

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

IN RE:

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CASE NO.
(Chapter 7)

Debtor(s)

DOCUMENTS FILED OR PROVIDED TO TRUSTEE: BUSINESS

- | | | |
|----|---------------------------------------------------------------------------------|-----------|
| 1. | I provided the Trustee with copies of: | Debtor |
| | Bank statements including the month of filing and the one year prior to filing. | Y N N/A |
| | Most recent filed tax return. | Y N |
| 2. | I filed with the court: | Debtor(s) |
| | A list of creditors | Y N |
| | A schedule of assets and liabilities | Y N |
| | A schedule of current income and current expenditures | Y N N/A |
| | A statement of financial affairs | Y N |

Attorney for Debtor

341(a) MEETING QUESTIONNAIRE AND SWORN TESTIMONY: BUSINESS

The answers and information provided by the Debtor(s) in this document are a part of the Debtor(s) sworn testimony given before the Chapter 7 Trustee or the Trustee's designated representative.

"You" and "I" in this questionnaire refer to the corporate representative attending the creditors meeting and signing this questionnaire on behalf of the Debtor. You must read the questions stated below and answer fully and completely.

An "insider" in this questionnaire is any person or entity with a direct or indirect pecuniary relationship to the Debtor, and includes, but is not limited to:

- A. Any person or entity that directly or indirectly owns, controls, or holds with power to vote any interest in the Debtor:
- B. A corporation in which the Debtor directly or indirectly owns, controls, or holds any interest,
- C. An entity that directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor,
- D. A person whose business is operated under a lease or operating agreement by a debtor, or person substantially all of whose property is operated under an operating agreement with the debtor,
- E. An entity that operates the business or substantially all of the property of the debtor under a lease or operating agreement.
- F. An insider of any of the above persons or entities,
- G. If the debtor is a corporation--
 - (i) Director of the debtor;
 - (ii) Officer of the debtor;
 - (iii) Person in control of the debtor;
 - (iv) Partnership in which the debtor is a general partner;
 - (v) General partner of the debtor; or
 - (vi) Relative of a general partner, director, officer, or person in control of the debtor;
- H. If the debtor is a partnership--
 - (i) General partner in the debtor;
 - (ii) Relative of a general partner in, general partner of, or person in control of the debtor;
 - (iii) Partnership in which the debtor is a general partner;
 - (iv) General partner of the debtor; or
 - (v) Person in control of the debtor;
- I. Any managing agent of the debtor.

To the extent that any of the following information is not shown in the Debtor's petition, schedules, or statement of financial affairs or if any of this information in those documents has changed, please answer the following:

Corporate Representative at meeting

President

Position/title: _____

Name: _____

% ownership of debtor: _____

Address: _____

Telephone # (home): _____

email: _____

Employer(s): _____

Address: _____

Telephone # (work): _____

Secretary

Treasurer

Name: _____

% ownership of debtor: _____

Address: _____

Telephone # (home): _____

email: _____

Employer(s): _____

Address: _____

Telephone # (work): _____

Other persons owning more than 25% of Debtor

Position/title:	_____	_____
Name:	_____	_____
% ownership of debtor:	_____	_____
Address:	_____	_____
	_____	_____
Telephone # (home):	_____	_____
email:	_____	_____
Employer(s):	_____	_____
Address:	_____	_____
	_____	_____
Telephone # (work):	_____	_____

GENERAL INFORMATION

3. Has the Debtor ever filed bankruptcy before? YES NO

If so, when: _____ Where: _____

4. YES NO Did the debtor have a regular corporate lawyer? If yes,

Name _____

Address _____

Phone number _____

Email _____

KNOWLEDGE OF BANKRUPTCY ISSUES (Answered by corporate representative at the meeting)

5. YES NO I received, read and understood the Duties and Responsibilities of a Debtor Under Chapter 7.

6. YES NO I read and signed Bankruptcy Petition, Schedules, and Statement of Financial Affairs before the Debtor's attorney filed them with the Bankruptcy Court.

7. YES NO I understand the questions and information contained in the Debtor's Bankruptcy Petition, Schedules, Statement of Financial Affairs and this written Sworn Testimony.

8. YES NO I understand that the Debtor may not continue to do business after filing a Chapter 7 bankruptcy unless the Trustee operates the business.

ACCOUNTING INFORMATION

9. ____ YES ____ NO Did the debtor employ an accountant, CPA or tax preparer (not an officer, owner or employee of the Debtor)? If yes,

Name _____

Address _____

Phone number _____

Email _____

10. Who is the officer, owner or employee of the Debtor who was responsible for keeping the books and records?

Name _____

Position _____

Phone _____

Email _____

11. ____ YES ____ NO Other than the individuals listed above, does any other person keep records regarding accounts receivable or collect accounts receivable?

12. What type of accounting software did the Debtor use? _____

13. Who has or had access to the accounting software? _____

14. What is the password to use the software? _____

15. Where is the computer with the accounting software? _____

16. Where are the Debtor's documents and paper records? _____

QUESTIONS RELATING TO ASSETS

17. ____ YES ____ NO The Debtor's Bankruptcy Schedules accurately list everything that the Debtor owns including real estate, personal property and money.

18. Who is the officer, owner or employee of the Debtor the trustee should contact regarding the location, condition and turnover of property?

Name _____

Position _____

Phone _____

Email _____

19. ____ YES ____ NO Is all the Debtor's property insured, other than cash on hand?

20. ____ YES ____ NO Does the Debtor use a particular insurance agent? If yes,

Name _____

Position _____

Phone _____

Email _____

21. Does the debtor have the following insurance policies?

____ YES ____ NO Auto liability policy

____ YES ____ NO General liability policy

____ YES ____ NO Errors and omissions policy

____ YES ____ NO Directors and officers policy

____ YES ____ NO Key man policy

____ YES ____ NO Flood policy

____ YES ____ NO Fire policy

____ YES ____ NO Workers compensation policy

____ YES ____ NO Umbrella policy

____ YES ____ NO Other

If yes, who has possession of the policy and where is it located? _____

22. ____ YES ____ NO Does the Debtor have any property that is perishable or needs any type of care, feeding or maintenance to preserve its value?

23. ____ YES ____ NO Does the Debtor have any property that is in danger in any way, including the possibility of theft or vandalism?

24. ____ YES ____ NO Does the Debtor have any assets that are in rented or leased property?

25. ____ YES ____ NO Has the Debtor ever owned any interest in real estate anywhere that is **NOT** listed in the Debtor's schedules? If you answered **yes**, then answer the following:

Yes__ No__ With respect to any real estate not listed in Schedule A, has it been sold?

Yes__ No__ Was the Debtor paid in full at closing?

Yes__ No__ Did the Debtor sell it to an insider?

26. ___ YES ___ NO

Does the Debtor own any rental property?

If you answered yes to the above question, answer the following:

Is the property rented?

Rental payment _____.

Who has the keys? _____

If there is a lien against the rental property, how much is the monthly payment?
_____ Lender _____

Is the property insured? If yes, provide all relevant information including the insurance company, agent or contact person.

27. ___ YES ___ NO

Did the Debtor purchase any inventory, supplies, equipment or other goods within 45 days before filing?

28. ___ YES ___ NO

Did the Debtor transfer, sell or convey any real or personal property with a fair market value of more than \$2,500 in the last four (4) years?

29. ___ YES ___ NO

Does the debtor have any licenses or permits?

30. ___ YES ___ NO

Does the debtor have any patents, copyrights, trademarks or other intellectual property?

31. ___ YES ___ NO

Is the debtor holding any money in which any third party has or claims an interest, such as deposits, retainers or retainers?

32. ___ YES ___ NO

Is the debtor holding any property in which any third party has or claims an interest, such as property being stored, repaired or sold for third parties?

33. ___ YES ___ NO

Does the debtor have any customer list?

34. ___ YES ___ NO

Does the Debtor have any insurance claims pending?

35. ___ YES ___ NO

Has the Debtor ever been the trustee, beneficiary or settlor of a Trust?

36. ___ YES ___ NO

Has the Debtor transferred anything into a trust within the last ten (10) years?

37. ___ YES ___ NO

State the amount of the Debtor's gross revenues:

This year: _____ Last year: _____

38. ___ YES ___ NO

I understand that any funds owed to the Debtor that I or any other person receive, such as payment of accounts receivable, deposits, insurance premiums, refunds, etc. must be turned over to the Trustee.

39. ___ YES ___ NO

Does the Debtor have any Electronically Stored Information (ESI)?

If yes, who controls it? Name, address, phone number and email address, _____

Is it Accessible? Yes/No Category and Location?

What format is information saved in? PDF / Jpeg?

40. ___ YES ___ NO Does the Debtor have any type of equipment that has been issued to employees? (i.e. mp-3 players, digital camera's, i-pods, blackberry's, cell phones, laptops, desk top computers)

 If yes, what type of equipment? The name, address, phone and email address of person having possession or access.

Name, Address, Phone number and email address of critical employees that have information relating to Debtor'sESI: _____

41. ___ YES ___ NO Does the Debtor have a Document Retention Policy?
 If yes, What is the policy, who has knowledge of the policy and where is a copy of the policy? _____

 42 ___ YES ___ NO Does the Debtor have a central server? If yes, where is it located and who has access? _____

 42. ___ YES ___ NO Does the Debtor have back up tapes/disk/or other media? If yes, where are they located and who has access? _____

43. ___ YES ___ NO Does the Debtor have offsite storage? If yes, where is it located and who has access? _____

 44. ___ YES ___ NO Does the Debtor have any Original licenses of software? If yes, what are they, where are they located and who has access? _____

 45. ___ YES ___ NO Does the Debtor have any computerized intellectual property? If yes, what is it, where is it located and who has access? Provide the design and original

51. ___ YES ___ NO Does the Debtor owe any sales tax?
52. ___ YES ___ NO Does the Debtor owe any property tax on real estate?
53. ___ YES ___ NO Does the Debtor owe any personal property tax on inventory or equipment?

QUESTIONS RELATING TO CREDITORS

54. ___ YES ___ NO I have listed, in the Debtor’s schedules, everyone to whom the Debtor owed money on the date it filed this bankruptcy, including insiders.
55. ___ YES ___ NO Are there any claims or possible claims against the debtor based on contamination or pollution of land?
56. ___ YES ___ NO In the last two years, did you repay any money borrowed from insiders?

If you answered **yes** to the above question, answer the following:

When _____. How much: _____.

QUESTIONS RELATING TO LITIGATION

57. ___ YES ___ NO Does the Debtor have any claims or potential claims or lawsuits against anyone whether a lawsuit has been filed or not?

YOU HAVE A LEGAL OBLIGATION TO PROVIDE THE TRUSTEE WITH TRUTHFUL AND COMPLETE INFORMATION REGARDING THE DEBTOR’S CASE, INCLUDING THE INFORMATION PROVIDED IN THE SCHEDULES, STATEMENT OF FINANCIAL AFFAIRS, THE FOREGOING QUESTIONS AND YOUR TESTIMONY AT THE 341 MEETING. IF YOU DISCOVER, LEARN OR REALIZE THAT ANY OF THE ANSWERS OR INFORMATION THAT YOU PROVIDED IS INCOMPLETE OR INCORRECT IN ANY WAY, YOU MUST IMMEDIATELY AMEND THE DEBTOR’S SCHEDULES AND NOTIFY THE TRUSTEE IN WRITING.

IF YOU RECEIVE OR BECOME AWARE OF MONEY OR PROPERTY THAT SHOULD HAVE BEEN BUT WAS NOT LISTED IN THE DEBTOR’S SCHEDULES, STATEMENT OF FINANCIAL AFFAIRS OR IN ANSWER TO THE QUESTIONS ABOVE, YOU MUST NOTIFY THE TRUSTEE IMMEDIATELY AND PRESERVE THE MONEY OR PROPERTY UNTIL THE TRUSTEE DIRECTS YOU TO TAKE A SPECIFIC ACTION. YOU MUST NOT USE OR OTHERWISE DISPOSE OF IT WITHOUT THE TRUSTEE’S PERMISSION.

IF YOU HAVE A QUESTION OR NEED INFORMATION REGARDING THE DEBTOR’S CASE, PLEASE CONTACT THE DEBTOR’S ATTORNEY. IF THE DEBTOR’S ATTORNEY DOES NOT RESPOND, YOU MAY CONTACT THE TRUSTEE IN WRITING BUT SEND A COPY OF SUCH CORRESPONDENCE TO THE DEBTOR’S ATTORNEY. NEITHER THE TRUSTEE NOR THE TRUSTEE’S EMPLOYEES CAN PROVIDE YOU WITH LEGAL ADVICE OR REPRESENTATION.

I have read the foregoing and understand the questions. I have reviewed the foregoing with assistance of counsel. The answers to the questions are mine. The answers are based on my personal knowledge and are true and correct.

Dated this _____ day of _____, 2013.

DEBTOR’S REPRESENTATIVE

ATTORNEY ACKNOWLEDGMENT

As the attorney of record, I have explained the contents of this document to the Debtor's representative and I am not aware of any contrary and/or additional information. Furthermore, the contents of this document have not been altered from the form provided by the Panel Trustees.

ATTORNEY FOR DEBTOR