

BUSINESS CASE QUESTIONNAIRE

Office of the Chapter 13 Trustee

INSTRUCTIONS: Complete all questions on this form. Use a separate page if you need additional room, be sure to reference the additional page by the number you are answering.

IMPORTANT: All information must be in the format requested. Information and/or documents presented in an incomplete or unorganized fashion will not be accepted and could result in your case being dismissed. Please contact your attorney if you have any questions.

1. WHAT CIRCUMSTANCE(S) LEAD YOU TO FILE CHAPTER 13 BANKRUPTCY?

2. DESCRIPTION OF BUSINESS

a) Name of the business _____

b) Type of business that you operate

c) Main product and/or service

d) Is your company a:
[] sole proprietorship [] partnership [] corporation

e) Names of Owners

f) When did the current business start operating?

g) Location where the business is operated

h) Are you leasing office space? [] Yes [] No
1) If yes, is it your intention to continue with the lease? [] Yes [] No

i) Are you leasing any business equipment? [] Yes [] No

j) Is your business seasonal? [] Yes [] No
1) If yes, specify your good months and poor months.

k) Have you pledged your receivables, rents, profits, or other cash as collateral for any loans?
[] Yes [] No
If yes, please provide security agreements and evidence of perfection relating to such liens.

3. DESCRIPTION OF ASSETS (including Buildings, Vehicles, Equipment, etc.)

a) On the chart below, describe each item with a value over \$500.00. Use an extra piece of paper if necessary. In addition to the description, tell us:

- (1) What is the age of the equipment?
- (2) How much did the item cost you originally?
- (3) What you would sell the item for in its present condition and assuming a fair price?
- (4) What is the monthly payment for the asset if payments are still being made?
- (5) How many more monthly payments are due on the asset?

Item	(1) Age of Equipment?	(2) Purchase Price?	(3) Price you would sell for?	(4) Monthly Payment	(5) # of Payments Still due?
TOTALS OF \$ COLUMNS					

b) What would you estimate the market value of your inventory to be? \$ _____

1) How much of your inventory is slow-moving or obsolete items? \$ _____

c) What would you estimate the market value of your accounts receivables to be? \$ _____

1) What is the aging of your accounts receivables? Current \$ _____

Over 30 days \$ _____

Over 60 days \$ _____

Over 90 days \$ _____

2) Are there any problem accounts? _____

d) If you were to buy your business today, how much would you pay for your business?

\$ _____

1) If the business is worth what you would pay for it, how much is owner's equity?

\$ _____

4. DESCRIPTION OF ALL BANK ACCOUNTS TO WHICH YOU HAVE ACCESS

Use a separate page if necessary

a) Provide **COPIES**, not originals, of **bank statements** for **all accounts** for six (6) months before you filed your Chapter 13 case.* In addition, please provide copies of all **check registers and/or bank statement reconciliations** for these accounts for the six (6) months prior to filing your case (Note: The Trustee may request copies of one or more canceled checks for this time period in order to clarify data contained on the bank statements.)

b) Are you the only authorized signatory(ies) on the accounts? Yes No

1) If no, specify who else is an authorized signer _____

Specify which are for the business under the column marked "Purpose"

Bank Name	Account No.	Type of Account	Purpose

5. LIST ALL FULL/PART TIME EMPLOYEES and CONTRACT LABOR.

Use a separate page if necessary

Name of Employee	Position/Function	Mo. Salary	P=Part F=Full C=Contract

Are any immediate family members on payroll or provide contract services? If so, what position do they hold? **If you receive a W-2 from the business, you must include yourself as an employee.**

6. PROOF OF PAYMENT OF EMPLOYEE WITHHOLDING TAXES

(State - SUW 160 (Rev 9/03); Federal - IRS form 941)

- a) If you have any employees, provide **COPIES** of proof of payment for three (3) months prior to the month your case was filed as well as any that have fallen due since your case was filed.

7. PROOF OF PAYMENT OF SALES TAX, IF APPLICABLE

- a) If applicable, provide **COPIES** of proof of payment for three (3) months prior to the month your case was filed as well as any that have fallen due since your case was filed.

8. ANNUAL STATE AND FEDERAL TAX RETURNS

- a) Provide copies of federal, state, and local tax returns, along with all supporting schedules, for 2003, 2004, 2005 and 2006. This includes all forms such as W2, W3, 1096, 1099, and schedules A, B, C, etc.

9. FINANCIAL STATEMENTS

- a) Provide copies of financial statements furnished to a third party such as a trade creditor or a bank within the two (2) years preceding the filing of the petition, including, but not limited to the balance sheet, income statement and cash flow statement.

10. DESCRIPTION OF LIABILITIES

- a) Provide balance due of liabilities incurred for business purposes as listed in Plan

CREDITOR NAME	AMOUNT DUE	BUSINESS PURPOSE
	\$	
TOTAL	\$ _____	

- b) Provide the **TOTAL** of liabilities incurred for your personal use as listed in your Plan - \$ _____

- c) Add the total of **BUSINESS** and **PERSONAL** liabilities and enter the total **HERE** - \$ _____

11. INSURANCE

If applicable, provide **COPIES**, not originals, of proof of the following:

- a) Business Liability b) Workers' Compensation c) Vehicle d) Liquor Liability
e) Real and/or Personal Property Insurance f) Other _____

12. LICENSES

If applicable to your business, provide **COPIES**, not originals, of the following:

- a) Business License (if a business license is not required for your business explain why)

- b) Seller's Permit c) Contractor's License d) Other _____

13. GENERAL OBSERVATIONS

- a) Name at least three reasons why the owner believes the business will generate enough **cash flow** to pay current operating costs on a timely basis and also make the required plan payments for the next three (3) years?
- b) Name the particular **concerns** the owner has about future operating issues? (i.e., loss of customers, rising costs, labor problems, increased unemployment in area, etc.)
- c) Name the particular **expectations** the owner has about future operating issues? (i.e., new contracts, better products, new sales/personnel, new markets, etc.)

GENERAL OBSERVATIONS (Continued)

- d) What **other factors** may impact future expectations? (i.e., competition, loss of lease, location, owner's health, weather, etc.)

- e) Are there any prospects of selling the business?

14. PROFIT AND LOSS STATEMENTS

Using the form on the next page, provide:

- a) All months in current year prior to Chapter 13 Filing Date in year (e.g., File Date 4/4/07, provide report for 01/01/07 to 3/31/07)

- b) Total twelve (12) Months in calendar year Prior to Chapter 13 Filing

- C) Twelve (12) Month Business Budget Per Plan**

- d) Explanation of differences between the twelve (12) Month Business Budget Per Plan and Total Twelve (12) Months in Year Prior to Chapter 13 Filing

15. BALANCE SHEET (Statement of Assets, Liabilities and Equity) As of the Date of Filing.

Using the form on the last page, enter:

- a) The amounts of assets you have
- b) The amounts of pre-petition liabilities
- c) The amounts of post-petition liabilities
- d) The amount of your investment, retained prior year earnings, current year earnings and owner draws.