B1 (Official Form 1) (4/10)

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B1 (Official Form 1) (4/10)		Page 2			
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Scott, Byron C.				
Prior Bankruptcy Case Filed Within Last	8 Years (If more than two, attach	additional sheet)			
Location Where Filed: None	Case Number:	Date Filed:			
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Pending Bankruptcy Case Filed by any Spouse, Partner o	r Affiliate of this Debtor (If mo	re than one, attach additional sheet)			
Name of Debtor: None	Case Number:	Date Filed:			
District:	Relationship:	Judge:			
Exhibit A Exhibit B (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.) I, the attorney for the petitioner named in the foregoing pet that I have informed the petitioner that [he or she] may p chapter 7, 11, 12, or 13 of title 11, United States Code explained the relief available under each such chapter. I fi that I delivered to the debtor the notice required by § 3 Bankruptcy Code.					
	Signature of Attorney for Debtor(s)	Date			
Exl Does the debtor own or have possession of any property that poses or is or safety?	hibit C s alleged to pose a threat of imminen	t and identifiable harm to public health			
 Yes, and Exhibit C is attached and made a part of this petition. No 					
Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)					
If this is a joint petition:	ade a part of ans peation.				
Exhibit D also completed and signed by the joint debtor is attac	hed a made a part of this petition.				
Information Regarding the Debtor - Venue					
(Check any applicable box.) ✓ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.					
There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a fearing area discovered in the principal place of huminous partnership least in the United States in this District.					
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.					
Certification by a Debtor Who Resid	des as a Tenant of Residential l	Property			
(Check all an Landlord has a judgment against the debtor for possession of de	oplicable boxes.) obtor's residence. (If box checked, co	omplete the following.)			
(Name of landlord or les	sor that obtained judgment)				
(Address of landlord or lessor)					
Debtor claims that under applicable nonbankruptcy law, there a the entire monetary default that gave rise to the judgment for point of the provide the second secon					
Debtor has included in this petition the deposit with the court o filing of the petition.	f any rent that would become due du	aring the 30-day period after the			
Debtor certifies that he/she has served the Landlord with this ce					
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Voluntary Petition	Name of Debtor(s): Scott, Byron C.
(This page must be completed and filed in every case)	
Signa	itures
Signature(s) of Debtor(s) (Individual/Joint) 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/ Byron C. Scott Signature of Debtor Byron C. Scott X	Signature of a Foreign Representative 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
Date Signature of Attorney* X /s/ Marion E. Wynne Signature of Attorney for Debtor(s) Marion E. Wynne WYNNM9478 Wilkins, Bankester, Biles & Wynne, PA Post Office Box 1367 Fairhope, AL 36533	Signature of Non-Attorney Petition Preparer 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
September 20, 2010 Date *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. Signature of Debtor (Corporation/Partnership) J 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. X Signature of Authorized Individual Printed Name of Authorized Individual Title of Authorized Individual Date	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.) Address X 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: If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. 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.

IN RE:	Case No.

Debtor(s)

Scott, Byron C.

Chapter 11

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

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.

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*.

 \Box 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 14 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 seven 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/ Byron C. Scott

Date: September 20, 2010

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		Document	Page 4 of 14	

IN	IN RE: C	Case No
Sc	Scott, Byron C.	Chapter 11
	Debtor(s)	
	DISCLOSURE OF COMPENSATION OF ATTORNEY F	OR DEBTOR
1.	. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be n of or in connection with the bankruptcy case is as follows:	
	For legal services, I have agreed to accept	\$\$200.00/hr
	Prior to the filing of this statement I have received	\$\$15,000.00
	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 a	and associates of my law firm.
	I have agreed to share the above-disclosed compensation with a person or persons who are not members or a together with a list of the names of the people sharing in the compensation, is attached.	associates of my law firm. A copy of the agreement,
5.	i. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, in	cluding:
	 a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required; c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearing; d. Representation of the debtor in adversary proceedings and other contested bankruptey matters; 	
	e. [Other provisions as needed]	
6.	5. 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.

September 20, 2010 Date

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/s/ Marion E. Wynne

Marion E. Wynne WYNNM9478 Wilkins, Bankester, Biles & Wynne, PA Post Office Box 1367 Fairhope, AL 36533

WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2

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 <u>before</u> 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

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

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, the United States trustee (or bankruptcy administrator), the trustee, or 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.

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.

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

Case 10-04348 Doc 1 Filed 09/20/10 Entered 09/20/10 16:07:57 Desc Main Document Page 6 of 14 discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

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)

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.

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.

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. The documents and the deadlines for filing them are listed on Form B200, which is posted at <u>http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure</u>.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

Case No. Chapter 11 Scott, Byron C. Debtor(s) **CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE**

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 the attached notice, as 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

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

Scott, Byron C.	X /s/ Byron C. Scott	9/20/2010
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	
× /	Signature of Joint Debtor (if any)	Date

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

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IN RE:

Case No. _____ Chapter 11 Scott, Byron C. 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: September 20, 2010 Signature: /s/ Byron C. Scott Byron C. Scott Debtor

Date: _____ Signature: _____

Joint Debtor, if any

IN RE:

RBC Bank Post Office Box 100 Rocky Mount, NC 27802-0100

Acceptance Loan Company 5256 Hwy. 90 W. Suite D Mobile, AL 36619

American Linen Division 2900 Navy Blvd. Pensacola, FL 32505

Anthony Financial Group, CPA 1212 Government Street Mobile, AL 36604

AT & T Real Yellow Pages Post Office 105024 Atlanta, GA 30348-5024

Atlanta Dental 1650 Satelitte Blvd. Duluth, GA 30097

Bailey's TV 3700 Government Blvd. Mobile, AL 36693

Baker Donelson Attn: Eric Pruitt 420 Twentieth Street N, Ste 1600 Birmigham, AL 35203

Bank Of America Post Office Box 15710 Wilmington, DE 19886-5710

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Best Buy/ HSBC Bank Post Office Box 5238 Carol Stream, IL 60197

Capital One / Allied Interstate 3451 Harry Truman Blvd. St. Charles, MO 63301-4041

Capital One Bank Post Office Box 4953 Montgomery, AL 36103

Carroll Ogden Post Office Box 851133 Mobile, AL 36685-1133

Chase/ Zwilker & Associates Post Office Nox 94014 Palatine, IL 60094

Citi Card Post Office Box 6406 The Lakes, NV 88901-6406

Citibank (South Dakota), NA 701 East 60th Street, North Sioux Falls, SD 57117

Commercial Loan Processing Str. Post Office Box 11407 Birmingham, AL 35246-0054 Dumas & McPhail Post Office Box 870 Mobile, AL 36601

First Community Bank 34 Court Street Chatom, AL 36518

Fist Community Visa Post Office Box 30131 Tampa, FL 33630-3131

Henry Schein Dept. CH 10560 Palatine, IL 60055-0560

Henry Schein, Inc. 135 Duryea Road Melville, NY 11747-3824

Jami King 122 West Pine Street Ponchatoula, LA 70454-3305

M R S Associates/ Nationwide Credit 1930 Olney Avenue Cherry Hill, NJ 08003

Marlin Business Bank Post Office Box 13604 Philadelphia, PA 19101-3604

McCarthy, Burgess & Wolfe The MB & W Building 26000 Cannon Road Cleveland, OH 44146 Midland Credit Management, Inc. Post Office Box 60578 Los Angeles, CA 90060-0578

Patterson Companies, Inc. 1031 Mendota Heights Road Saint Paul, MN 55120

Patterson Dental 1031 Mendota Heights Road Saint Paul, MN 55120

Patterson Financial Services 1031 Mendota Heights Road St. Pauls, MN 55120

Patterson Financial Services Post Office Box 905310 Charlotte, NC 28290-5310

Regions Bank Post Office Box 2224 Birmingham, AL 35246

Ricoh Americas Corp. Post Office Box 41602 Philadelphia, PA 19101-1602

Sears Post Office Box 183081 Columbus, OH 43218-3081

Superior Bank Post Office Box 2568 Birmingham, AL 35202 Titanium Solutions/ Freddie Mac 3023 HSBC Way Fort Mills, SC 29707

Traveler/ Fritz & Hunt 301 Third Street Ocean City, NJ 08226

Wachovia Post Office Box 740502 Atlanta, GA 30374

Wachovia Post Office Box 52117 Jacksonville, FL 32201-2117

Waste Management Post Office Box 105453 Atlanta, GA 30348-5453

Xerox Capital Services Post Office Box 802555 Chicago, IL 60680-2555

Xerox Capital Services, LLC Collection Services 1301 Ridgeview Drive Lewisville, TX 75057-6018

Xerox Corporation 88188 Expedite Way Chicago, IL 60695-0001

Zarzuar And Schwartz Post Office Box 11366 Birmingham, AL 35202