Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17 Desc Main 3/05/09 5:38PM Document Page 1 of 12

United States Bankruptcy Court District of District of Columbia							Vol	untary	Petition				
Name of De Dual, Jo	*	vidual, ente	er Last, Firs	t, Middle):			Name	of Joint De	ebtor (Spouse	e) (Last, First	, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						used by the maiden, and			years				
Last four dig (if more than c	one, state all)	Sec. or Indi	vidual-Taxţ	oayer I.D. (ITIN) No./0	Complete E		our digits o		r Individual-	Гахрауег I.I	D. (ITIN) No	o./Complete EIN
Street Addre	ss of Debto	*	Street, City,	and State)	:	ZID Code		Address of	Joint Debtor	(No. and St	reet, City, a	nd State):	ZIP Code
						ZIP Code 20012							ZIP Code
County of Ro District (cipal Place	of Business	s:		Count	y of Reside	ence or of the	Principal Pla	ace of Busir	ness:	
Mailing Add	ress of Deb	tor (if diffe	rent from st	reet addres	s):		Mailir	ng Address	of Joint Debt	tor (if differe	nt from stre	et address):	
					Г	ZIP Code	_						ZIP Code
Location of I (if different f	Principal As From street a	ssets of Bus address abo	siness Debtove):	or			<u> </u>						1
		Debtor				of Business				of Bankrup Petition is Fi			ch
(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.)			Sing in I Rail Stock	☐ Clearing Bank ☐ Other Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organiza under Title 26 of the United Sta			defined "incurr	er 7 er 9 er 11 er 12 er 13 are primarily co	Cl of Nature (Checl onsumer debts, § 101(8) as idual primarily	hapter 15 Po a Foreign M hapter 15 Po a Foreign M e of Debts k one box)	etition for R Main Procee etition for R Nonmain Pr	eding ecognition	
		Filing F	on (Charle		e (the Inter	nal Revenu			onal, family, or	Chapter 11	•		
Filing Fee (Check one box) 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. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptance	a small busin not a small b aggregate nor s or affiliates)	ness debtor as usiness debtor neontingent 1) are less than ith this petiti n were solici	s defined in or as defined iquidated do a \$2,190,000 on. ted prepetiti	d in 11 U.S. ebts (exclud 0.	C. § 101(51D). ing debts owed e or more			
Statistical/A Debtor es				e for distri	bution to u	nsecured cre	editors.			THIS	S SPACE IS F	FOR COURT	USE ONLY
Debtor es			exempt pro for distribu				ive expense	es paid,					
Estimated Nu	umber of Ci 50- 99	reditors 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 As	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$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	More than \$1 billion				
Estimated Li \$0 to \$50,000	abilities \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17 Desc Main 3/05/09 5:38PM Page 2 of 12

BI (Official Forn	n 1)(1/08)		Page 2		
Voluntary	Petition	Name of Debtor(s): Dual, Joseph Jr.			
(This page mus	st be completed and filed in every case)				
	All Prior Bankruptcy Cases Filed Within Last		ditional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	n one, attach additional sheet)		
Name of Debto - None -	or:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A		chibit B		
forms 10K an pursuant to S	leted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.)	I, the attorney for the petitioner named have informed the petitioner that [he o 12, or 13 of title 11, United States Cod	whose debts are primarily consumer debts.) I in the foregoing petition, declare that I or she] may proceed under chapter 7, 11, de, and have explained the relief available ify that I delivered to the debtor the notice		
☐ Exhibit A	A is attached and made a part of this petition.	X /s/ Jeffrey Sherman Signature of Attorney for Debtor(s) Jeffrey Sherman	March 5, 2009 (Date)		
	Exh	L nibit C			
	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.		harm to public health or safety?		
	Exh	nibit D			
Exhibit I If this is a joir		a part of this petition.	ı separate Exhibit D.)		
∐ Exhibit i	D also completed and signed by the joint debtor is attached a				
	Information Regardin	=			
•	(Check any ap Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for	al place of business, or principal asset	ts in this District for 180		
	There is a bankruptcy case concerning debtor's affiliate, ge		-		
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	cipal place of business or principal ass in the United States but is a defendar ne interests of the parties will be serve	sets in the United States in nt in an action or ed in regard to the relief		
	Certification by a Debtor Who Reside: (Check all appl		·ty		
	Landlord has a judgment against the debtor for possession		complete the following.)		
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment f				
	Debtor has included in this petition the deposit with the conafter the filing of the petition.		•		

Signature(s) of Debtor(s) (Individual/Joint)

[If petitioner is an individual whose debts are primarily consumer debts and

chapter 7, 11, 12, or 13 of title 11, United States 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,

has chosen to file under chapter 7] I am aware that I may proceed under

I declare under penalty of perjury that the information provided in this

B1 (Official Form 1)(1/08)

Voluntary Petition

petition is true and correct.

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

Name of Debtor(s): Dual, Joseph Jr.

Signatures

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.

₹7
X
Z3

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy 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); and, (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

Social-Security number (If the bankrutpcy 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			

Date

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

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.

X /s/ Joseph Dual, Jr.

specified in this petition.

Signature of Debtor Joseph Dual, Jr.

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

March 5, 2009

Date

Signature of Attorney*

X /s/ Jeffrey Sherman

Signature of Attorney for Debtor(s)

Jeffrey Sherman

Printed Name of Attorney for Debtor(s)

Semmes, Bowen & Semmes

Firm Name

1001 Connecticut Ave NW Suite 1100 Washington, DC 20036

Address

Email: jsherman@semmes.com

202-778-8692 Fax: 202-822-8258

Telephone Number

March 5, 2009

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)

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 Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Document

Entered 03/05/09 17:40:17 Page 4 of 12

Desc Main

B 1D(Official Form 1, Exhibit D) (12/08)

United States Bankruptcy Court District of District of Columbia

In re	Joseph Dual, Jr.			
		Debtor(s)	Chapter	11

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. 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.
- □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.] _

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.

Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17 Desc Main Document Page 5 of 12

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

□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/ Joseph Dual, Jr.
	Joseph Dual, Jr.
Date: March 5, 2009	

Desc Main Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17

Document

Page 6 of 12

B4 (Official Form 4) (12/07)

United States Bankruptcy Court District of District of Columbia

In re	Joseph Dual, Jr.		Case No.	
		Debtor(s)	Chapter	11

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; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Department of Treasury Internal Revenue Service Atlanta, GA 39901	Department of Treasury Internal Revenue Service Atlanta, GA 39901	Taxes		400,000.00
Educational Data Systems P.O. Box 815459 Dallas, TX 75381	Educational Data Systems P.O. Box 815459 Dallas, TX 75381	Student Loan		32,272.00
Linda Awkard	Linda Awkard	Settlement		200,000.00
Maryland Child Support Account P.O. Box 17396 Baltimore, MD 21297	Maryland Child Support Account P.O. Box 17396 Baltimore, MD 21297	Child Support		5,000.00
Navy Federal Credit Union 170 Jennifer Road Suite 150 Annapolis, MD	Navy Federal Credit Union 170 Jennifer Road Suite 150 Annapolis, MD			6,571.08
Navy Federal Credit Union 170 Jennifer Road Suite 150 Annapolis, MD	Navy Federal Credit Union 170 Jennifer Road Suite 150 Annapolis, MD			4,790.94
Patricia J-Ann Wells 4009 20th Street NE Washington, DC 20018	Patricia J-Ann Wells 4009 20th Street NE Washington, DC 20018	Personal Loan		42,000.00
PNC Bank P.O. Box 1912 Washington, DC 20074	PNC Bank P.O. Box 1912 Washington, DC 20074			7,500.00
Raymond Bottocchi 1320 Old Chain Bridge Road Suite 200 Mc Lean, VA 22101	Raymond Bottocchi 1320 Old Chain Bridge Road Suite 200 Mc Lean, VA 22101	Personal Loan		4,000.00
Sasscer, Clagett & Bucher 5407 Water Street Suite 101 Upper Marlboro, MD 20772	Sasscer, Clagett & Bucher 5407 Water Street Suite 101 Upper Marlboro, MD 20772	Legal Fees		35,000.00

Filed 03/05/09 Entered 03/05/09 17:40:17 Desc Main Case 09-00170 Doc 1

Document

Page 7 of 12

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Joseph Dual, Jr.	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, Joseph Dual, Jr., the debtor in this case, 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	March 5, 2009	Signature	/s/ Joseph Dual, Jr.
			Joseph Dual, Jr.
			Debtor

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.

Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17 I

Document

Page 8 of 12

Desc Main

0.00

United States Bankruptcy Court District of District of Columbia

In r	Joseph Dual, Jr.		Case No.	
		Debtor(s)	Chapter	11
	DISCLOSURE OF COMP	ENSATION OF ATTORNE	EY FOR DE	BTOR(S)
	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy 1 compensation paid to me within one year before the 1 be rendered on behalf of the debtor(s) in contemplation	filing of the petition in bankruptcy, or	agreed to be paid	d to me, for services rendered or to
	For legal services, I have agreed to accept		\$	2,000.00
	Prior to the filing of this statement I have receive	ed	\$	2,000.00

2	The source	of the com	pensation	paid to me	was:
	The source	or the com	pensanon	para to me	vvus.

- Debtor □ Other (specify):
- 3. The source of compensation to be paid to me is:
 - Debtor □ 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 not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
- 5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
 - a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;

Balance Due

- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.

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

Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

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. Dated: March 5, 2009 | S | Jeffrey Sherman | | Jeffrey Sherman | | Semmes, Bowen & Semmes | | 1001 Connecticut Ave NW Suite 1100 | | Washington, DC 20036 | | 202-778-8692 | Fax: 202-822-8258 | | jsherman@semmes.com

UNITED STATES BANKRUPTCY COURT DISTRICT OF DISTRICT OF COLUMBIA

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)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17

3/05/09 5:38PM Document Page 10 of 12 **B 201** (12/08) Page 2

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 Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Jeffrey Sherman	X /s/ Jeffrey Sherman	March 5, 2009
Printed Name of Attorney	Signature of Attorney	Date
Address:		
1001 Connecticut Ave NW Suite 1100 Washington, DC 20036 202-778-8692 jsherman@semmes.com		
Certificate I (We), the debtor(s), affirm that I (we) have received and	e of Debtor read this notice.	
Joseph Dual, Jr.	X /s/ Joseph Dual, Jr.	March 5, 2009
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	
	Signature of Joint Debtor (if any)	Date

Case 09-00170 Doc 1 Filed 03/05/09 Entered 03/05/09 17:40:17 Desc Main Document Page 11 of 12

United States Bankruptcy Court

		District of District of Columbia		
In re	Joseph Dual, Jr.		Case No.	
		Debtor(s)	Chapter	11
	VI	ERIFICATION OF CREDITOR N	MATRIX	
Γhe abo	ove-named Debtor hereby verif	fies that the attached list of creditors is true and co	rrect to the best	of his/her knowledge.
Date:	March 5, 2009	/s/ Joseph Dual, Jr. Joseph Dual, Jr.		

Signature of Debtor

Department of Treasury Internal Revenue Service Atlanta, GA 39901

Educational Data Systems P.O. Box 815459 Dallas, TX 75381

Linda Awkard

Maryland Child Support Account P.O. Box 17396 Baltimore, MD 21297

Navy Federal Credit Union 170 Jennifer Road Suite 150 Annapolis, MD

Patricia J-Ann Wells 4009 20th Street NE Washington, DC 20018

PNC Bank P.O. Box 1912 Washington, DC 20074

Raymond Bottocchi 1320 Old Chain Bridge Road Suite 200 Mc Lean, VA 22101

Sasscer, Clagett & Bucher 5407 Water Street Suite 101 Upper Marlboro, MD 20772