Official Form 1 (1/08) United States Bankruptcy Court Voluntary Petition MIDDLE DISTRICT OF FLORIDA Name of Debtor (if individual, enter Last First, Middle). Name of Joint Debtor (Spouse)(Lust, First, Middle): Fudge, Michael D. Fudge, Susan E. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names) NONE NONE Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITTN) No./Complete EIN (if more than one, state atl): 1179 (If more than one, state all): 7854 Street Address of Debtor Street Address of Joint Debtor (No. & Street, City, and State). (No. & Stroes, City, and State). 7527 Botanica Parkway 7527 Botanica Parkway Sarasota FL Sarasota FL ZIPCODE ZIPCODE 34238 34238 County of Residence or of the County of Residence or of the Principal Place of Business: Principal Place of Business: Sarasota Sarasota Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 8710 W. Hillsborough Avenue 8710 W. Hillsborough Avenue P.O. BOX 232 P.O. Box 232 ZIPCODE ZIPCODE 33615 33615 Tampa FL Tampa FL Location of Principal Assets of Business Debtor ZIPCODE (if different from street address above): Nature of Business Chapter of Bankruptcy Code Under Which Type of Debtor (Form of organization) (Check one box.) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 ☐ Chapter 15 Petition for Recognition Individual (includes Joint Debtors) Chapter 9 of a Foreign Main Proceeding Single Asset Real Estate as defined See Exhibit D on page 2 of this form. \boxtimes in 11 U.S C. § 101 (51B) Chapter 11 Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Railroad of a Foreign Nonmain Proceeding Partnership Chapter 13 Stockbroker Other (if debtor is not one of the above Nature of Debts (Check one box) Commodity Broker entities, check this box and state type of Debts are primarily consumer debts, defined Debts are primarily Clearing Bank entity below in 11 U.S.C. § 101(8) as "incurred by an business debts. Other individual primarily for a personal, family, or household purpose" Tax-Exempt Entity Chapter 11 Debtors: (Check box, if applicable.) Check one box: Debtor is a tax-exempt organization Debtor is a small business as defined in 11 U.S.C. § 101(51D). under Title 26 of the United States Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Code (the Internal Revenue Code). Filing Fee (Check one box) Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed Full Filing Fee attached to insiders or affiliates) are less than \$2,190,000. 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. Check all applicable boxes: A plan is being filed with this petition Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach Acceptances of the plan were solicited prepetition from one or more signed application for the court's consideration. See Offi cial Form 3B. classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information 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. Estimated Number of Creditors \boxtimes 25,001-1,000-5.001-10,001-200-999 50,001-1-49 50-99 100-199 Over 50.000 5,000 10,000 25,000 100,000 Estimated Assets D 10 \$1,000.001 \$100,001 to \$300,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$30,001 (a \$50.000 \$100,000 \$500,000 to \$10 lo \$100 to \$500 to \$1 billion 10 \$1 lo \$50 \$1 billion million Estimated Liabilities \$500,00 E \$50,000,001 50 to \boxtimes \$10,000,001 \$100,000,001 \$50,001 to 01 100,0012 \$1,000,001 \$500,000,001 More than 10 \$500 \$50,000 \$100,000 \$500,000 10.51 to \$10 10 \$50 to \$100 to \$1 billion \$1 billion million million millian mallian million

Case 8:08-bk-02924-PMG Document 1 Filed 03/05/2008

Page 2 of 17 FORM BI, Page Official Form 1 (1/08) Name of Debtor(s): Michael D. Fudge and Voluntary Petition (This page must be completed and filed in every case) Susan E. Fudge All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: NONE Location Where Filed: Case Number: Date Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number: Relationship: Judge District. Exhibit A Exhibit B (To be completed if debtor is required to file periodic reports (To be completed if debtor is an individual (e.g., forms 10K and 10Q) with the Securities and Exchange whose debts are primarily consumer debts) Commission pursuant to Section 13 or 15(d) of the Securities l, the attorney for the petitioner named in the foregoing petition, declare that I Exchange Act of 1934 and is requesting relief under Chapter 11) 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 have delivered to the debtor the notice required by 11 U.S.C. §342(b). Exhibit A is attached and made a part of this petition 03/05/2008 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. $\overline{\boxtimes}$ 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.) Exhibit D completed and signed by the debtor is attached and made part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and 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 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 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, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included with 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(1)).

not an individual.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

03/05/2008

Date

assisted in preparing this document unless the bankruptcy petition preparer is

If more than one person prepared this document, attach additional sheets

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.

conforming to the appropriate official form for each person.

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION

In re	Michael and	D.	Fudge				Case No. Chapter	
	Susan E	. Fu	dge					
				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. 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 filling 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 I 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. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

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 Berjury that the information provided above is true and correct.

Signature of Debtor:

Document 1

Filed 03/05/2008

Page 5 of 17

Official Form 1, Exhible & Sept \$:08-bk-02924-PMG

03/05/2008

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION

Inre Michael D. Fudge and Susan E. Fudge				Case No. Chapter	
	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. 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 I 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. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

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 parjury that the information provided above is true and correct.

Signature of Debtor:

Document 1

Filed 03/05/2008

Page 7 of 17

Official Form 1, Exhibit இது இ:08-bk-02924-PMG

03/05/2008

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA Tampa DIVISION

In re Michael D. Fudge and Susan E. Fudge Case No.
Chapter 11

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

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	(If Secured Also State Value of Security)
1 Wachovia	Phone: Wachovia	Mortgage		\$ 473,000.00
P.O. Box 15153	P.O. Box 15153		Value:	\$ 0.00
Wilmington DE 19886-5153	Wilmington DE 19886-5153	Net	Unsecured:	\$ 473,000.00
2	Phone:	Final Judgment	<u> </u>	\$ 125,001.96
Cemex Construction Materials	Stephen E. Walker			
P.O. Box552211	401 E. Jackson Street		}	
Tampa FL 33655	Suite 2225 Tampa FL 33602			
3	Phone:	Credit Account	E D	\$ 102,424.18
Wachovia	Wachovia			
P.O. Box 15153 Wilmington DE 19886-5153	P.O. Box 15153 Wilmington DE 19886-5153			
4	Phone:	Final Judgment	<u> </u>	\$ 81,117.52
Schwab Ready-Mix, Inc.	J. Jeffrey, Esquire		J	
P.O. Box 60307	P.O> Box 2366			
Fort Myers FL 33906	Fort Myers FL 33902			
5	Phone:	Services / Pro	oducts D	\$ 57,000.00
Jahna Concrete, Inc.	Jahna Concrete, Inc.			
104 South Railroad Ave.	104 South Railroad Ave.			
Avon Park FL 33825	Avon Park FL 33825			

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Name of Creditor and Complete Malling 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 Clair is Contingent Unliquidated, Disputed, or Subject to Setoff	(If Secured Also State Value of Security)
6 Florida Retail Federation Fund P.O. Box 988 Lakeland FL 33802	Phone: Dale Gardner Jacobs, Esquire P.O. Box 2537 Lakeland FL 33806	Services / Pro	oducts	D \$ 51,524.67
7 Wachovia P.O. Box 15153 Wilmington DE 19886-5153	Phone: Wachovia P.O. Box 15153 Wilmington DE 19886-5153	1	*Value: Unsecured: Liens Exist	\$ 100,000.00 \$ 550,000.00 \$ 30,000.00
8 Macys P.O. Box 8112 Mason OH 45040	Phone: Macys P.O. Box 8112 Mason OH 45040	Credit Card De	≥bt	\$ 17,694.56
9 ERB Building Supply, LLC 8171 Blaikie Court Sarasota FL 34240	Phone: Carmen Lubbecke, Esquire 4411 Bee Ridge Road #223 Sarasota FL 34233	Services / Pro	oducts	D \$ 7,557.95
10 Bank of America P.O. Box 650064 Dallas TX 75265-0064	Phone: Bank of America P.O. Box 650064 Dallas TX 75265-0064	Credit Card De	∍bt	D \$ 5,688.71
11 SunTrust P.O. Box 791144 Baltimore MD 21279-1144	Phone: SunTrust P.O. Box 791144 Baltimore MD 21279-1144	Credit Card De	abt	D \$ 5,204.64
12 Robert W. Darnell, PA 1820 Ringling Blvd. Sarasota FL 34236	Phone: Robert W. Darnell, PA 1820 Ringling Blvd. Sarasota FL 34236	Services		D \$ 3,237.18
13 All-Star Equipment of Manasota 5103 53rd Ave. East Bradenton FL 34203	Phone: All-Star Equipment of Manasota 5103 53rd Ave. East Bradenton FL 34203	Services / Pro	oducts	D \$ 3,217.32

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Name of Creditor and Complete	Name, Telephone Number and	Nature of Claim	Indicate if Clair	m Amount of Claim
Mailing Address Including	Complete Mailing Address,	(Trade Debt,	is Contingent	, (If Secured Also
Zip Code	Including Zip Code, of Employee,	Bank Loan,	Unliquidated,	State Value of
	Agent, or Department of Creditor	Government	Disputed, or	Security)
	Familiar with Claim	Contract, etc.)	Subject to	
	Who May Be Contacted		Setoff	
14	Phone:	Services		D \$ 2,798.92
Federal Express	Federal Express			
US Collection Dept.	US Collection Dept.			}
P.O. Box 94515	P.O. Box 94515			
Palatine IL 60094-4515	Palatine IL 60094-4515			
15	Phone:	Final Judgmen	t	D \$ 2,479.21
FCCI Insurance Group	FCCI Insurance Group			
P.O. Box 58005	P.O. Box 58005		}	
Sarasota FL 34232	Sarasota FL 34232			
16	Phone:	Credit Card De	ebt	\$ 2,141.37
Best Buy	Best Buy			
P.O. Box 15521	P.O. Box 15521			
Wilmington DE 19850-5521	Wilmington DE 19850-5521			
17	Phone:	Services / Pro	oducts	D \$ 1,428.88
Fortress Block, LLC	Fortress Block, LLC			
26475 Eagle Blvd.	26475 Eagle Blvd.			
	Punta Gorda FL 33950	1		

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

١,			· · · · · · · · · · · · · · · · · · ·	of the	Individual	Debtor named
as det	otor in this case, declare u	nder penalty of perjo	ury that I have read the foregoing List of C	reditors Holding Twenty La	rgest Unsecured	Claims and that
they a	re true and correct to the b	est of my knowledg	ge, information and belief.			
Date:	3/5/2008	Signature Name:	Michael D. Fudge			
Date:	3/5/2008	Signature Name:	Sugan E. Fudge			

MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION

In re Michael D. Fudge		Case No.	
and		Chapter	11
Susan E. Fudge			
	/ Debtor		

CERTIFICATION OF CREDITOR MATRIX

I hereby certify that the attached matrix includes the names and addresses of all creditors listed on the debtor's schedules.

Dated: 03/05/2008

Attorney for Debtor: Melody D. Genson

Debtor's Attorney

Case 8:08-bk-02924-PMG Document 1 Filed 03/05/2008 Page 12 of 17

Case 8:08-bk-02924-PMG
Michael D. Fudge
8710 W. Hillsborough Avenue
P.O. Box 232
Tampa, FL 33615

Susan E. Fudge 8710 W. Hillsborough Avenue P.O. Box 232 Tampa, FL 33615

Melody D. Genson 2750 Ringling Boulevard Suite 3 Sarasota, FL 34237

Cemex Construction Materials P.O. Box552211 Tampa, FL 33655

Crom Equipment Rentals, Inc. P.O. Box 143190 Gainesville, FL 32614

Daniel Almeida 903 A Faust Road Perkiomenville, PA 18074

ERB Building Supply, LLC 8171 Blaikie Court Sarasota, FL 34240

Florida Retail Federation Fu P.O. Box 988 Lakeland, FL 33802

Internal Revenue Service Attn: Chief-Insolvency Unit P.O. Box 17167 Stop 5730 Fort Lauderdale, FL 33318

Internal Revenue Service Atlanta, GA 39901-0002

Internal Revenue Service Attn: Civil Processing Clerk 400 N. Tampa St., Ste. 3200 Tampa, FL 33602

Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114 McKay Law Firm, PA 208-bk-02924-PMG Document 1 Filed 03/05/2008 Page 13 of 17

McKay Law Firm, PA 2055 Wood Street Suite 120 Sarasota, FL 34237

Schwab Ready-Mix, Inc. P.O. Box 60307 Fort Myers, FL 33906 Case 8:08-bk-02924-PMG Document 1 Filed 03/05/2008 Page 14 of 17 All-Star Equipment of Manaso

All-Star Equipment of Manas 5103 53rd Ave. East Bradenton, FL 34203

Bank of America P.O. Box 650064 Dallas, TX 75265-0064

Best Buy P.O. Box 15521 Wilmington, DE 19850-5521

Carmen Lubbecke, Esquire 4411 Bee Ridge Road #223 Sarasota, FL 34233

Dale Gardner Jacobs, Esquire P.O. Box 2537 Lakeland, FL 33806

FCCI Insurance Group P.O. Box 58005 Sarasota, FL 34232

Federal Express US Collection Dept. P.O. Box 94515 Palatine, IL 60094-4515

Fortress Block, LLC 26475 Eagle Blvd. Punta Gorda, FL 33950

J. Jeffrey, Esquire P.O> Box 2366 Fort Myers, FL 33902

Jahna Concrete, Inc. 104 South Railroad Ave. Avon Park, FL 33825

Macys P.O. Box 8112 Mason, OH 45040

Robert W. Darnell, PA 1820 Ringling Blvd. Sarasota, FL 34236 Case 8:08-bk-02924-PMG Document 1 Filed 03/05/2008 Page 15 of 17

Stephen E. Walker 401 E. Jackson Street Suite 2225 Tampa, FL 33602

SunTrust P.O. Box 791144 Baltimore, MD 21279-1144

Wachovia P.O. Box 15153 Wilmington, DE 19886-5153

UNITED STATES BANKRUPTCY COURT NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
- 2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
- 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, your discharge may be denied by the court, and the purpose for which you filed the bankuptcy petition will be defeated.
- 4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
- 5. Under certain circumstances you may keep properly that you have purchased subject to valid security interest. Your attorney can expain the options that are available to you.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)

- 1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them 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 Bankuptcy Code.
- 2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
- 3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
- 4. After completion of payments under the plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)

Chapter 11 is designed primarily 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 (\$200 filing fee plus \$39 administrative fee)

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

e debtor, affirm that I have re	ad this notice.	
03/05/2008	Moan rege	
Date	Signature of Debtor	Case Number
03/05/2008	Muckey keep	
Date	Signature of Joint Debter	
	DEBTOR COPY (circle one)	

(4/98) Case 8:08-bk-02924-PMG Document 1 Filed 03/05/2008 Page 17 of 17 STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. § 341

INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts;
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every six (6) years.

WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy.

WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary - they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues your discharge order or within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make the payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,077,000 (\$269,250 in unsecured debts and \$807,750 in secured debts).

AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.