

**LOWELL T CAGE & JOSEPH M. HILL, TRUSTEES
CAGE, HILL & NIEHAUS, L.L.P.
5851 SAN FELIPE, SUITE 950
HOUSTON, TEXAS 77057**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**DUTIES AND RESPONSIBILITIES OF A DEBTOR UNDER CHAPTER 7 AND
ATTENDANCE AT THE § 341 MEETING OF CREDITORS**

In either a personal or corporate bankruptcy, the Debtor (or its representative(s)) has ongoing legal obligations to the Trustee, the creditors, parties in interest, and to the Bankruptcy Court. Failure to fulfill these obligations can result in a denial of discharge, revocation of discharge and/or criminal prosecution. It is a Debtor's legal obligation to fully comply with all statutory requirements of Title 11.

1. You must amend the appropriate pleadings (Bankruptcy Schedules, Statement of Financial Affairs, etc.) if you remember or become aware of any property (of any kind or value) that you owned or were entitled to on the date you filed your bankruptcy, that you forgot to list, or that you did not become aware of until after you filed bankruptcy.
2. You must provide written notice to the Trustee of any inheritance or monies that you receive or become entitled to as a result of a death that occurred either before you filed bankruptcy or within six (6) months after your bankruptcy filing.
3. You must provide written notice to the Trustee of any money or property that is not listed on your schedules and which you may receive as a result of a final divorce decree (excluding child support) that occurred either before you filed bankruptcy or within six (6) months after the date you filed your bankruptcy petition. (A copy of the divorce decree and any property settlement agreements or agreements incident to divorce should be sent with the notice.)
4. You must state on the Bankruptcy Schedules and the Sworn Statement given to the Trustee the status of any domestic support obligations you owe, including the name and address of the recipient of the funds and name of the agency the support payments are paid through (if applicable).
5. You must provide written notice to the Trustee of any monies you may receive as a beneficiary of a life insurance policy or as a result of a death benefit plan that you acquire or become entitled to prior to the filing of bankruptcy or within six (6) months after the date you filed your bankruptcy petition.
6. You must be prepared to turn over to the Trustee any money that you receive (after the bankruptcy was filed) as a result of rental properties that are not claimed as exempt.

7. You must state on the Bankruptcy Schedules any leases, contracts or agreements as of the date of filing that require you to provide services or property in the future and/or that entitles you to compensation, services or property in the future.
8. You must turn over to the Trustee the names and addresses of each and every party to whom any transfers, conveyances or gifts of your property were made, that were not scheduled and that were made within one (1) year prior to the date you filed bankruptcy and if requested by the Trustee, transfers in excess of \$2,500.00 within four (4) years prior to filing bankruptcy.
9. You must amend the appropriate pleadings (Bankruptcy Schedules, Statement of Financial Affairs, etc.) to disclose all debts repaid to insiders within the year prior to filing bankruptcy. You need not advise the Trustee of debts repayments that are properly scheduled or if the total amount of the debt was less than \$1,000.00.
10. You must provide written notice to the Trustee of receipt of and be ready to turn over any unreceived tax refund for this and any prior tax years if such funds exceed the exempt amount reflected in your schedules or are not listed in your schedules.
11. Please be aware that you are still responsible for filing your income tax return. You should inform your tax advisor of the filing of your bankruptcy petition, as it may affect your tax return. If necessary for the administration of the bankruptcy estate, the Trustee will request copies of additional tax returns. If you need to amend a pre-petition tax return you must notify the Trustee in writing.
12. You must file and complete your statement as to your intention concerning secured consumer debt. The Trustee will assume that you have done so within the time provided unless you advise the Trustee in writing to the contrary, and state your plans to remedy any default.
13. You must provide the Trustee at least seven (7) days prior to your scheduled Meeting of Creditors, two years of tax returns, and the bank statements for the three (3) months prior to filing including the month of filing. Failure to provide this information within seven (7) days in advance of the First Meeting of Creditors may cause the Meeting of Creditors to be **reset**. Additionally, failure to provide these documents could result in dismissal of your case.
14. In addition to any other applicable statutes or rules, you must file a set of schedules, statement of financial affairs, means test, pay advices or an affidavit of no payment advices, and credit counseling certificate at least seven (7) days prior to your scheduled Meeting of Creditors. Failure to file these pleadings within seven (7) days in advance of the First Meeting of Creditors may cause your meeting to be **reset**. Additionally, failure to provide these documents could result in dismissal of your case.
15. You are required to appear and attend a Meeting of Creditors. The Clerk of the U.S. Bankruptcy Court provides notice of this meeting. If you have not received notice of your meeting within twenty-one (21) days after your case is filed, contact your attorney or the Clerk. The meeting can only be rescheduled as a result of an emergency or an unavoidable or unforeseen conflict. Work related conflicts must be resolved by the Debtor. Travel and/or

vacations plans are not grounds for rescheduling. Requests for a new date and time **must be in writing** and received more than fourteen (14) fourteen days prior to your scheduled meeting and you must provide a statement as to the nature of the emergency or conflict. It is the Trustee's discretion as to whether a reset date and time will be given. You or your attorney will be responsible for re-noticing all creditors and parties-in-interest of the date and time of the reset.

16. You must bring picture identification issued by a governmental authority, such as a **DRIVER LICENSE, and your SOCIAL SECURITY CARD** to the Meeting of Creditors. If you do not have a social security card, you must bring a pay stub, W-2, 1099 or other reliable document not created by you listing the complete social security number. Your tax return is not sufficient. Failure to bring proper identification or proof of social security will cause your meeting to be reset.

17. If your meeting is reset at your request or due to your default, you and your attorney must sign and file with the Court a written statement that the reset date is the new date for the First Meeting of Creditors, and that you agree and acknowledge that all deadlines associated with the date set for the First Meeting of Creditors run from the new date.

18. Do not contact the Trustee or the Trustee's Office if you are represented by counsel. The Trustee and the Trustee's Office cannot provide you with legal advice. If you need to request information, you or your attorney must do so in writing. You must provide your name, case number and current address when making such request. If you do not receive a copy of your discharge contact your attorney or the Clerk. The Trustee does not issue the discharge.

19. If you have a retirement plan which is claimed and allowed exempt, you must notify the Trustee if you liquidate the plan, in whole or in part, and fail to roll over the proceeds into another qualified plan within 60 days if a Final Decree has not been entered in your case prior to the expiration of the 60-day roll over period.

20. If you sell your homestead, which has been claimed and allowed exempt, you must notify the Trustee if you fail to use any of the equity proceeds to acquire a new homestead within 6 months of the sale if such six months expires prior to the entry of a Final Decree in your case.

21. You must swear under oath that you have read the foregoing and have complied with all applicable provisions. If you have any questions regarding any of the duties or statements made herein, you or your counsel should address those to the Trustee at the Meeting of Creditors or in a written request.

You have a legal obligation to promptly provide the Trustee with the information requested herein as soon as you learn of it. You must advise the Trustee in writing of all facts that are necessary to fully determine whether the circumstances of your case require action by your Trustee. If you receive money or property under any of the categories listed above, you must keep all such monies or property in your possession until the Trustee directs you to take a specific course of action.

Along with this notice, you will receive a Bankruptcy Information Sheet attached hereto as **Exhibit A** required under 11 U.S.C. § 342. You must review and be familiar with this information prior to the Meeting of Creditors. The Trustee will assume that you have done so. If you have any questions regarding the Bankruptcy Information Sheet, please ask at the Meeting of Creditors or contact your attorney.

CORPORATE OR PARTNERSHIP DEBTORS – ONLY.

In order to comply with the Federal Income Tax Laws applicable to this type of bankruptcy estate, you must give the Trustee copies of your last two (2) income tax returns, including the return marked “final”. If you are not current with your tax filings, please advise the Trustee accordingly and provide copies of the two (2) most recent returns, regardless of year. You are responsible for filing all required unfiled tax returns.

CORPORATE DEBTORS – ONLY. Debtor's Representatives must advise the Trustee in writing of all bank accounts owned by the Corporation, both open and closed, on the day of filing, including the name and address of the bank, account numbers, and who is authorized to withdraw on the account. This is property of the estate from the date of the filing and no withdrawals should be made by anyone after the filing date. You must promptly advise the Trustee of any post-petition withdrawals and provide the Trustee with a complete accounting of those transactions.

Signed by: /s/ Joseph M. Hill
Chapter 7 Trustee

Signed by: /s/ Lowell T. Cage
Chapter 7 Trustee

**PLEASE KEEP THESE INSTRUCTIONS WITH YOUR PERMANENT RECORDS.
DO NOT DISCARD**

I (We) acknowledge receipt of a copy of the foregoing notice.

Debtor

Debtor

Dated: _____

Dated: _____