

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

In re

Case No.
Chapter 13

,
Debtor.

**INTERROGATORIES TO INDIVIDUAL DEBTOR IN LIEU OF ATTENDANCE
AT § 341 MEETING OF CREDITORS**

Being unable to attend the § 341(a) meeting of creditors, the debtor sought, by motion, to be excused from that proceeding. The Court, after consideration, granted the debtor's motion and thereby excused attendance at the § 341(a) meeting. In lieu of testimony, the debtor responds to the following interrogatories propounded by the Trustee, to-wit:

I. GENERAL INFORMATION

1. State your name, age, and current residence address and mailing address.

Please provide a photocopy of your current driver's license or state issued photo identification and your social security card.

2. Are you presently employed?

If yes,

- (a) What is the name and address of your employer?
- (b) How long have you been employed by this employer?
- (c) What is your net (take home) pay?

If not employed,

- (a) What is your source of income?
- (b) Please state the amount of your monthly income.

3. Have you had any change in your income within the last 6 months prior to the filing of this case? If so, please state the nature of the change and the difference in your current income and the income for an average over the 6 months prior to the filing of this case.

4. Have you been self-employed within the last year?

If yes, briefly state the nature of the business, your interest in the business and the amount of your net and gross income from the business for the last year.

5. Within the last year, have you had any income from any other source or sources, including the income of your spouse?

If yes, describe the source(s) and amount of income.

6. What is your present marital status?

If married, what is your spouse's name? Do you have any minor dependents? If so, please state the age of each dependent and whether or not they are living in the home with you.

7. Have you filed any prior bankruptcy proceeding?

If yes,

(a) Under what chapter was the petition filed?

(b) What was the date of the petition filing?

(c) Please state the case number for each prior filing.

(d) What was the outcome of your prior filings?

(e) Did you receive a discharge in any prior filings within the last 4 years?

- (f) Have you had any bankruptcy cases which have been dismissed by the court within the one year period prior to the filing of this case?
 - (g) If your case was a chapter 13 proceeding, did you pay unsecured creditors 70% or more of their claims?
 - (h) In what district was your case filed?
8. Have you filed all tax refunds due to any and all taxing authorities within the last 4 years prior to the filing of this case?
9. Do you owe any domestic support obligations such as child support, alimony or any other domestic relations court ordered payments? If so, please state
- (a) the name, address and telephone number of any domestic support obligation claimant.
 - (b) the amount of arrearage owed to that claimant, if any.
 - (c) whether you are current with any domestic support obligations that have come due since the filing of your case.
10. Have you made all adequate protection payments that have come due to creditors since the filing of this case? Is it your intent to have those payments made thru the office of the chapter 13 Trustee?
11. Have you lived in another other state other than Alabama within the last 2 ½ years? If so, please state the place of your prior residence and the duration of your residency in that state.

12. Are the schedules, lists, and statements filed in connection with this case true, correct, and complete to the best of your knowledge and belief?

If no, please explain.

II. PROPERTY AND PROPERTY INTEREST AS OF THE DATE OF FILING

1. As of the filing, did you own or were you buying any real property (land or buildings)?

If yes,

- (a) Describe the property.
- (b) What is the date of the purchase?
- (c) What was the purchase price?
- (d) What is the value of the property, and how did you determine that value?
- (e) If the property has been appraised within the last three years, what was the appraised value and who made the appraisal?
- (f) What is your opinion of the fair market value?
- (g) If the property is subject to mortgage or lien:
 - (1) Who is (are) the mortgagee(s)?
 - (2) What is the principal balance of each mortgage?
- (h) Is the property your residence?

2. As of the filing, did you own or were you buying a mobile home?

If yes,

- (a) Describe the property.

- (b) What is the date of the purchase?
- (c) What was the purchase price?
- (d) If the property has been appraised within the last three years, what was the appraised value and who made the appraisal?
- (e) What is your opinion of the fair market value?
- (f) If the property is subject to mortgage or lien:
 - (1) Who is (are) the mortgagee(s)?
 - (2) What is the principal balance of the mortgage(s)?
- (g) Is this property your residence?

3. Did you own or were you buying any vehicles (cars, trucks, motorcycles, boats, etc.)?

If yes,

(a-1) Describe the property:

Make _____
 Model _____
 Year _____
 Date of Purchase _____
 Purchase Price _____
 Fair market value at the time of the filing _____
 Do any liens, if any, encumber this property?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to lien creditor(s) at the time of filing?

Is this vehicle for your personal use?

Is this vehicle subject to a purchase money security interest?

Was this vehicle purchased within the 910 days prior to the filing of this case? If so, do you intend for this claim to be paid in full as a § 1325(a) “no cram down” claim?

(a-2) Describe the property:

Make _____
Model _____
Year _____
Date of Purchase _____
Purchase Price _____
Fair market value at the time of the filing _____
Do any liens, if any, encumber this property?

If yes,

(1) What is the name of the creditor(s)?

What is the principal balance(s) owed to lien creditor(s) at the time of filing?

Is this vehicle for your personal use?

Is this vehicle subject to a purchase money security interest?

Was this vehicle purchased within the 910 days prior to the filing of this case? If so, do you intend for this claim to be paid in full as a § 1325(a) “no cram down” claim?

(a-3) Describe the property:

Make _____
Model _____
Year _____
Date of Purchase _____

Purchase Price _____
Fair market value at the time of the filing _____
Do any liens, if any, encumber this property?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to lien creditor(s) at the time of filing?

Is this vehicle for your personal use?

Is this vehicle subject to a purchase money security interest?

Was this vehicle purchased within the 910 days prior to the filing of this case? If so, do you intend for this claim to be paid in full as a §1325(a) “no cram down” claim?

4. How much cash did you have on hand at the time of your filing?
5. How much did you have on deposit with banks, savings and loans, credit union, utilities, landlords, etc.?
6. What was the fair market value of your household goods, furnishings and supplies?
 - (a) Did any one item have a value exceeding \$1,000.00?
 - (b) Were any items of this sort considered antique?

If yes, describe.
 - (c) Does any creditor have a security interest in any of this property?

If yes, what is owed to this creditor?

7. Did you have any books, pictures, objects of art, or other collection not mentioned above with your household goods?

If yes,

- (a) Describe the property.
- (b) Are any of these items subject to the lien of a creditor?

If yes, what is

- (1) Name of creditor(s);
- (2) Principal balance(s).

8. Please list the value of your wearing apparel, jewelry, firearms, and other personal possessions of that sort?

Also,

- (a) Describe the property.
- (b) Are any of these items subject to the lien of a creditor?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to lien creditor(s)?

9. Please list the value of any livestock, poultry, or other animals you own.

Also,

- (a) Describe the property.
- (b) Are any of these animals subject to the lien of a creditor?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to lien creditor(s)?

10. Please list the value of any office equipment, furnishings or supplies you own.

Also,

- (a) Describe the property.
- (b) Are any of these items subject to the lien of a creditor?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to lien creditor(s)?

11. Did you have any inventory worth more than \$1,000.00?

If yes,

- (a) Describe the property.
- (b) Are any of these items subject to the lien of a creditor?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to lien creditor(s)?

12. Did you own any stocks, bonds or certificates of deposit?

If yes,

- (a) Describe the property.
- (b) What is the value?
- (c) Is this pledged as security to any creditor(s)?

If yes,

- (1) What is the name of the creditor(s)?
- (2) What is the principal balance(s) owed to creditor(s)?

13. Did you have any accrued employee benefits, i.e. retirement, stock options, profit sharing, IRA's, etc., to which you were entitled?

If yes,

- (a) Describe what benefits you are entitled to and their fair market value.
- (b) Have you withdrawn any funds from employee benefits within the last year? If so, how much and what was it for?
- (c) Do you have a loan against your 401K or other retirement accounts? If so, state amount of loan, balance and monthly payment.

14. Is any debt owed to you?

If yes,

- (a) Who owes you this debt?
- (b) What is the amount of debt?
- (c) Are these rights to payment security for any of your debts?

If yes,

- (1) Who is the creditor(s) having an interest in your receivables?
- (2) What is the principal balance of that debt(s)?

15. Were you leasing any property from another?

If yes,

- (a) Describe the leased property.
- (b) If in default with rental payment,

(1) How much have you defaulted on?

(2) What is the name of the lessor?

16. Are you suing anyone or have a reason to sue someone?

Please state the cause of action you may have, who it is against and how much you claim is owed to you.

Please state the name and address of any attorney you may have retained to assist you with this cause of action.

Is a lawsuit pending?

If yes,

(a) State the Court, case number and attorney of record.

17. Did you have any life insurance policy or annuity with a cash surrender value?

If yes, describe.

18. Do you presently anticipate receiving an inheritance, life insurance payment, or distribution under any trust agreement during the 180 days after you filed bankruptcy? If yes, please describe the anticipated inheritance or payment, and provide the complete name, address and telephone number for any attorney, personal representative or trustee involved in the matter.

19. If you become entitled to receive any inheritance, life insurance payment or distribution under any trust agreement during the 180 days after you filed bankruptcy, or during the pendency of your case if it should last more

than 180 days, do you understand that you are required to disclose it to the trustee?

20. Do you expect an income tax refund?

If yes,

- (a) What is the amount of the refund?
- (b) What is the taxing authority from which the refund is due?
- (c) How much was your tax refund for the last 3 years?

21. Did you own an interest in any partnership?

If yes,

- (a) What is the name of the partnership?
- (b) What are the names of the partners?
- (c) What is your interest in the partnership?

22. Did you have a future interest or a life estate in any property?

If yes, describe.

23. Are you an heir to any estate?

If yes,

- (a) Whose estate do you have an interest in?
- (b) What is your interest in the estate?
- (c) What is the value of your interest in the estate?
- (d) Who is the executor?
- (e) Has the estate been probated?

24. Did you have any other property or property interests that you have not disclosed in the preceding?

If yes, describe.

III. PROPERTY INTERESTS THAT WERE TRANSFERRED BEFORE BANKRUPTCY

1. During the year before filing, was any of your property foreclosed by a creditor?

If yes,

- (a) Describe the property.
- (b) Who is the creditor who foreclosed the property?
- (c) What is the relationship of this creditor to you?
- (d) What is the date of foreclosure?
- (e) What was the value of the property at the time of the foreclosure?
- (f) What is the principal balance owed at the time of foreclosure?

2. During the year before filing, was any of your property repossessed?

If yes,

- (a) Describe the property.
- (b) Who is the creditor who repossessed the property?
- (c) What is the relationship of the creditor to you?
- (d) What is the date of repossession?
- (e) What was the value of the property at the time of the repossession?
- (f) What was the principal balance owed at the time of repossession?

3. During the year before filing, did you surrender any property to a creditor as a result of a debt?

If yes,

- (a) Describe the property.
- (b) Who is the creditor to whom the property was surrendered?
- (c) What is the relationship of the creditor to you?
- (d) What was the value of the property at the time of the surrender?
- (e) What was the principal balance owed at the time of repossession?

4. During the year before filing, did you sell any property?

If yes,

- (a) Describe the property.
- (b) What is the name of the buyer?
- (c) What is the date of the sale?
- (d) What is the relationship of the purchaser to you?
- (e) What was the sale price?
- (f) What was the fair market value at the time of the sale?

5. Have you made any gifts within the last year wherein the value to any one donee exceeded \$1,000.00?

If yes,

- (a) What is the name of the donee?
- (b) What is the relationship of the donee to you?
- (c) What is the date of the gift?

- (d) Describe the property given.
- (e) What was the value of the property at the time the gift was made?

6. During the year before filing, did you grant a security interest in any of your property to a creditor?

If yes,

- (a) Describe the property.
- (b) What is the name of the creditor to whom the security interest was given?
- (c) What is the date that the security interest was perfected on?
- (d) What is the relationship of the creditor to you?
- (e) What is the new value, if any, given by the creditor?
- (f) What was the fair market value of the property encumbered by this security interest?

7. During the ninety days before filing the petition, did anyone garnish your wages?

If yes,

- (a) What is the amount that was withheld?
- (b) Who was the garnishing creditor?

8. During the three months immediately preceding the filing, did you pay any creditor on a pre-existing debt an amount in excess of \$600.00?

If yes,

- (a) State the name of the creditor so paid.

(b) Describe the property encumbered, if the creditor had a security interest in your property.

9. During the year before filing, did you pay any creditor who was related to you on a pre-existing debt?

If yes,

(a) State the name of the creditor so paid.

(b) What is the amount of the payment?

(c) What is the date of the payment?

(d) Was the creditor's debt secured?

Please respond to the foregoing questions and have all responses under penalty of perjury and notarized. Upon completion please email a copy of these responses to the Trustee assigned to your case and file the originals with the Court via electronic filing.

Sworn to and subscribed this ____ day of _____, 20____.

DEBTOR

STATE OF ALABAMA
COUNTY OF ____

I, the undersigned authority, a Notary Public for the State at Large, do hereby state that the debtor _____ personally appeared before me and after being duly sworn did respond under oath to the above interrogatories this ____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:

CERTIFICATE OF SERVICE

I, _____, Counsel for the Debtor, certify that I have served a copy of the foregoing INTERROGATORIES TO INDIVIDUAL DEBTOR on the parties listed below by either electronic mail or by placing same in the United States Mail, postage prepaid and properly addressed, this _____ day of _____ 20____.

ATTORNEY FOR THE DEBTOR

Chapter 13 Trustee (via electronic mail)