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B1 (Official Form 1) (1/08)

United States Bankruptcy Court Eastern District of California	Voluntary Petition

Name of Debtor (if individual,e nter Last, First,M iddle):	Name of Joint Debtor (Spouse) (Last,F irst, Middle):
Johnson, Gary R	**Johnson, Terri A**
All Other Names used by the Debtor in the last 8 years (include married, maiden,a nd trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden,a nd trade names):
Last four digits of Soc. Sec.o r Individual-Taxpayer I.D.(ITIN) No./Complete EIN (if more than one,s tate all): **5219**	Last four digits of Soc.S ec.o r Individual-Taxpayer I.D.(ITIN) No./Complete EIN (if more than one, state all): **9626**
Street Address of Debtor (No.& Street,C ity, State & Zip Code): **507 Oak St.** **SAN ANDREAS, CA** ZIPCODE **95249**	Street Address of Joint Debtor (No.& Street,C ity,S tate & Zip Code): **507 Oak Street** **SAN ANDREAS, CA** ZIPCODE **95249**
County of Residence or of the Principal Place of Business: **Calaveras**	County of Residence or of the Principal Place of Business: **Calaveras**
Mailing Address of Debtor (if different from street address) **PO BOX 1270** **SAN ANDREAS, CA** ZIPCODE **95249**	Mailing Address of Joint Debtor (if different from street address): **PO BOX 1270** **SAN ANDREAS, CA** ZIPCODE **95249**
Location of Principal Assets of Business Debtor (if different from street address above): ZIPCODE	

Type of Debtor (Form of Organization) (Check **one** box.)

- [x] 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.)

Nature of Business (Check **one** box.)

- [ ] Health Care Business
- [ ] Single Asset Real Estate as defined in 11 U.S.C.§ 101(51B)
- [ ] Railroad
- [ ] Stockbroker
- [ ] Commodity Broker
- [ ] Clearing Bank
- [ ] Other

Tax-Exempt Entity (Check box, if applicable.)

- [ ] Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).

Chapter of Bankruptcy Code Under Which the Petition is Filed (Check **one** box.)

- [ ] Chapter 7
- [ ] Chapter 9
- [x] Chapter 11
- [ ] Chapter 12
- [ ] Chapter 13
- [ ] Chapter 15 Petition for Recognition of a Foreign Main Proceeding
- [ ] Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding

Nature of Debts (Check one box.)

- [x] Debts are primarily consumer debts,d efined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal,f amily, or household purpose."
- [ ] Debts are primarily business debts.

Filing Fee (Check one box)

- [x] Full Filing Fee attached
- [ ] Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments.R ule 1006(b).S ee Official Form 3A.
- [ ] Filing Fee waiver requested (Applicable to chapter 7 individuals only).M ust attach signed application for the court's consideration.S ee Official Form 3B.

Chapter 11 Debtors

Check one box:

- [x] Debtor is a small business debtor as defined in 11 U.S.C.§ 101(51D).
- [ ] Debtor is not a small business debtor as defined in 11 U.S.C.§ 101(51D).

Check if:

- [ ] Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than $2,190,000.

Check all applicable boxes:

- [ ] A plan is being filed with this petition
- [ ] Acceptances of the plan were solicited prepetition from one or more classes of creditors,i n accordance with 11 U.S.C. § 1126(b).

Statistical/Administrative Information

- [x] Debtor estimates that funds will be available for distribution to unsecured creditors.
- [ ] Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE IS FOR COURT USE ONLY

Estimated Number of Creditors

[x] 1-49	[ ] 50-99	[ ] 100-199	[ ] 200-999	[ ] 1,000-5,000	[ ] 5,001-10,000	[ ] 10,001-25,000	[ ] 25,001-50,000	[ ] 50,001-100,000	[ ] Over 100,000

Estimated Assets

[ ] $0 to $50,000	[ ] $50,001 to $100,000	[ ] $100,001 to $500,000	[ ] $500,001 to $1 million	[x] $1,000,001 to $10 million	[ ] $10,000,001 to $50 million	[ ] $50,000,001 to $100 million	[ ] $100,000,001 to $500 million	[ ] $500,000,001 to $1 billion	[ ] M $

Estimated Liabilities

[ ] $0 to $50,000	[ ] $50,001 to $100,000	[ ] $100,001 to $500,000	[ ] $500,001 to $1 million	[x] $1,000,001 to $10 million	[ ] $10,000,001 to $50 million	[ ] $50,000,001 to $100 million	[ ] $100,000,001 to $500 million	[ ] $500,000,001 to $1 billion	[ ] N $

2009-92901
FILED
September 11, 2009
9:57 AM
RELIEF ORDERED
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
0002081295

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Voluntary Petition *(This page must be completed and filed in every case)*	Name of Debtor(s): **Johnson, Gary R & Johnson, Terri A**	
Prior Bankruptcy Case Filed Within Last 8 Years (If more than two,a ttach additional sheet)		
Location Where Filed:**None**	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse,P artner or Affiliate of this Debtor (If more 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 theS ecurities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

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/ Mitchell Abdallah* **9/11/09**

Signature of Attorney for Debtor(s) Date

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.
☑ No

Exhibit D

(To be completed by every individual debtor.I f a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☑ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☑ Exhibit D also completed and signed by the joint debtor is attached 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 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,o r the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence.(If box checked,c omplete the following.)

_____

(Name of landlord or lessor that obtained judgment)

_____

(Address of landlord or lessor)

☐ Debtor claims that under applicable nonbankruptcy law,t here are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession,a fter the judgment for possession was entered,a nd

☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

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

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Voluntary Petition
(This page must be completed and filed in every case)

Name of Debtor(s):
Johnson, Gary R & Johnson, Terri A

Signatures

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, 11,1 2 or 13 of title 11,U nited 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,s pecified in this petition.

X */s/ Gary R Johnson*
Signature of Debtor **Gary R Johnson**

X */s/ Terri A Johnson*
Signature of JointD ebtor **Terri A Johnson**

(209) 754-5492
Telephone Number (If not represented by attorney)

September 11, 2009
Date

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 _____
Signature of Foreign Representative

_____
Printed Name of Foreign Representative

_____
Date

Signature of Attorney*

X */s/ Mitchell Abdallah*
Signature of Attorney for Debtor(s)

Mitchell Abdallah 231804
Abdallah Law Group
980 9th Street, 16th Floor
Sacramento, CA 95814
(916) 446-1974 Fax: (916) 446-3371
mitch@abdallahlaw.net

September 11, 2009
Date

*In a case in which § 707(b)(4)(D) applies,t his signature also constitutes a certification that the attorney has no knowledge after an inquiry thatt he information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

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.

X _____
Signature of Authorized Individual

_____
Printed Name of Authorized Individual

_____
Title of Authorized Individual

_____
Date

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 feef or 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 ora ccepting any fee from the debtor, as required in that section.O fficial Form 19 is attached.

_____
Printed Name and title,i f any, of Bankruptcy Petition Preparer

_____
Social Security Number (If the bankruptcy petition preparer is not an individual,s tate the Social Security number of the officer,p rincipal,r esponsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C.§ 110.)

_____
Address

_____

X _____
Signature of Bankruptcy Petition Preparer or officer,p rincipal,r esponsible person,o r 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,a ttach 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.

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B1D (Official Form 1,E xhibit D) (12/08)

United States Bankruptcy Court
Eastern District of California

IN RE: Case No. _____

Johnson, Gary R Chapter **11**

Debtor(s)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH 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.I f that happens,y ou 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.*

☐ 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.*

☐ 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.]*

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If your certification is satisfactory to the court,y ou 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)a s physically impaired to the extent ofb eing 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/ Gary R Johnson***

Date: **September 11, 2009**

Certificate Number: 02342-CAE-CC-007042130

CERTIFICATE OF COUNSELING

I CERTIFY that on May 13, 2009, at 11:30 o'clock AM PDT,

Gary Johnson received from

Consumer Credit Counseling Service of San Francisco,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Eastern District of California, an individual [or group] briefing that complied

with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of

the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet and telephone.

Date: May 13, 2009

By /s/Victoria Glisson

Name Victoria Glisson

Title Operations Representative

* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

B1D (Official Form 1,E xhibit D) (12/08)

United States Bankruptcy Court
Eastern District of California

IN RE: Case No. _____

Johnson, Terri A Chapter **11**

Debtor(s)

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH 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.I f that happens,y ou 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.*

☐ 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.*

☐ 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.]*

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If your certification is satisfactory to the court,y ou 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)a s physically impaired to the extent ofb eing 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/ Terri A Johnson***

Date: **September 11, 2009**

Certificate Number: 02342-CAE-CC-007042129

CERTIFICATE OF COUNSELING

I CERTIFY that on May 13, 2009, at 11:30 o'clock AM PDT,

Terri Johnson received from

Consumer Credit Counseling Service of San Francisco,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Eastern District of California, an individual [or group] briefing that complied

with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of

the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet and telephone.

Date: May 13, 2009

By /s/Victoria Glisson

Name Victoria Glisson

Title Operations Representative

* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

B4 (OfficialF orm 4) (12/07)

United States Bankruptcy Court
Eastern District of California

IN RE: Case No. _____

Johnson, Gary R & Johnson, Terri A Chapter **11**

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list oft he 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.T he 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 oft he child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name.S ee, 11 U.S.C.§ 112 and Fed.R .B ankr. P. 1007(m).

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code,o f 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)
Gmac Mortgage **Po Box 4622** **Waterloo, IA 50704**	**(800) 766-4622**			**346,091.00** **Collateral:** **176,000.00** **Unsecured:** **170,091.00**
Bank Of America **PO Box 37176** **San Francisco, CA 94137**				**97,040.14**
Wachovia Mortgage, FSB **4101 Wiseman Blvd # Mc-t** **San Antonio, TX 78251**	**(800) 642-0257**	**Mortgage loan**		**230,742.00** **Collateral:** **146,000.00** **Unsecured:** **84,742.00**
National City Mortgage **6 N Main St** **Dayton, OH 45402**	**(937) 226-2079**			**247,302.00** **Collateral:** **189,500.00** **Unsecured:** **57,802.00**
Wells Fargo **420 Montgomery Street** **San Francisco, CA 94104**				**42,450.82**
M & T Bank **P.O. Box 62087** **Baltimore, MD 62087**	**1(800) 724-2440**	**Mortgage loan**		**840,000.00** **Collateral:** **816,000.00** **Unsecured:** **24,000.00**
American Express **P.O. Box 981537** **El Paso, TX 79998**	**(800) 874-2717**	**Credit Card**		**2,407.00**
Discover Financial Serv. LLC **P.O. Box 15316** **Wilmington, DE 19850**		**Credit Card**		**1,338.00**
Capital One **P.O. Box 85520** **Richmond, VA 23285**		**Credit Card**		**324.00**
Wells Fargo Bank **Po Box 10438** **Des Moines, IA 50306**	**(800) 241-0025**			**25.00**

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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: **September 11, 2009** Signature of Debtor ***/s/ Gary R Johnson***

Gary R Johnson

Date: **September 11, 2009** Signature of Joint Debtor (if any) ***/s/ Terri A Johnson***

Terri A Johnson

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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 individualsw ith 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,B ankruptcy 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.

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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 17,2 005, 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,i n 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 ord rugs. Also, ifa 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.

Chapter 13:R epaymento f All or Part of the Debts of an Individual with Regular Income ($235 filing fee, $39 administrative fee: Total fee $274)

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.T he period allowed by the court to repay your debts may be three years or five years,d epending 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;a nd 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)

Chapter1 2 is designed to permit family farmers and fishermen to repay theird ebts 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,i f 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,o r partner of the bankruptcy petition preparer.) (Required by 11 U.S.C.§ 110.)

X _____
Signature of Bankruptcy Petition Preparer of officer, principal,r esponsible person, or partner whose Social Security number is provided above.

Certificate of the Debtor

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

Johnson, Gary R & Johnson, Terri A
Printed Name(s) of Debtor(s)

X */s/ Gary R Johnson* **9/11/2009**
Signature of Debtor Date

Case No.(if known) _____

X */s/ Terri A Johnson* **9/11/2009**
Signature of Joint Debtor (if any) Date

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

In re: **Johnson, Gary R & Johnson, Terri A**
Debtor(s)

Case Number: _____
(If known)

CHAPTER 11 STATEMENT OF CURRENT MONTHLY INCOME

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

Part I. CALCULATION OF MONTHLY INCOME

1 **Marital/filing status.**C heck the box that applies and complete the balance of this part of this statement as directed.

a. ☐ Unmarried.**C omplete only Column A ("Debtor's Income") for Lines 2-10.**

b. ☐ Married,n ot filing jointly. **Complete only Column A ("Debtor's Income") for Lines 2-10.**

c. ☑ Married,f iling jointly. **Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 2-10.**

		Column A Debtor's Income	Column B Spouse's Income
	All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case,e nding on the last day of the month before the filing.I f the amount of monthly income varied during the six months,y ou must divide the six-month total by six, and enter the result on the appropriate line.		
2	**Gross wages, salary,t ips,b onuses, overtime, commissions.**	$	$
3	**Net income from the operation of a business, profession,o r farm.** Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If more than one business,p rofession or farm,e nter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. a. Gross receipts $ b. Ordinary and necessary business expenses $ c. Business income — Subtract Line b from Line a	$	$
4	**Net rental and other real property income.**S ubtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero. a. Gross receipts $ b. Ordinary and necessary operating expenses $ c. Rental income — Subtract Line b from Line a	$	$
5	**Interest,d ividends,a nd royalties.**	$	$
6	**Pension and retirement income.**	$	$
7	**Any amounts paid by another person or entity,o n a regular basis, for the household expenses of the debtor or the debtor's dependents,i ncluding 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.**E nter 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 Column A or B, but instead state the amount in the space below: Unemployment compensation claimed to be a benefit under the Social Security Act — Debtor $ _____ Spouse $ _____	$	$

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9	**Income from all other sources.** Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. **Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or separate maintenance.** Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism. a. $ b. $	$	$
10	**Subtotal of current monthly income.** Add Lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 through 9 in Column B. Enter the total(s).	$	$
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.	$	

Part II. VERIFICATION

I declare under penalty of perjury that the information provided in this statement is true and correct. *(If this a joint case, both debtors must sign.)*

12 Date: **September 11, 2009** Signature: ***/s/ Gary R Johnson***
(Debtor)

Date: **September 11, 2009** Signature: ***/s/ Terri A Johnson***
(Joint Debtor, if any)

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