

BUSINESS CASE INFORMATION REQUESTS AND GUIDELINES FOR CHAPTER 13 CASE MANAGEMENT

- 1) When a case is identified as a Business Case, the New Case Department will send a form to the Debtor Attorney requesting specific documents (see the attached Business Case Document List). Documents should be completed and provided to the Trustee at least 7 days prior to the 341 Meeting of Creditors. If the documents are not received, a Notice of Intent (NOI) to Dismiss will be generated.
- 2) If the case was not identified as a Business Case prior to the 341 Meeting of Creditors, it is the responsibility of the Debtor Attorney to obtain these documents from the Debtor and to assist the Debtor in completing these forms. Submit the documents and completed forms to the Trustee 7 days prior to the 341 Meeting of Creditors Hearing Date.
- 3) The meeting will be adjourned if the Business Case documents are not provided and easily reviewed on the 341 Meeting of Creditors Hearing Date.
- 4) In any event, an NOI to Dismiss will be issued if the information is not available for the Hearing Officer and the case will be adjourned.

Forms provided by the Trustee include a simple Monthly Profit and Loss Statement that may be used as a guide for less complex business cases. Business expenses listed should not include household expenses listed in Schedule J.

BUSINESS CASE DOCUMENT LIST

Copies of the following documents must be provided with the completed Business Questionnaire at least 7 days prior to the Section 341 First Meeting of Creditors Hearing Date.

I. Tax Returns

- A. Personal and Business IRS Income Tax Returns and Schedules for the past two (2) years (include all 1040s, 1041s, 1120s, and 1065s).
- B. State Sales Tax Returns, if any, for the past four (4) reporting quarters.
- C. Appraisal District valuation on all real and personal property.
- D. Payroll Tax Returns (941's), if any, for the past two (2) reporting quarters.

II. Financial Statements

- A. Monthly Profit and Loss Statements for the 6 months prior to the Petition Date.
 - a. See Sample P&L Statement.
- B. Monthly Profit and Loss statements for all months since the Petition Filing Date prior to the 341 meeting.

III. Other

- A. Declaration page of any business property and casualty insurance policies.
- B. Fully completed copy of the business "Questionnaire" form.

Failure to provide all the requested information by the due date may result in the Trustee filing a Notice of Intent to Dismiss and may require that you 341 meeting be reset.