie, or if you disobey a court order.

You can only receive a chapter 7 discharge once every eight years. Other rules may apply if you previously received a discharge in a chapter 13 case. No one can make you pay a debt that has been discharged, but you can voluntarily pay any debt you wish to pay. You do not have to sign a reaffirmation agreement (see below) or any other kind of document to do this.

Some creditors hold a secured claim (for example, the bank that holds the mortgage on your house or the loan company that has a lien on your car). You do not have to pay a secured claim if the debt is discharged, but the creditor can still take the property.

WHAT IS A REAFFIRMATION AGREEMENT?

Even if a debt can be discharged, you may have special reasons why you want to promise to pay it. For example, you may want to work out a plan with the bank to keep your car. To promise to pay that debt, you must sign and file a reaffirmation agreement with the court. Reaffirmation agreements are under special rules and are voluntary. They are not required by bankruptcy law or by any other law. Reaffirmation agreements—

- must be voluntary;
- must not place too heavy a burden on you or your family;
- must be in your best interest; and
- can be canceled anytime before the court issues your discharge or within 60 days after the agreement is filed with the court, whichever gives you the most time.

If you are an individual and you are not represented by an attorney, the court must hold a hearing to decide whether to approve the reaffirmation agreement. The agreement will not be legally binding until the court approves it.

If you reaffirm a debt and then fail to pay it, you owe the debt the same as though there was no bankruptcy. The debt will not be discharged and the creditor can take action to recover any property on which it has a lien or mortgage. The creditor can also take legal action to recover a judgment against you.

IF YOU WANT MORE INFORMATION OR HAVE ANY QUESTIONS ABOUT HOW THE BANKRUPTCY LAWS AFFECT YOU, YOU MAY NEED LEGAL ADVICE. THE TRUSTEE IN YOUR CASE IS NOT RESPONSIBLE FOR GIVING YOU LEGAL ADVICE.

Se dispone de una copia de este documento traducida al español.

Một bản dịch của tài liệu này hiện có bằng tiếng Việt.

Une copie de ce document est disponible en traduction française.

本文件有繁體中文譯本。

이 서류는 한국말로 된 사본도 있습니다.

Daim ntawv no muaj txhais ua lus Hmoob.

Ang isinalin na kopya ng dokumentong ito ay maaaring makuha sa Tagalog.

يمكن الحصول على نسخة مترجمة بالعربية لهذه الوثيقة.