B201 (12/08)

UNITED STATES BANKRUPTCY COURT

NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

B201

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of [Non-Attorney] Bankruptcy Petition Preparer

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Printed Name and title, if any, of Bankruptcy Petition Preparer Address:

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Signature of Bankruptcy Petition Preparer of officer, principal, responsible person, or partner whose Social Security number is provided above.

Certificate of the Debtor

Х

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Bain,	James	Larry

Printed Name(s) of Debtor(s)

X /s/ James L. Bain Signature of Debtor 7/20/2009 Date

Page 2

Case No. (if known)

Signature of Joint Debtor (if any)

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B22B (Official Form 22B) (Chapter 11) (01/08)

In re: Bain, James Larry
Debtor(s)

Case Number:

(If known)

CHAPTER 11 STATEMENT OF CURRENT MONTHLY INCOME

In addition to Schedules I and J, this statement must be completed by every individual chapter 11 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

		Part I. (CALCULATIO	ON OF MO	NTHLY INCO	ME			
1		 ital/filing status. Check the box tha Unmarried. Complete only Colu Married, not filing jointly. Complete Married, filing jointly. Complete Lines 2-10. 	ımn A ("Debto lete only Colu	or's Income mn A ("De	") for Lines 2-1 btor's Income"	0.) for Lines	2-10.		
All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.						De	lumn A ebtor's icome	Column B Spouse's Income	
2	Gros	s wages, salary, tips, bonuses, ov	ertime, commi	ssions.			\$		\$
	Line busir	ncome from the operation of a bu a and enter the difference in the app ness, profession or farm, enter aggre ot enter a number less than zero.	propriate colum	nn(s) of Line	e 3. If more than	one			
3	a.	Gross receipts		\$	4,616.83				
	b.	Ordinary and necessary business	expenses	\$					
	c.	Business income		Subtract I Line a	ine b from		\$	4,616.83	\$
		rental and other real property inc rence in the appropriate column(s) of							
4	a.	Gross receipts		\$	1,053.00				
4	b.	Ordinary and necessary operating	expenses	\$					
	c.	Rental income		Subtract I Line a	ine b from		\$	1,053.00	\$
5	Interest, dividends, and royalties.					\$		\$	
6	Pension and retirement income.					\$		\$	
 Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose. Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse if Column B is completed. 					\$		\$		
8	Unemployment compensation. Enter the amount in the appropriate column(s) of Line 8. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in					r spouse			
	clai	employment compensation med to be a benefit under the bial Security Act	Debtor \$		Spouse \$		\$		\$

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B22B (Official Form 22B) (Chapter 11) (01/08)

Date: _____

DEED	(Official Form 22D) (Chapter 11) (01/00)					
9	Income from all other sources. Specify source and amount. If necessary, 1 sources on a separate page. Total and enter on Line 9. Do not include alim maintenance payments paid by your spouse if Column B is completed, 1 other payments of alimony or separate maintenance. Do not include any received under the Social Security Act or payments received as a victim of a crime against humanity, or as a victim of international or domestic terrorism	but include all y benefits a war crime,				
	a	\$				
	b.	\$	\$		\$	
10	Subtotal of current monthly income. Add Lines 2 thru 9 in Column A, an completed, add Lines 2 through 9 in Column B. Enter the total(s).	nd, if Column B is	\$	5,669.83	\$	
11	Total current monthly income. If Column B has been completed, add Line 10, Column A to Line 10, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 10, Column A.				5,669.83	
Part II. VERIFICATION						
	I declare under penalty of perjury that the information provided in this statement is true and correct. (<i>If this a joint case, both debtors must sign.</i>)					
12	Date: July 20, 2009 Signature: /s/ James L. Bain					

Signature: ______(Joint Debtor, if any)

(Debtor)

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B1 (Official Form 1) (1/08)	

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United States Bankruptcy Court Northern District of Alabama, Eastern Division					Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Mide Bain, James Larry	Name of Joint Deb	of Joint Debtor (Spouse) (Last, First, Middle):					
All Other Names used by the Debtor in the last 8 yea (include married, maiden, and trade names): Buddy Bain		sed by the Joint Debtor in naiden, and trade names)		years			
Last four digits of Soc. Sec. or Individual-Taxpayer I EIN (if more than one, state all): 0456	Last four digits of a EIN (if more than o	Soc. Sec. or Individual-Taone, state all):	axpayer I.D.	. (ITIN) No./Complete			
Street Address of Debtor (No. & Street, City, State & 750 Mount Oak Dr NE Arab, AL	ż Zip Code):	Street Address of J	oint Debtor (No. & Stree	et, City, State	e & Zip Code):		
	ZIPCODE 35016-3902			Z	IPCODE		
County of Residence or of the Principal Place of Bus Marshall	iness:	County of Residen	ce or of the Principal Plac	e Principal Place of Business:			
Mailing Address of Debtor (if different from street a	ddress)	Mailing Address of	f Joint Debtor (if differen	it from stree	t address):		
	ZIPCODE			Z	IPCODE		
Location of Principal Assets of Business Debtor (if d	lifferent from street address a	above):					
				Z	IPCODE		
Type of Debtor (Form of Organization) (Check one box.) ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. □ Corporation (includes LLC and LLP) Partnership □ Other (If debtor is not one of the above entities, check this box and state type of entity below.) ✓ Filing Fee (Check one box.) ✓ Full Filing Fee attached □ Filing Fee to be paid in installments (Applicable to attach signed application for the court's consideratis unable to pay fee except in installments. Rule 10 3A. □ Filing Fee waiver requested (Applicable to chapter attach signed application for the court's consideration for the court's consider	o individuals only). Must tion certifying that the debtor 006(b). See Official Form r 7 individuals only). Must	ne box.) ate as defined in 11 pt Entity applicable.) ot organization under States Code (the e). Check one box: Debtor is a smal Debtor is not a s Check if: Debtor's aggreg affiliates are less Check all applicab A plan is being f	the Petition Chapter 7 Chapter 9 Chapter 9 Chapter 11 Chapter 12 Chapter 13 Debts are primarily debts, defined in 11 § 101(8) as "incurr individual primarily personal, family, or hold purpose." Chapter 11 E Il business debtor as defir small business debtor as defir small business debtor as defir mall business debtor as defined at the noncontingent liquida s than \$2,190,000.	nkruptcy C n is Filed (C Chapt Recog Main Chapt Recog Nonm Nature of D (Check one l y consumer 1 U.S.C. ed by an y for a r house- Debtors hed in 11 U. defined in 11 tet d debts ov	Code Under Which Check one box.) ter 15 Petition for gnition of a Foreign Proceeding ter 15 Petition for gnition of a Foreign hain Proceeding Pobts box.) Debts are primarily business debts. S.C. § 101(51D). I U.S.C. § 101(51D).		
 Statistical/Administrative Information ✓ Debtor estimates that funds will be available for ☐ Debtor estimates that, after any exempt property distribution to unsecured creditors. 	distribution to unsecured cre is excluded and administrati	ditors.	v		THIS SPACE IS FOR COURT USE ONLY		
Estimated Number of Creditors							
1-49 50-99 100-199 200-999 1,00 5,00	0- 5,001- 1	Image: 1 Image: 1 0,001- 25,001 5,000 50,000	- 50,001-	Over 100,000			
Estimated Assets Image: style="text-align: center;">Image: style: style="text-align: center;">Imag	000,001 to \$10,000,001 \$	50,000,001 to \$100,0 100 million to \$500	00,001 \$500,000,001 D million to \$1 billion	D More than \$1 billion			
Estimated Liabilities	000,001 to \$10,000,001 \$ million to \$50 million \$	50,000,001 to \$100,0 100 million to \$500	00,001 \$500,000,001 0 million to \$1 billion	More than \$1 billion			

B1 (Official Form 1) (1/08) Document	9 Entered 07/21/09 14 <u>Page 6 of 36</u>	I:04:07 Desc Main Page 2	
Voluntary Petition	Name of Debtor(s):		
(This page must be completed and filed in every case)	Bain, James Larry		
Prior Bankruptcy Case Filed Within Last	8 Years (If more than two, attach	additional sheet)	
Location Where Filed: None	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more	re than one, attach additional sheet)	
Name of Debtor: None	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.		
	X /s/ Tameria S. Driskill Signature of Attorney for Debtor(s)	7/20/09 Date	
 Does the debtor own or have possession of any property that poses or is a or safety? □ Yes, and Exhibit C is attached and made a part of this petition. ✓ No 	alleged to pose a threat of imminen	t and identifiable harm to public health	
		ch a separate Exhibit D.)	
Exhi (To be completed by every individual debtor. If a joint petition is filed, e f Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition:	ach spouse must complete and atta de a part of this petition.	ch a separate Exhibit D.)	
Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and ma	ach spouse must complete and atta de a part of this petition.	ch a separate Exhibit D.)	
Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: □ Exhibit D also completed and signed by the joint debtor is attached Information Regardin	ach spouse must complete and atta ide a part of this petition. ed a made a part of this petition. ng the Debtor - Venue pplicable box.) of business, or principal assets in th) days than in any other District. partner, or partnership pending in ta ace of business or principal assets but is a defendant in an action or pro-	is District for 180 days immediately his District. in the United States in this District, pceeding [in a federal or state court]	
 Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached Exhibit D also completed and signed by the joint debtor is attached Information Regardia (Check any a ✓ Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 186 There is a bankruptcy case concerning debtor's affiliate, general Debtor is a debtor in a foreign proceeding and has its principal place of hus no principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg 	ach spouse must complete and atta ide a part of this petition. ed a made a part of this petition. ng the Debtor - Venue pplicable box.) of business, or principal assets in th) days than in any other District. partner, or partnership pending in t ace of business or principal assets but is a defendant in an action or pro- ard to the relief sought in this Dist es as a Tenant of Residential I blicable boxes.)	is District for 180 days immediately his District. in the United States in this District, preceding [in a federal or state court] rict.	
 Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached Exhibit D also completed and signed by the joint debtor is attached Information Regardia (Check any a ✓ Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180 There is a bankruptcy case concerning debtor's affiliate, general Debtor is a debtor in a foreign proceeding and has its principal place of husiness or assets in the United States in this District, or the interests of the parties will be served in reg Certification by a Debtor Who Reside (Check all appertication of the parties will be served in reger and the proceeding and has a judgment against the debtor for possession of determine the	ach spouse must complete and atta ide a part of this petition. ed a made a part of this petition. ng the Debtor - Venue pplicable box.) of business, or principal assets in th) days than in any other District. partner, or partnership pending in t ace of business or principal assets but is a defendant in an action or pro- ard to the relief sought in this Dist es as a Tenant of Residential I blicable boxes.)	is District for 180 days immediately his District. in the United States in this District, preceding [in a federal or state court] rict.	
Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: □ Exhibit D also completed and signed by the joint debtor is attached Information Regarding (Check any a ✓ Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180 □ There is a bankruptcy case concerning debtor's affiliate, general □ Debtor is a debtor in a foreign proceeding and has its principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg Certification by a Debtor Who Resid (Check all app □ Landlord has a judgment against the debtor for possession of det (Name of landlord or less	ach spouse must complete and attained a part of this petition. ed a made a part of this petition. ng the Debtor - Venue pplicable box.) of business, or principal assets in th days than in any other District. partner, or partnership pending in t ace of business or principal assets but is a defendant in an action or pre- ard to the relief sought in this Dist es as a Tenant of Residential I blicable boxes.) tor's residence. (If box checked, com	is District for 180 days immediately his District. in the United States in this District, preceding [in a federal or state court] rict.	
Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: □ Exhibit D also completed and signed by the joint debtor is attached Information Regarding (Check any a ✓ Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180 □ There is a bankruptcy case concerning debtor's affiliate, general □ Debtor is a debtor in a foreign proceeding and has its principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg Certification by a Debtor Who Resid (Check all app □ Landlord has a judgment against the debtor for possession of det (Name of landlord or less	ach spouse must complete and atta ade a part of this petition. ed a made a part of this petition. ng the Debtor - Venue pplicable box.) of business, or principal assets in th) days than in any other District. partner, or partnership pending in t ace of business or principal assets but is a defendant in an action or pre- ard to the relief sought in this Dist es as a Tenant of Residential I blicable boxes.) otor's residence. (If box checked, co or that obtained judgment) e circumstances under which the de	is District for 180 days immediately his District. in the United States in this District, poceeding [in a federal or state court] rict. Property pomplete the following.)	

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

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Voluntary Petition	Name of Debtor(s):
(This page must be completed and filed in every case)	Bain, James Larry
Signa	atures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X /s/ James L. Bain Signature of Debtor Telephone Number (If not represented by attorney) July 20, 2009	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached. Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. X Signature of Foreign Representative Date
Date Signature of Attorney*	Signature of Non-Attorney Petition Preparer
X /s/ Tameria S. Driskill Signature of Attorney for Debtor(s) Tameria S. Driskill Tameria S. Driskill, LLC PO Box 8505 Gadsden, AL 35902 (256) 546-5591	I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. § 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
	Printed Name and title, if any, of Bankruptcy Petition Preparer
July 20, 2009	Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.	Address
Signature of Debtor (Corporation/Partnership)	X
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above. Date Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:
Signature of Authorized Individual	
Printed Name of Authorized Individual Title of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. <i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</i>
Date	

Case 09-42142-11 B1D (Official Form 1, Exhibit D) (12/08)

Doc 1 Filed 07/21/09 Entered 07/21/09 14:04:07 Desc Main Document Page 8 of 36 United States Bankruptcy Court Northern District of Alabama, Eastern Division

IN RE:

Case No. _____

Bain,	James	Larry
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Chapter 11

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Debtor(s)

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

 \checkmark 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

 \Box 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

- Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ James L. Bain
--

Date: July 20, 2009

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D4 (Official Form 4) (12/07)		Document F	age 9 of 36	
		United States Banl	sruptcy Court	
	Northe	rn District of Alaba	ama, Eastern Division	

IN RE:

Case No.

Bain, James Larry

Chapter	11
Chapter	

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

8	5.C. §112 and I cu. R. Danki. I . 1007(iii).			
(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Bancorpsouth Bank PO Box 789 Tupelo, MS 38802-0789				428,000.00 Collateral: 329,600.00 Unsecured: 98,400.00
Lvnv Funding Llc PO Box 740281 Houston, TX 77274-0281	(800) 363-3115			41,185.00
Ltd Financial Svcs Lp For Chase Bank USA 7322 Southwest Fwy Ste 1 Houston, TX 77074-2010	(713) 414-2100			36,672.00
Ltd Financial Svcs Lp For Chase Bank USA 7322 Southwest Fwy Ste 1 Houston, TX 77074-2010	(713) 414-2100			25,393.00
Compass Bank Mc Gold PO Box 2210 Decatur, AL 35699-0001	(800) 239-5175			19,937.00
Palisades Collection For First USA 210 Sylvan Ave Englewood, NJ 07632-2524	(800) 991-9367			17,831.00
Chase 201 N Walnut St # ST//DE1-1027 Wilmington, DE 19801-2920	(800) 955-9900			15,123.00
Discover Fin Svcs Llc PO Box 15316 Wilmington, DE 19850-5316				11,115.00
Lvnv Funding Llc For American Express PO Box 740281 Houston, TX 77274-0281	(800) 363-3115			9,955.00
Federated Fin Corp For Advanta 52 30955 Northwestern Hwy Farmington Hills, MI 48334-2580	(248) 737-1300			9,890.00
Holloway Credit Soluti For Callahan Eye Foundation Hospital 1286 Carmichael Way Montgomery, AL 36106-3645	(334) 396-1200			177.00

Case 09-42142-11 Doc 1 Filed 07/21/09 Entered 07/21/09 14:04:07 Desc Main Document Page 10 of 36 DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: July 20, 2009	Signature /s/ James L. Bain of Debtor	James L. Bain
Date:	Signature of Joint Debtor (if any)	

Case 09-42142-11 | B6 Summary (Form 6 - Summary) (12/07)

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IN RE:

Case No.

Bain, James Larry

Chapter 11

Debtor(s)

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 1,435,900.00		
B - Personal Property	Yes	3	\$ 11,150.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	2		\$ 1,416,246.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3		\$ 187,278.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$ 6,593.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$ 6,572.88
	TOTAL	15	\$ 1,447,050.00	\$ 1,603,524.00	



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IN RE:

Case No.

Bain, James Larry

Chapter 11

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Debtor(s)

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ 0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0.00
Student Loan Obligations (from Schedule F)	\$ 0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ 0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ 0.00
TOTAL	\$ 0.00

State the following:

Average Income (from Schedule I, Line 16)	\$ 6,593.00
Average Expenses (from Schedule J, Line 18)	\$ 6,572.88
Current Monthly Income (from Form 22A Line 12; OR , Form 22B Line 11; OR , Form 22C	
Line 20)	\$ 5,669.83

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 98,400.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 187,278.00
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 285,678.00

B6A (Official Form 6A) (12/07) 42-11 Doc 1

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IN RE Bain, James Larry

Case No.

(If known)

SCHEDULE A - REAL PROPERTY

Debtor(s)

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Business building located at 250 Arcadia Circle, Arab, AL and			329,600.00	428,000.00
house located at 276 Arcadia Circle, Arab, AL Home located at 750 Mount Oak Drive NE, Arab, AL			720,400.00	733,744.00
House and lot located at 805 7th Place NE, Arab, AL			144,800.00	126,502.00
Rental property located at 360 Arcadia Circle, Arab, AL			130,500.00	128,000.00
Rental property located at 950 Arcadia Circle, Arab, AL			110,600.00	428,000.00
			1 /35 000 00	

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Case No.

Debtor(s)

(If known)

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1.	Cash on hand.	Х			
2.	Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking account with Citizens Bank in Arab		200.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, include audio, video, and computer equipment.		Household goods and furnishings		4,500.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.		Wearing apparel		200.00
7.	Furs and jewelry.	Х			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issue.		Annuity with New York Life		350.00
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.		100% ownership in Buddy's Antique Auction, Inc. liabilities exceed assets (also filing chapter 11)		0.00
14.	Interests in partnerships or joint ventures. Itemize.	x			

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IN RE Bain, James Larry

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Case No.

Debtor(s)

(If known)

SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

_						
		TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
	15.	Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
	16.	Accounts receivable.	X			
	17.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
	18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
	19.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
	20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
	21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
	22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
	23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
	24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	x			
	25.	Automobiles, trucks, trailers, and other vehicles and accessories.	X			
	26.	Boats, motors, and accessories.	X			
	27.	Aircraft and accessories.	X			
	28.	Office equipment, furnishings, and supplies.	X			
	29.	Machinery, fixtures, equipment, and supplies used in business.	X			
	30.	Inventory.	X			
	31.	Animals.		4 horses		1,000.00
	32.	Crops - growing or harvested. Give particulars.	X			

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Case No.

IN RE Bain, James Larry

Debtor(s)

(If known)

SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
33. Farming equipment and implements.		Ford tractor and bush hog Horse trailer		2,000.00 1,200.00
	v	Kawasaki mule		500.00
34. Farm supplies, chemicals, and feed.35. Other personal property of any kind	X	Old golf cart		1,200.00
not already listed. Itemize.		Possible cause of action against National Loan Investors		unknown

TOTAL

11,150.00

Case No. ____

Debtor(s)

(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under: (Check one box)

Check if debtor claims a homestead exemption that exceeds \$136,875.

,	
11 U.S.C.	§ 522(b)(2)
☐ 11 U.S.C. ✓ 11 U.S.C.	§ 522(b)(3)

Y 11 0.5.C. <i>§ 522</i> (6)(5)			
DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
SCHEDULE A - REAL PROPERTY			
Home located at 750 Mount Oak Drive NE, Arab, AL	Ala. Code § 6-10-2, § 6-10-4	5,000.00	720,400.00
SCHEDULE B - PERSONAL PROPERTY			
Checking account with Citizens Bank in Arab	Ala. Code §§ 6-10-6, 6-10-126	200.00	200.00
Household goods and furnishings	Ala. Code §§ 6-10-6, 6-10-126	2,800.00	4,500.00
Wearing apparel	Ala. Code § 6-10-6	200.00	200.00

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(If known)

Debtor(s)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 0057			Installment account opened 10/08				58,102.00	
Bancorpsouth Bank PO Box 580 Guntersville, AL 35976-0580			house on 805 7th Place NE, Arab, AL					
			VALUE \$ 144,800.00					
ACCOUNT NO. 9488 Bancorpsouth Bank PO Box 789 Tupelo, MS 38802-0789			mortgage on business location at 250 Arcadia Circle, Arab, AL				428,000.00	98,400.00
			VALUE \$ 329,600.00	1				
ACCOUNT NO. 6400 Citizens Bank And Trust PO Box 250 Guntersville, AL 35976-0251	-		Mortgage account opened 8/08 2nd mortgage on house located at 805 7th Place NE, Arab, AL				68,400.00	
			VALUE \$ 144,800.00					
ACCOUNT NO. 0010 National Loan Investors 3030 NW Expressway Ste 1313 Oklahoma City, OK 73112-5466			mortgage claimed on property located at 750 Mt Oak Drive, Arab, AL debtor disputes entire property is mortgaged			X	518,000.00	
			VALUE \$ 720,400.00	1				
1 continuation sheets attached	-		(Total of t	Sul nis p			\$ 1,072,502.00	\$ 98,400.00
			(Use only on la		Tot page		\$ (Report also on Summary of	\$ (If applicable, report
							Summary of Schedules.)	also on Statistical Summary of Certain

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IN	RE	Bain,	James	Larry

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Debtor(s)

Case No.

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SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.			Assignee or other notification for:					
Hon. Michael P. Huff 200 Clinton Ave W Ste 900 Huntsville, AL 35801-4933			National Loan Investors					
			VALUE \$					
ACCOUNT NO. 6282			mortgage House located at 360 Arcadia Circle,				128,000.00	
Peoples Bank 811 2nd Ave NW Cullman, AL 35055-2401			Arab, AL					
			VALUE \$ 130,500.00					
ACCOUNT NO. 8566			Mortgage account opened 2/03				215,744.00	
Wachovia Mortgage, Fsb PO Box 3008 Raleigh, NC 27602-3008			Home located at 750 Mount Oak Drive NE, Arab, AL					
			VALUE \$ 720,400.00					
ACCOUNT NO.			Assignee or other notification for:					
Wachovia Mortgage PO Box 96001 Charlotte, NC 28296-0001			Wachovia Mortgage, Fsb					
			VALUE \$					
ACCOUNT NO.			VALUE \$					
ACCOUNT NO.				\top				
			VALUE \$					
Sheet no1 of1 continuation sheets attach	ned	to	•	Sut				
Schedule of Creditors Holding Secured Claims			(Total of t		pag Tot		\$ 343,744.00	\$

(Use only on last page)

(If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

\$

98,400.00

\$ 1,416,246.00

(Report also on Summary of Schedules.)

$\begin{array}{c} \text{Case } 09-42142-11 \\ \text{B6E (Official Form 6E) } (12/07) \end{array}$	Doc 1
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Case No. _

(If known)

Main

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Cours.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

Debtor(s)

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

Domestic Support Obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. 507(a)(1).

Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. 507(a)(3).

] Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to 10,950 per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. 507(a)(4).

Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

Deposits by individuals

Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

] Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

0 continuation sheets attached

$\begin{array}{c} \text{Case 09-42142-11} \\ \text{B6F (Official Form 6F) (12/07)} \end{array}$	Doc 1
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IN RE Bain, James Larry

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(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Debtor(s)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 9529			Revolving account opened 11/97				
Chase 201 N Walnut St # ST//DE1-1027 Wilmington, DE 19801-2920							15,123.00
ACCOUNT NO. 3305			Revolving account opened 2/79				
Compass Bank Mc Gold PO Box 2210 Decatur, AL 35699-0001							19,937.00
ACCOUNT NO. 6067			Revolving account opened 1/02				
Discover Fin Svcs Llc PO Box 15316 Wilmington, DE 19850-5316							11,115.00
ACCOUNT NO. 3497			Open account opened 3/07				
Federated Fin Corp For Advanta 52 30955 Northwestern Hwy Farmington Hills, MI 48334-2580							9,890.00
2 continuation sheets attached		Į	(Total of th	-	age	.)	\$ 56,065.00
			(Use only on last page of the completed Schedule F. Repor the Summary of Schedules and, if applicable, on the S Summary of Certain Liabilities and Relate	t als tatis	tica	n al	\$

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Debtor(s)

Case No.

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE 3/08 medical services Open account opened 6/08	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
medical services Open account opened 6/08				
Open account opened 6/08				
		1		177.00
0				36,672.00
Open account opened 6/08				
				25,393.00
Open account opened 3/09				
Assignee or other notification for:		<u> </u>	$\left \cdot \right $	41,185.00
Lvnv Funding Llc				
Open account opened 3/09				
				9,955.00
Assignee or other notification for:		\square	$\left \right $	-,-
Lvnv Funding Llc				
-	Assignee or other notification for:	Assignee or other notification for: Lvnv Funding Llc	Assignee or other notification for: Lvnv Funding Llc	Assignee or other notification for:

Total	
(Use only on last page of the completed Schedule F. Report also on	
the Summary of Schedules, and if applicable, on the Statistical	
Summary of Certain Liabilities and Related Data.)	9

(If known)

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B6F (Official Form 6F) (12/07) - Cont.	

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Debtor(s)	

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

	-			—	<u> </u>	_	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 6551			Open account opened 11/07	$\left \right $			
Palisades Collection For First USA 210 Sylvan Ave Englewood, NJ 07632-2524							17,831.00
ACCOUNT NO.			Assignee or other notification for:				
Palisades Collection Attn Bankruptcy PO Box 100018 Kennesaw, GA 30156-9204			Palisades Collection				
ACCOUNT NO.							
ACCOUNT NO.	-						
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
				Ļ			
Sheet no. <u>2</u> of <u>2</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims	Sheet no. 2 of 2 continuation sheets attached to Subtotal Schedule of Creditors Holding Unsecured Nonpriority Claims (Total of this page) \$ 17,831.00					\$ 17,831.00	
			(Use only on last page of the completed Schedule F. Report the Summary of Schedules, and if applicable, on the St Summary of Certain Liabilities and Related	T t also tatis	Fota o oi tica	ป n ป	\$ 187,278.00

Case 09-42142-11 B6G (Official Form 6G) (12/07)	Doc 1
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(If known)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

 \checkmark Check this box if debtor has no executory contracts or unexpired leases.

Debtor(s)

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

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SCHEDULE H - CODEBTORS

Debtor(s)

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

\checkmark Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

B6I (Official Form 6I) (12/07)	: 1
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(If known)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on From 22A, 22B, or 22C.

Debtor(s)

Debtor's Marital Status	DEPENDENTS OI	F DEBTOR AND	O SPOUSE	
Widow	RELATIONSHIP(S): Daughter			AGE(S): 13
EMPLOYMENT:	DEBTOR		SPOUSE	
Occupation Name of Employer How long employed Address of Employer				
· · ·	or projected monthly income at time case filed) alary, and commissions (prorate if not paid mon	thly)	DEBT \$ \$	FOR SPOU: \$
3. SUBTOTAL			\$	0.00 \$
 4. LESS PAYROLL DEDUCTION a. Payroll taxes and Social Security b. Insurance c. Union dues d. Other (specify) 			\$ \$ \$ \$	\$\$ \$\$ \$\$
5. SUBTOTAL OF PAYROLL I	DEDUCTIONS		\$	\$ 0.00 \$
6. TOTAL NET MONTHLY TA				0.00 \$
0. TOTAL NET MONTHLI TA			Φ	υ.υυ φ
8. Income from real property9. Interest and dividends10. Alimony, maintenance or supp that of dependents listed above	of business or profession or farm (attach detaile ort payments payable to the debtor for the debto			0.00 \$ 3.00 \$ \$ \$
11. Social Security or other govern (Specify) Daughter's Social Se			\$ 14 (0.00 \$
 Pension or retirement income Other monthly income 			\$	\$
			\$ \$ \$	\$\$ \$\$
14. SUBTOTAL OF LINES 7 T	HROUGH 13		\$ 6.593	3.00 \$
	COME (Add amounts shown on lines 6 and 14))		3.00 \$
16. COMBINED AVERAGE M (if there is only one debtor repeat to	ONTHLY INCOME : (Combine column totals total reported on line 15)	from line 15;	\$	6,593.00

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None**

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Debtor(s)

IN RE Bain, James Larry

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Case No.

(If known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form22A or 22C.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$ 2,561.00
a. Are real estate taxes included? Yes No 🖌	
b. Is property insurance included? Yes No 🖌	
2. Utilities:	
a. Electricity and heating fuel	\$ 250.00
b. Water and sewer	\$ 48.00
c. Telephone	\$ 78.00
d. Other Cable & Internet	\$ 120.00
	\$
3. Home maintenance (repairs and upkeep)	\$
4. Food	\$ 600.00
5. Clothing	\$ 40.00
6. Laundry and dry cleaning	\$ 80.00
7. Medical and dental expenses	\$ 132.00
8. Transportation (not including car payments)	\$
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$
10. Charitable contributions	\$ 30.00
11. Insurance (not deducted from wages or included in home mortgage payments)	
a. Homeowner's or renter's	\$ 534.50
b. Life	\$ 450.00
c. Health	\$ 428.30
d. Auto	\$
e. Other Daughter's Health Insur	\$ 97.00
Daughter's Life Insur	\$ 25.00
12. Taxes (not deducted from wages or included in home mortgage payments)	
(Specify) Ad Valorem	\$ 571.00
	\$
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)	
a. Auto	\$
b. Other	\$
	\$
14. Alimony, maintenance, and support paid to others	\$
15. Payments for support of additional dependents not living at your home	\$
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$
17. Other Housekeeper	\$ 433.33
Pest Control/Termite Bonds	\$ 94.75
	\$
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if	
applicable, on the Statistical Summary of Certain Liabilities and Related Data.	\$ 6,572.88

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document: **None**

20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly	income	from Line	15 of Schedule I	
a. Average monuny	meome	HOIII LIIIE	15 Of Schedule I	

b. Average monthly expenses from Line 18 above

c. Monthly net income (a. minus b.)

Case 09-42142-11 Do B6 Declaration (Official Form 6 - Declaration)	Dc 1 Filed 07/21/09 Entered 07/21/09 14:04:07 Desc Main Document Page 28 of 36
IN RE Bain, James Larry	Case No
	Debtor(s) (If known)
DECLA	RATION CONCERNING DEBTOR'S SCHEDULES
DECLARATIO	N UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR
I declare under penalty of perjury that I hat true and correct to the best of my knowled	ave read the foregoing summary and schedules, consisting of17 sheets, and that they are dge, information, and belief.
Date: July 20, 2009	Signature: /s/ James L. Bain Debtor
Data	
Date:	Signature:(Joint Debtor, if any)
	[If joint case, both spouses must sign.]
DECLARATION AND SIGNATU	IRE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)
compensation and have provided the debtor w and 342 (b); and, (3) if rules or guidelines ha	I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for ith a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), ave been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by e debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting action.
Printed or Typed Name and Title, if any, of Bankrup If the bankruptcy petition preparer is not an responsible person, or partner who signs the	individual, state the name, title (if any), address, and social security number of the officer, principal,
Address	
Signature of Bankruptcy Petition Preparer	Date
Names and Social Security numbers of all othe is not an individual:	er individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer
If more than one person prepared this docum	ent, attach additional signed sheets conforming to the appropriate Official Form for each person.
A bankruptcy petition preparer's failure to con imprisonment or both. 11 U.S.C. § 110; 18 U	mply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or <i>I.S.C.</i> § 156.
DECLARATION UNDER PE	ENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP
I, the	(the president or other officer or an authorized agent of the corporation or a
	thership) of the
Date:	Signature:
ra	(Print or type name of individual signing on behalf of debtor)
[An individual signing on beha	If of a partnership or corporation must indicate position or relationship to debtor.]

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Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

B7 (Official Form 7) (12/07)

1 Doc 1 Filed 07/21/09 Entered 07/21/09 14:04:07 Desc Main Document Page 29 of 36 United States Bankruptcy Court Northern District of Alabama, Eastern Division

IN RE:

Case No.	

Bain, James Larry

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Debtor(s)

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

2. Income other than from employment or operation of business

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

- AMOUNT SOURCE
 - 0.00 2008 amount unknown
 - 0.00 2009 amount unknown
 - 148.00 2007 taxable interest
- 5,254.00 2007 IRA distributions
- 43,993.00 2007 real estate income
- 1,628.00 2007 sale of livestock
 - 980.00 2009 daughter's Social Security benefits
- 1,680.00 2008 daughter's Social Security benefits

None

 \checkmark

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3. Payments to creditors

Complete a. or b., as a	appropriate, and c.
-------------------------	---------------------

None a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

		AMOUNT	AMOUNT
NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	PAID	STILL OWING
Wachovia Bank	monthly	2,561.00	215,000.00
PO Box 563966	•		
Charlotte, NC 28256-3966			

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \checkmark \$5,475. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not \checkmark a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or \checkmark not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding \checkmark the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to \checkmark the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

6. Assignments and receiverships

None a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. \checkmark (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

None b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the \checkmark commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

7. Gifts

None List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual \checkmark gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

8. Losses

None List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not \checkmark a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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9. Payments related to debt counseling or bankruptcy

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

10. Other transfers

None a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,		DESCRIBE PROPERTY TRANSFERRED
RELATIONSHIP TO DEBTOR	DATE	AND VALUE RECEIVED
Cynthia Jones	01/3/2009	2003 Mercedes convertible
578 Seale Rd		\$27,500 (paid debt to Peoples Bank
Calera, AL 35040-7304		of North Ala of \$24,501.76)
none		

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

11. Closed financial accounts

None List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

12. Safe deposit boxes

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK
OR OTHER DEPOSITORY
Citizens Bank
Arab. AL 35016

NAMES AND ADDRESS OF THOSE WITH ACCESS DESCRIPTION OF TO BOX OR DEPOSITORY CONTENTS sister-Charlotte Ferguson documents and records DATE OF TRANSFER OR SURRENDER, IF ANY

13. Setoffs

None List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

14. Property held for another person

None	List all property owned by another person that the debtor holds or con	trols
\checkmark		

15. Prior address of debtor

None If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

16. Spouses and Former Spouses

None If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, 🖌 Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case,

identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate \vec{v} the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor \vec{v} is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

18. Nature, location and name of business

None a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

	LAST FOUR DIGITS OF SOCIAL- SECURITY OR OTHER			
	INDIVIDUAL			
	TAXPAYER-I.D. NO.		NATURE OF	BEGINNING AND
NAME	(ITIN)/COMPLETE EIN	ADDRESS	BUSINESS	ENDING DATES
Buddy's Antique Auction, Inc.	63-0931825	250 Arcadia Cir Arab, AL 35016-3332	auction	30 years ago

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. 101.

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: July 20, 2009	Signature /s/ James L. Bain of Debtor	James L. Bain
Date:	Signature of Joint Debtor (if any)	

0 continuation pages attached

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.

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		Document Pa	age 34 of 36	
United States Bankruptcy Court				
Northern District of Alabama, Eastern Division				

IN RE:

Case No.

Bain, James Larry

____ Chapter <u>11</u>_____

Debtor(s)

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: July 20, 2009

Signature: /s/ James L. Bain James L. Bain

Date: _____ Signature: _____

Joint Debtor, if any

Debtor

Case 09-42142-11 Doc 1

Bain, James Larry 750 Mount Oak Dr NE Arab, AL 35016-3902

Tameria S. Driskill, LLC PO Box 8505 Gadsden, AL 35902

Bancorpsouth Bank PO Box 580 Guntersville, AL 35976-0580

Bancorpsouth Bank PO Box 789 Tupelo, MS 38802-0789

Chase 201 N Walnut St # ST//DE1-1027 Wilmington, DE 19801-2920

Citizens Bank And Trust PO Box 250 Guntersville, AL 35976-0251

Collections Attn Bankruptcy Dept PO Box 10587 Greenville, SC 29603-0587

Compass Bank Mc Gold PO Box 2210 Decatur, AL 35699-0001

Discover Fin Svcs Llc PO Box 15316 Wilmington, DE 19850-5316

Federated Fin Corp For Advanta 52 30955 Northwestern Hwv Farmington Hills, MI 48334-2580

Filed 07/21/09 Entered 07/21/09 14:04:07 Desc Main Document Page 35 of 36 Holloway Credit Soluti For Callahan Eye Foundation Hospital 1286 Carmichael Way Montgomery, AL 36106-3645

Hon, Michael P. Huff 200 Clinton Ave W Ste 900 Huntsville, AL 35801-4933

Ltd Financial Svcs Lp For Chase Bank USA 7322 Southwest Fwy Ste 1 Houston, TX 77074-2010

Lvnv Funding Llc PO Box 740281 Houston, TX 77274-0281

Lvnv Funding Llc For American Express PO Box 740281 Houston, TX 77274-0281

National Loan Investors 3030 NW Expressway Ste 1313 Oklahoma City, OK 73112-5466

Palisades Collection For First USA 210 Sylvan Ave Englewood, NJ 07632-2524

Palisades Collection Attn Bankruptcy PO Box 100018 Kennesaw, GA 30156-9204

Peoples Bank 811 2nd Ave NW Cullman, AL 35055-2401

Wachovia Mortgage PO Box 96001 Charlotte, NC 28296-0001 Wachovia Mortgage, Fsb PO Box 3008 Raleigh, NC 27602-3008

Case 09-42142-11 Doc 1 Filed 07/21/09 Entered 07/21/09 14:04:07 Desc Main Document Page 36 of 36 United States Bankruptcy Court Northern District of Alabama, Eastern Division

IN	IN RE:	Case No		
Ba	Bain, James Larry	Chapter <u>11</u>		
	Debtor(s)			
	DISCLOSURE OF COMPENSATION OF ATT	ORNEY FOR DEBTOR		
1.	1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rem of or in connection with the bankruptcy case is as follows:			
	For legal services, I have agreed to accept	\$\$250.00/hr		
	Prior to the filing of this statement I have received	\$\$5,000.00		
	Balance Due	\$		
2.	2. The source of the compensation paid to me was: \mathbf{V} Debtor \Box Other (specify):			
3.	3. The source of compensation to be paid to me is: \mathbf{V} Debtor \Box Other (specify):			
4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.				
	I have agreed to share the above-disclosed compensation with a person or persons who are no together with a list of the names of the people sharing in the compensation, is attached.	ot members or associates of my law firm. A copy of the agreement,		
5.	5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bank	kruptcy case, including:		
	 a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining v b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be r c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adj d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters e. [Other provisions as needed] 	required; journed hearings thereof;		

6. By agreement with the debtor(s), the above disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

July 20, 2009 Date

/s/ Tameria S. Driskill

Tameria S. Driskill Tameria S. Driskill, LLC PO Box 8505 Gadsden, AL 35902 (256) 546-5591