B1 (Official F	Corm 1)(4/1	10)											
	United States Bankruptcy C Middle District of Florida									Vol	untary	Petition	
Name of Del Cappolla			er Last, First,	Middle):			Name	of Joint De	ebtor (Spouse)	) (Last, First	, Middle):		
All Other Na (include marr	ried, maide	n, and trade	or in the last se names):	3 years					used by the J maiden, and			years	
Last four digition (if more than one,		Sec. or Indi	vidual-Taxpa	yer I.D. (	ITIN) No./0	Complete E	EIN Last f	our digits o than one, state	f Soc. Sec. or	Individual-1	Гахрауег I.I	D. (ITIN) No	o./Complete EIN
Street Addres 1037 Ing Jackson	ss of Debto leside A		Street, City, a	and State)	:	ZID Code		Address of	f Joint Debtor	(No. and Str	reet, City, a	nd State):	ZID Code
					;	ZIP Code 32205	<del>-</del>						ZIP Code
County of Residence or of the Principal Place of Business: <b>Duval</b>				Count	y of Reside	ence or of the	Principal Pla	ace of Busin	ness:				
Mailing Add	ress of Deb	otor (if diffe	rent from stre	eet addres	s):		Mailir	ng Address	of Joint Debte	or (if differe	nt from stre	et address):	
					_	ZIP Code							ZIP Code
Location of F (if different f	Principal As From street a	ssets of Bus address abo	siness Debtor ve):										
☐ Corporati ☐ Partnersh ☐ Other (If o	(Form of O (Check of all (includes bit D on page ion (include ip debtor is not	ge 2 of this es LLC and	form. LLP) bove entities,	Sing in 1 Rail Stoc	(Check lth Care Bu gle Asset Re 1 U.S.C. § road kbroker nmodity Bro uring Bank er	eal Estate a: 101 (51B) oker	s defined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	the Feer 7 eer 9 eer 11 eer 12	of □ Cl of	hapter 15 Po a Foreign I hapter 15 Po		ecognition ding ecognition
				unde		of the Unite	le) ganization ed States	defined "incurr	are primarily co d in 11 U.S.C. § red by an indivi- onal, family, or l	101(8) as dual primarily	for		are primarily ess debts.
<b>-</b> - 11 - 111		•	heck one box	.)			one box:	mall business	Chap debtor as defin	ter 11 Debte			
attach sign debtor is u Form 3A.	to be paid in ed application nable to pay	n installments on for the cou fee except in	(applicable to urt's consideration installments.)	on certifyi Rule 1006( 7 individua	ng that the b). See Officals only). Mu	Check Check Check B.	Debtor is not if: Debtor's agg are less than all applicabl A plan is bei Acceptances	regate nonco \$2,343,300 ( e boxes: ng filed with of the plan w	ness debtor as d entingent liquida amount subject	lefined in 11 United debts (exc to adjustment	J.S.C. § 101( cluding debts on 4/01/13 d	51D).  owed to inside and every three	lers or affiliates) e years thereafter). editors,
☐ Debtor es	stimates tha	t funds will t, after any	ation be available exempt prop for distributi	erty is ex	cluded and	administrat		es paid,		THIS	SPACE IS F	FOR COURT	USE ONLY
Estimated Nu 1- 49	imber of Ci 50- 99	reditors  100- 199	200-	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	to \$1	\$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					
Estimated Lia  \$0 to \$50,000	abilities  \$50,001 to \$100,000	\$100,001 to \$500,000	to \$1	\$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					

B1 (Official Form 1)(4/10) Page 2

Voluntary	<b>Petition</b>	Name of Debtor(s):  Cappolla, Kimberly P.			
(This page mus	st be completed and filed in every case)	Cappona, Rimborry 1.			
	All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two, attach ad	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	one, attach additional sheet)		
Name of Debto - None -	or:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A		hibit B whose debts are primarily consumer debts.)		
forms 10K ar 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 of 12, or 13 of title 11, United States Coo	in the foregoing petition, declare that I r she] may proceed under chapter 7, 11, le, and have explained the relief available fy that I delivered to the debtor the notice		
☐ Exhibit A	A is attached and made a part of this petition.	X /s/ Taylor J. King	May 27, 2010		
		Signature of Attorney for Debtor(s)  Taylor J. King 72049	(Date)		
	Exh	ibit 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.	pose a threat of imminent and identifiable	harm to public health or safety?		
Exhibit I  If this is a join	eted by every individual debtor. If a joint petition is filed, each completed and signed by the debtor is attached and made and petition:  Delta also completed and signed by the joint debtor is attached and signed by the joint debtor is att	a part of this petition.	separate Exhibit D.)		
	Information Regardin	g the Debtor - Venue			
_	(Check any ap				
•	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for				
	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 the sought in this District.	in the United States but is a defendance interests of the parties will be serve	nt in an action or d in regard to the relief		
	Certification by a Debtor Who Reside (Check all app		ty		
	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, th				
	the entire monetary default that gave rise to the judgment f Debtor has included in this petition the deposit with the co	•			
	after the filing of the petition.  Debtor certifies that he/she has served the Landlord with the	nis certification. (11 U.S.C. § 362(l)).			

B1 (Official Form 1)(4/10)

Page 3

# **Voluntary Petition**

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

#### 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, 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, specified in this petition.

## X /s/ Kimberly P. Cappolla

Signature of Debtor Kimberly P. Cappolla

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

May 27, 2010

Date

### Signature of Attorney\*

### X /s/ Taylor J. King

Signature of Attorney for Debtor(s)

#### Taylor J. King 72049

Printed Name of Attorney for Debtor(s)

### Mickler & Mickler

Firm Name

5452 Arlington Epressway Jacksonivlle, FL 32211

Address

Email: court@planlaw.com

904-725-0822 Fax: 904-725-0855

Telephone Number

# May 27, 2010

Date

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

### **Signature of Debtor (Corporation/Partnership)**

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 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.)

Name of Debtor(s):

Cappolla, Kimberly P.

- ☐ 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 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.)

_	_		
М	۰	•	

Date

Address

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.

B 1D (Official Form 1, Exhibit D) (12/09)

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		Case No.	
		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 14 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 seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

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

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

Page 2

☐ 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/ Kimberly P. Cappolla

Kimberly P. Cappolla

Date: May 27, 2010

**B4** (Official Form 4) (12/07)

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		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]
American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063	American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063	Mortgage		Unknown
American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063	American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063	Mortgage		Unknown
American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063	American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063	Mortgage		Unknown
Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Investment: 2627-33 Post Street, Jacksonville, FL 32204		206,669.00 (200,000.00 secured)
Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Investment: 2608 College Street, Jacksonville, FL 32204		190,267.00 (150,000.00 secured)
Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Investment: 2614 College Street, Jacksonville, FL 32204		190,267.00 (150,000.00 secured)
Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410	Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410	Investment: 912 Acosta Street, Jacksonville, FL 32204		120,665.00 (90,000.00 secured)
Bank of America P.O. Box 1598 Norfolk, VA 23501	Bank of America P.O. Box 1598 Norfolk, VA 23501	Investment: 2303-09 College Street, Jacksonville, FL 32204		300,000.00 (220,000.00 secured) (163,143.00 senior lien)
Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410	Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410	Residence: 1037 Ingleside Avenue, Jacksonville, FL 32205		136,653.00 (125,000.00 secured)

B4 (Offi	cial Form 4) (12/07) - Cont.
In re	Kimberly P. Cappolla

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]
Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410	Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410	Investment: 2805 Post Street, Jacksonvile, FL 32204		100,554.00 (90,000.00 secured)
Barclays Bank Delaware 125 S West St Wilmington, DE 19801	Barclays Bank Delaware 125 S West St Wilmington, DE 19801			2,989.31
Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Investment: 2518-20 College Street, Jacksonville, FL 32204		135,034.00 (115,000.00 secured)
Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Investment: 2609-11 College Street, Jacksonville, FL 32204		134,141.00 (110,000.00 secured)
Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Investment: 2514-16 College Street, Jaksonville, FL 32204		134,673.00 (114,000.00 secured)
Concord 6560 N Scottsdale Rd #G100 Scottsdale, AZ 85253	Concord 6560 N Scottsdale Rd #G100 Scottsdale, AZ 85253	ChargeAccount		8,489.00
EMC Mortgage PO Box 293150 Lewisville, TX 75029	EMC Mortgage PO Box 293150 Lewisville, TX 75029	Investment: 4324-26 Antisdale Street, Jacksonville, FL 32205		187,004.00 (70,000.00 secured)
EMC Mortgage PO Box 293150 Lewisville, TX 75029	EMC Mortgage PO Box 293150 Lewisville, TX 75029	Investment: 2527 Forbes Street, Jacksonville, FL 32204		272,309.00 (165,000.00 secured)
Monterey Col 4095 Avenida De La Oceanside, CA 92056	Monterey Col 4095 Avenida De La Oceanside, CA 92056	Collection 12 Royal Holiday Clu		11,459.00
Wells Fargo Fin/Wachovia Ban PO Box 3117 Winston Salem, NC 27102	Wells Fargo Fin/Wachovia Ban PO Box 3117 Winston Salem, NC 27102	Investment: 2627-33 Post Street, Jacksonville, FL 32204		157,712.00 (200,000.00 secured) (206,669.00 senior lien)
Wf/Wachovia Bank PO Box 3117 Winston Salem, NC 27102	Wf/Wachovia Bank PO Box 3117 Winston Salem, NC 27102	Investment: 2508-12 College Street, Jacksonville, FL 32204		159,231.00 (210,000.00 secured) (193,547.00 senior lien)

B4 (Office	cial Form 4) (12/07) - Cont.		
In re	Kimberly P. Cappolla	Case No.	
	Debtor(s)	<u>-</u>	

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, **Kimberly P. Cappolla**, 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	May 27, 2010	Signature	/s/ Kimberly P. Cappolla	
			Kimberly P. Cappolla	
			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.

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		Case No.		
-		Debtor			
			Chapter	11	

# **SUMMARY OF SCHEDULES**

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

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	2	2,109,000.00		
B - Personal Property	Yes	4	180,146.05		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	4		2,783,619.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		22,937.31	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			26,925.00
J - Current Expenditures of Individual Debtor(s)	Yes	2			28,027.00
Total Number of Sheets of ALL Schedules		20			
	To	otal Assets	2,289,146.05		
			Total Liabilities	2,806,556.31	

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		Case No.	
-		Debtor		
			Chapter	11

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

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

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

This information is for statistical purposes only under 28 U.S.C. § 159. Summarize the following types of liabilities, as reported in the Schedules, and total them.

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

### State the following:

Average Income (from Schedule I, Line 16)	26,925.00
Average Expenses (from Schedule J, Line 18)	28,027.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	0.00

#### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		972,869.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		22,937.31
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		995,806.31

In re	Kimberly P. Cappolla	Case No.
_	* **	

## **SCHEDULE A - REAL PROPERTY**

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

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

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Residence: 1037 Ingleside Avenue, Jacksonville, FL 32205	Fee simple	-	125,000.00	136,653.00
Investment: 2303-09 College Street, Jacksonville, FL 32204	Fee simple	-	220,000.00	463,143.00
Investment: 2508-12 College Street, Jacksonville, FL 32204	Fee simple	-	210,000.00	352,778.00
Investment: 2514-16 College Street, Jaksonville, FL 32204	Fee simple	-	114,000.00	134,673.00
Investment: 2518-20 College Street, Jacksonville, FL 32204	Fee simple	-	115,000.00	135,034.00
Investment: 2577 College Street, Jacksonville, FL 32204	Fee simple	-	80,000.00	0.00
Investment: 2805 Post Street, Jacksonvile, FL 32204	Fee simple	-	90,000.00	100,554.00
Investment: 2627-33 Post Street, Jacksonville, FL 32204	Fee simple	-	200,000.00	364,381.00
Investment: 912 Acosta Street, Jacksonville, FL 32204	Fee simple	-	90,000.00	120,665.00
Investment: 2608 College Street, Jacksonville, FL 32204	Fee simple	-	150,000.00	190,267.00
Investment: 2614 College Street, Jacksonville, FL 32204	Fee simple	-	150,000.00	190,267.00
Investment: 2609-11 College Street, Jacksonville, FL 32204	Fee simple	-	110,000.00	134,141.00
		Sub-Total	> 1,654,000.00	(Total of this page)

<sup>1</sup> continuation sheets attached to the Schedule of Real Property

In re	Kimberly	P. Car	npoll

Case No

# **SCHEDULE A - REAL PROPERTY**

(Continuation Sheet)

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Investment: 4324-26 Antisdale Street, Jacksonville, FL 32205	Fee simple	-	70,000.00	187,004.00
Investment: 2527 Forbes Street, Jacksonville, FL 32204	Fee simple	-	165,000.00	272,309.00
Investment: 1565 West 7th Street, Jacksonville, FL 32209	Fee simple	-	50,000.00	0.00
Investment: 1833 West 10th Street, Jacksonville, FL 32209	Fee simple	-	70,000.00	0.00
Investment: 98 Melton Drive, Winter Springs, FL (uninhabitable)	Fee simple	-	50,000.00	0.00
Investment: 137 West 4th Street, Jacksonville, FL (uninhabitable)	Fee simple	-	50,000.00	0.00

Sub-Total > **455,000.00** (Total of this page)

Total > **2,109,000.00** 

(Report also on Summary of Schedules)

Sheet \_\_\_1 of \_\_\_ continuation sheets attached to the Schedule of Real Property

In re	Kimberly P. Cappolla	Case No.
_		Debtor

## **SCHEDULE B - PERSONAL PROPERTY**

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

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

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

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	X			
2.			BOA Checking - ###0851	-	2,111.00
	accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit		Checking w/Freenet (6692) - Everbank - Trust Account	-	91,519.00
	unions, brokerage houses, or cooperatives.		Yield Pledge Money Market w/ibanking - Everbank - *9185		69,783.00
			Checking account w/Everbank (0702)	-	3,700.00
			Checking Account w/Wachovia - *4823	-	1,090.05
			FL UTMA Savings Account for Desiree Cappolla w/Bank of America - *4357	-	100.00
			Savings account w/Bank of America (9314)	-	50.00
			Checking account w/BOA (9582)	-	108.00
3.			Progress Energy	-	200.00
	utilities, telephone companies, landlords, and others.		JEA	-	600.00
4.	Household goods and furnishings, including audio, video, and computer equipment.		1 television, household furnishings	-	450.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.		Clothing	-	100.00
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
			(Total	Sub-Total of this page)	al > <b>169,811.05</b>

**3** continuation sheets attached to the Schedule of Personal Property

In ro	Kimborly	D Cal	analla
In re	Kimberly	r. Ca	ppona

Case No.
Case No.

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
9.	Interests in insurance policies.  Name insurance company of each policy and itemize surrender or refund value of each.	х			
10.	Annuities. Itemize and name each issuer.	X			
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.		Mortgage loan to Richard Elliott - 65,000 at 18% interest only - payment of \$975/monthly	-	Unknown
			Mortgage loan Kathleen Holt - 90,000 at 18% interest only - payment of \$1350/monthly	-	Unknown
			Mary & Stan Worek - Unpaid Rents	-	185.00
			Surfield Thomas, Thevenot Gourdet, Willie Burton, City of Jacksonville, Builder Services Group, Inc. f/k/a Masco Countractor Services Central, Inc, Walden Investmet Properties, Inc., and Nick Bacca - In Rem Judgement	-	Unknown
			Promissory Note - Steven Cappolla - \$55,373.45 with 4% interest over 188 months beginning October 2009 (delinquent)	-	Unknown
				Sub-Tota	al > 185.00

(Total of this page)

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

In re	Kimberly P. Cappolla	Case No
		•

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.		Tarchia Bush and all others	-	Unknown
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.	:	2003 Toyota Rav 4 w/108,000 miles	-	4,000.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
				Sub-To (Total of this page)	

Sheet **2** of **3** continuation sheets attached to the Schedule of Personal Property

In re	Kimberly P. Cappolla	Case No.
		;

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O Description and Location of Property E	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
28. Office equipment, furnishings, and supplies.	Dell Computer	-	750.00
29. Machinery, fixtures, equipment, and supplies used in business.	36 refrigerators, 36 stoves	-	5,400.00
30. Inventory.	x		
31. Animals.	x		
32. Crops - growing or harvested. Give particulars.	х		
33. Farming equipment and implements.	X		
34. Farm supplies, chemicals, and feed.	x		
35. Other personal property of any kind not already listed. Itemize.	x		

Sub-Total > 6,150.00 (Total of this page)

Total > **180,146.05** 

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

In re	Kimberly P. Cappolla		Case No.	
-		Debtor	-,	

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled u (Check one box)  ☐ 11 U.S.C. §522(b)(2)  ☐ 11 U.S.C. §522(b)(3)	\$146,450. (Amount st	Check if debtor claims a homestead exemption that exceed \$146,450. (Amount subject to adjustment on 4/1/13, and every three yea with respect to cases commenced on or after the date of adjusting the state of the commence of					
Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption				
Real Property Residence: 1037 Ingleside Avenue, Jacksonville, FL 32205	Fla. Const. art. X, § 4(a)(1); Fla. Stat. Ann. §§ 222.01, 222.02, 222.05	125,000.00	125,000.00				
Automobiles, Trucks, Trailers, and Other Vehicles 2003 Toyota Rav 4 w/108,000 miles	Fla. Stat. Ann. § 222.25(1) Fla. Const. art. X, § 4(a)(2)	1,000.00 1,000.00	4,000.00				

Total: 127,000.00 129,000.00

•		
In re	Kimberly P. Cappolla	Case No.
	• • • • • • • • • • • • • • • • • • • •	

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

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

other security interests.

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

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

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

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

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

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

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	HWJ	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	N L Q U - C	S P U	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 1218006719  Americas Servicing Co PO Box 10328 Des Moines, IA 50306		_	Opened 4/16/03 Last Active 5/03/10  First Mortgage  Investment: 2303-09 College Street, Jacksonville, FL 32204  Value \$ 220,000.00	T T	A T E D		163,143.00	0.00
Account No. 0030450449  Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124		-	Opened 4/11/05 Last Active 4/14/10  First Mortgage  Investment: 2627-33 Post Street, Jacksonville, FL 32204  Value \$ 200.000.00				206,669.00	6,669.00
Account No. 3640030450258  Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124		-	Opened 4/11/05 Last Active 4/14/10  First Mortgage  Investment: 2508-12 College Street, Jacksonville, FL 32204  Value \$ 210,000.00				193,547.00	0.00
Account No. 3640030450092  Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124		-	Opened 4/11/05 Last Active 4/14/10  First Mortgage  Investment: 2614 College Street, Jacksonville, FL 32204  Value \$ 150,000.00				190,267.00	40,267.00
continuation sheets attached		<u> </u>	100,000.00	Subt		<del> </del>	753,626.00	46,936.00

In re	Kimberly P. Cappolla	Case No
-		Debtor

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	A H H		CONTINGEN	LIQUIDA	I SPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 3640030450373			Opened 4/11/05 Last Active 4/14/10	Ť	T E D			
Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124		-	First Mortgage Investment: 2608 College Street, Jacksonville, FL 32204  Value \$ 150,000.00		D		190,267.00	40,267.00
Account No. <b>143093860</b>	$\top$	T	Opened 9/14/06 Last Active 3/25/10	$\dagger$	H	H	130,207.00	40,207.00
Bank of America P.O. Box 1598 Norfolk, VA 23501		-	Second Mortgage - HELOC  Investment: 2303-09 College Street, Jacksonville, FL 32204					
			Value \$ 220,000.00				300,000.00	243,143.00
Account No. 068211054733199  Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410		-	Opened 8/06/05 Last Active 4/01/10  First Mortgage  Residence: 1037 Ingleside Avenue, Jacksonville, FL 32205  Value \$ 125,000.00				136,653.00	11,653.00
Account No. 68211057658599			Opened 10/26/05 Last Active 4/01/10					
Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410		-	First Mortgage Investment: 912 Acosta Street, Jacksonville, FL 32204  Value \$ 90,000.00				120,665.00	30,665.00
Account No. 68211042110899			Opened 9/14/04 Last Active 4/01/10					
Bank Of America 4161 Piedmont Parkway Greensboro, NC 27410		-	First Mortgage Investment: 2805 Post Street, Jacksonvile, FL 32204  Value \$ 90.000.00				100 554 00	10 554 00
				 Sub	tota		100,554.00	10,554.00
Sheet <u>1</u> of <u>3</u> continuation sheets at Schedule of Creditors Holding Secured Claim		ed to	(Total of				848,139.00	336,282.00

In re	Kimberly P. Cappolla	Case No.	_
-		Debtor	

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C C D E B T C R	A H		CONTINGENT	U N L I Q U I D A	I SP UT E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 1915090469			Opened 4/06/05 Last Active 4/13/10	٦Ÿ	E			
Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871		-	First Mortgage Investment: 2518-20 College Street, Jacksonville, FL 32204		D		425 024 00	20.024.00
Account No. 1915090470	$\dashv$	+	Value \$ 115,000.00  Opened 4/06/05 Last Active 4/13/10	+	╁	$\vdash$	135,034.00	20,034.00
Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871		-	First Mortgage Investment: 2514-16 College Street, Jaksonville, FL 32204  Value \$ 114,000.00				134,673.00	20,673.00
Account No. 1915090436	$\dashv$	+	Opened 4/06/05 Last Active 5/01/10	+	H	$\vdash$	134,073.00	20,073.00
Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871		-	First Mortgage Investment: 2609-11 College Street, Jacksonville, FL 32204  Value \$ 110,000.00				134,141.00	24,141.00
Account No.			Statutory Lien	T	T		·	·
City Code Enforcement Board 1101 East First Street Sanford, FL 32771		-	Investment: 98 Melton Drive, Winter Springs, FL (uninhabitable)  Value \$ 50,000.00				4.750.00	0.00
A account No. 12027025	$\dashv$	+	00,000.00	+	╁	+	1,750.00	0.00
Account No. 13027925  EMC Mortgage PO Box 293150 Lewisville, TX 75029		-	Opened 12/02/05 Last Active 5/01/10  First Mortgage  Investment: 2527 Forbes Street, Jacksonville, FL 32204					
			Value \$ 165,000.00				272,309.00	107,309.00
Sheet 2 of 3 continuation sheets Schedule of Creditors Holding Secured Cl		ed to	(Total of	Sub this			677,907.00	172,157.00

In re	Kimberly P. Cappolla	Case No
-		Debtor

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	Hw J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	UZLLQULDA	I SP UT E	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 12657722			Opened 9/29/05 Last Active 5/03/10	Ť	T E D	ıı		
EMC Mortgage			First Mortgage		D	Н		
PO Box 293150 Lewisville, TX 75029		-	Investment: 4324-26 Antisdale Street, Jacksonville, FL 32205					
			Value \$ <b>70,000.00</b>				187,004.00	117,004.00
Account No. 4386540314223174			Opened 10/16/07 Last Active 5/05/10					
Wells Fargo Fin/Wachovia Ban PO Box 3117			Second Mortgage					
Winston Salem, NC 27102		-	Investment: 2627-33 Post Street, Jacksonville, FL 32204					
			Value \$ 200,000.00	1			157,712.00	157,712.00
Account No. 4386540314238495			Opened 10/25/07 Last Active 5/05/10			П	·	
Wf/Wachovia Bank PO Box 3117			Second Mortgage - HELOC					
Winston Salem, NC 27102		-	Investment: 2508-12 College Street, Jacksonville, FL 32204					
			Value \$ 210,000.00				159,231.00	142,778.00
Account No.								
			Value \$					
Account No.	-		Value \$					
GI . 3 . C 3	<u>.                                    </u>	1.		ubt	ota	<u> </u>		
Sheet <u>3</u> of <u>3</u> continuation sheets attac Schedule of Creditors Holding Secured Claims		a to	(Total of t				503,947.00	417,494.00
			(Report on Summary of Sc		`ota lule		2,783,619.00	972,869.00

In re	Kimberly P. Cappolla		Case No.	
•		Debtor	<b>-</b> ,	

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

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

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

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

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

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

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.
■ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
☐ Domestic support obligations
Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
☐ Extensions of credit in an involuntary case
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
☐ Wages, salaries, and commissions
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
☐ Contributions to employee benefit plans
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
☐ Certain farmers and fishermen
Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
☐ Deposits by individuals
Claims of individuals up to \$2,600* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
☐ Taxes and certain other debts owed to governmental units
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
☐ Commitments to maintain the capital of an insured depository institution
Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
☐ Claims for death or personal injury while debtor was intoxicated
Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

0	continuation	sheets	attache

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re	Kimberly P. Cappolla		Case No.	
_		Debtor	,	

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

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

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

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

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

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

CREDITOR'S NAME,	Ç	Hu	sband, Wife, Joint, or Community	Ğ	Ų	D	7	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	H W H		CONTINGENT	Q U L	Į U	<u> </u>	AMOUNT OF CLAIM
Account No. 6470016226284			Opened 4/06/05 Last Active 6/17/05	T	D A T		Ī	
American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063		-	Mortgage		E D			Unknown
Account No. <b>6470016226292</b>	┪		Opened 4/06/05 Last Active 6/17/05	$\dagger$	T	r	t	
American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063		-	Mortgage					Unknown
Account No. 6470016226300			Opened 4/06/05 Last Active 6/17/05	$\dagger$		T	T	
American Home Mtg Svci 4600 Regent Blvd Ste 200 Irving, TX 75063		-	Mortgage					Unknown
Account No. 1002148730			Opened 2/08/94	T	П	r	T	
Amex Po Box 84063 Columbus, GA 31908		_						Unknown
	_	Щ	<u> </u>	Subt	tota	L d	$\dagger$	
continuation sheets attached			(Total of				,	0.00

In re	Kimberly P. Cappolla	Case No	
•		Debtor	

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

	_				_	_	_	
CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	CON	UNL	ļ.	2	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	C A M	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	ONT LNGENT	I QU I D		S P U T E	AMOUNT OF CLAIM
Account No. <b>552486000033</b>	Т		Opened 9/10/96 Last Active 5/01/10	7	A T E		Ī	
Barclays Bank Delaware 125 S West St Wilmington, DE 19801		-			D			2,989.31
Account No. 95047268901	Г		Opened 6/01/05 Last Active 12/01/05			T	T	
Concord 6560 N Scottsdale Rd #G100 Scottsdale, AZ 85253	-	-	ChargeAccount					
	ı							8,489.00
Account No. 501448737  Crdt First 6275 Eastland Road Brook Park, OH 44142-1399		-	Opened 11/01/98 Last Active 12/01/03 ChargeAccount					
								Unknown
Account No. 502003465  Monterey Col 4095 Avenida De La Oceanside, CA 92056	-	-	Opened 3/21/07 Collection 12 Royal Holiday Clu					
								11,459.00
Account No.	_							
Sheet no1 of _1 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of	Sub this			.)	22,937.31
			(Report on Summary of So		Tota dule		- 1	22,937.31

•				
In re	Kimberly P. Cappolla		Case No.	
		Debtor		

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

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

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

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
Misc Tenants	Two tenants with 1 year lease; One ends March, 2011; One ends April, 2011
Misc Tennants	Debtor has 34 month to month leases with various tennants.

B6H (Official Form 6H) (12/07)

•			
In re	Kimberly P. Cappolla	Case No.	
-		, Debtor	

## **SCHEDULE H - CODEBTORS**

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

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

In re	Kimberly P. Cappolla		Case No.	
		Debtor(s)		

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

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

Debtor's Marital Status:	DEPENDENTS OF	F DEBTOR AND SE	POUSE		
Single	RELATIONSHIP(S): None.	AGE(S):			
<b>Employment:</b>	DEBTOR	L	SPOUSE		
	ndlord/Private Money Lender				
Name of Employer Se	elf-employed				
	years				
Address of Employer 10	37 Ingleside Avenue cksonville, FL 32205				
INCOME: (Estimate of average or pro	jected monthly income at time case filed)		DEBTOR		SPOUSE
	mmissions (Prorate if not paid monthly)	\$	0.00	\$	N/A
2. Estimate monthly overtime		\$	0.00	\$	N/A
3. SUBTOTAL		\$	0.00	\$	N/A
4. LESS PAYROLL DEDUCTIONS					
a. Payroll taxes and social securit	У	\$	0.00	\$	N/A
b. Insurance		\$	0.00	\$	N/A
c. Union dues		\$ _	0.00	\$	N/A
d. Other (Specify):		\$	0.00	\$	N/A
		\$_	0.00	\$	N/A
5. SUBTOTAL OF PAYROLL DEDU	CTIONS	\$	0.00	\$	N/A
6. TOTAL NET MONTHLY TAKE H	OME PAY	\$	0.00	\$	N/A
	usiness or profession or farm (Attach detailed staten	nent) \$	0.00	\$	N/A
8. Income from real property		\$	24,200.00	\$	N/A
9. Interest and dividends		\$	0.00	\$	N/A
dependents listed above	payments payable to the debtor for the debtor's use o	r that of \$	0.00	\$	N/A
11. Social security or government assis	stance	¢	0.00	¢	N/A
(Specify):		<u> </u>	0.00	ф —	N/A
12. Pension or retirement income		<del></del>	0.00	ф —	N/A
13. Other monthly income		Ψ	0.00	Ψ	IV/A
	ome Attachment	\$	2,725.00	\$	N/A
14. SUBTOTAL OF LINES 7 THROU	JGH 13	\$	26,925.00	\$	N/A
15. AVERAGE MONTHLY INCOME	(Add amounts shown on lines 6 and 14)	\$	26,925.00	\$	N/A
16. COMBINED AVERAGE MONTH	ILY INCOME: (Combine column totals from line 1:	5)	\$	26,925	.00

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

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

In re	Kimberly P. Cappolla		Case No.	
		Debtor(s)		

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

# **Detailed Income Attachment**

## Other Monthly Income:

Loan repayment - Richard Elliott	\$ 975.00	\$ N/A
Kathleen Holt Loan Repayment beg June 1	\$ 1,350.00	\$ N/A
Steve Cappolla	\$ 400.00	\$ N/A
<b>Total Other Monthly Income</b>	\$ 2,725.00	\$ N/A

In re	Kimberly P. Cappolla		Case No.	
		Debtor(s)		

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

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

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

expenditures labeled "Spouse."	•	
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	17,937.00
a. Are real estate taxes included? Yes No _X		
b. Is property insurance included? Yes No _X		
2. Utilities: a. Electricity and heating fuel	\$	250.00
b. Water and sewer	\$	30.00
c. Telephone	\$	0.00
d. Other Internet/Home Phone Bundle	\$	87.00
3. Home maintenance (repairs and upkeep)	\$	3,818.00
4. Food	\$	250.00
5. Clothing	\$	50.00
6. Laundry and dry cleaning	\$	0.00
7. Medical and dental expenses	\$	50.00
8. Transportation (not including car payments)	\$	75.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	50.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	804.00
b. Life	\$	0.00
c. Health	\$	381.00
d. Auto	\$	50.00
e. Other Umbrella personal liability	\$	35.00
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) See Detailed Expense Attachment	\$	1,358.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	0.00
	\$ <del></del>	0.00
b. Otherc. Other	\$ <del></del>	0.00
		0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ \$	2,802.00
17.04		2,802.00
17. Other	\$	0.00
Other	\$	0.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	28,027.00
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:		
20. STATEMENT OF MONTHLY NET INCOME	_	
a. Average monthly income from Line 15 of Schedule I	\$	26,925.00
b. Average monthly expenses from Line 18 above	\$ <del></del>	28,027.00
c Monthly net income (a minus h)	\$ <del></del>	-1.102.00

Case No.

7	1 .	_	/	`

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

# **Detailed Expense Attachment**

# **Specific Tax Expenditures:**

Non Escrow Taxes	\$	1,116.00
Solid Waste Tax	\$ _	242.00
Total Tax Expenditures	\$	1,358.00

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla						
			Debtor(s)	Chapter	11		
	DECLARATION CONCERNING DEBTOR'S SCHEDULES						
	DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR						
	I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 22						
	sheets, and that they are true and correct to the best of my knowledge, information, and belief.						
			,				
Date	May 27, 2010 S	ignature	/s/ Kimberly P. Cappolla	<u> </u>			
			Kimberly P. Cappolla Debtor				
			D 00001				

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.

# United States Bankruptcy Court Middle District of Florida

1124W14 2 15V1 10V VI 1 101 VI								
In re	Kimberly P. Cappolla		Case No.					
		Debtor(s)	Chapter	11				
		IRS						

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

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

#### **DEFINITIONS**

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

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

### 1. Income from employment or operation of business

None

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

AMOUNT SOURCE \$-5,824.00 2009 Wages \$309.00 2008 Wages \$-22,572.00 YTD 2010

### 2. Income other than from employment or operation of business

None

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

AMOUNT SOURCE

#### 3. Payments to creditors

None

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

a. Individual or joint debtor(s) with primarily consumer debts. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR DATES OF PAYMENTS

AMOUNT PAID

AMOUNT STILL OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATES OF PAYMENTS/ TRANSFERS AMOUNT PAID OR VALUE OF TRANSFERS

AMOUNT STILL OWING

NAME AND ADDRESS OF CREDITOR

c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

AMOUNT STILL OWING

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

NATURE OF PROCEEDING

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

COURT OR AGENCY

In the Circuit Court, Fourth

Judicial Circuit, in and for

AND LOCATION

**Duval County, FL** 

CAPTION OF SUIT
AND CASE NUMBER
Kimberly Cappolla vs
Surfield Thomas, Thevenot
Gourdet, Willie Burton, City
of Jacksonville, Builder
Services Group, Inc., f/k/a
Masco Contractor Services
Central, Inc., Walden
Investment Properties, Inc.,
and Nick Bacca; Case
No:16-2009-CA-8024

Kimberly P. Cappolla vs Tarchia Bush and all others; Case No: 16-2009-CC-7250;

Rinehart. et al; Case No: 16-2008-CC-003376; Division: CV-H

Division County

**Civil - Eviction** 

Civil -

In the County Court, In and

Judgment

STATUS OR

Judgment

DISPOSITION

for Duval County, FL

Kimberly P. Cappolla vs Civil - Eviction Joshua Shelar and Chris

Circuit Court in and for Duval Judgment

County

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

3

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

### 5. Repossessions, foreclosures and returns

None

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

NAME AND ADDRESS OF CREDITOR OR SELLER DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF PROPERTY

## 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN NAME AND LOCATION OF COURT

CASE TITLE & NUMBER

DATE OF ORDER DESCRIPTION AND VALUE OF PROPERTY

### 7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION

RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

#### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case.** (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

4

### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

Law Offices of Mickler & Mickler 5452 Arlington Expressway Jacksonville, FL 32211 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 5/25/2010 AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
\$15,000 (\$13,911 fees, \$1,039
filing fee; \$50 C/C)

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

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

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S)

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

## 12. Safe deposit boxes

None

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

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY

Bank of America 330 Edgewood Avenue Jacksonville, FL 32205 NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY **Debtor** 

DESCRIPTION
OF CONTENTS
Deeds/Paperwork

DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None П

Tenants

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY \$31,000 - Security Deposits Held for

LOCATION OF PROPERTY

Various addresses

Tenants

15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

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

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

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

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

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DATE OF

**ENVIRONMENTAL** 

NOTICE LAW

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

NAME AND ADDRESS OF

DATE OF

**ENVIRONMENTAL** 

SITE NAME AND ADDRESS

GOVERNMENTAL UNIT

NOTICE

LAW

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

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None П

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

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

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

> LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL

> TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN

**ADDRESS** 

1037 Ingleside Jacksonville, FL 32205 NATURE OF BUSINESS

**BEGINNING AND** ENDING DATES

Kimberly Cappolla

8059

Landlord beginning 1998; Private Money Lender beginning 2006

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None

NAME

NAME **ADDRESS** 

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

### 19. Books, records and financial statements

None 

None

a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Debbie's Accounting Svc. 3575 Southside Blvd. Jacksonville, FL 32216

DATES SERVICES RENDERED April 2008 and April 2009

b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books None of account and records, or prepared a financial statement of the debtor.

NAME **ADDRESS** DATES SERVICES RENDERED

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME **ADDRESS** 

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.

7

NAME AND ADDRESS

EMC Mortgage PO Box 293150 Lewisville, TX 75029

DATE ISSUED

Aurora Loan Services 10350 Park Meadows Drive Littleton, CO 80124 Several times over past year

Several times over past year

Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871 Several Times over past year

Americas Servicing Co PO Box 10328 Des Moines, IA 50306

Several times over past year

#### 20. Inventories

None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

•

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

#### 21 . Current Partners, Officers, Directors and Shareholders

None

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS
TITLE
NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

## 22. Former partners, officers, directors and shareholders

None

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS DATE OF WITHDRAWAL

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS TITLE DATE OF TERMINATION

#### 23. Withdrawals from a partnership or distributions by a corporation

None

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

#### 24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### 25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

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

Date May 27, 2010 Signature /s/ Kimberly P. Cappolla

Kimberly P. Cappolla

Debtor

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

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

# UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA

# 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)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at <a href="http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure">http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure</a>.

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

B 201B (Form 201B) (12/09)

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		Case No.		
		Debto	r(s) Chapter	11	
			O CONSUMER DEBTOR ANKRUPTCY CODE	R(S)	
Code.	Cer I (We), the debtor(s), affirm that I (we) have received	rtification of eived and read		by § 342(b) of the B	ankruptcy
Kimbe	erly P. Cappolla	X	s/ Kimberly P. Cappolla	May 27, 20	10
Printed	l Name(s) of Debtor(s)		Signature of Debtor	Date	
Case N	No. (if known)	X _	Signature of Joint Debtor (if any	) Date	

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

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

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		Case No.			
		Debtor(s)	Chapter	11		
	VERIFICATION OF CREDITOR MATRIX					
Γhe ab	ove-named Debtor hereby verifies that	the attached list of creditors is true and c	correct to the best	of his/her knowledge.		
Date:	May 27, 2010	/s/ Kimberly P. Cappolla				
		Kimberly P. Cappolla				
		Signature of Debtor				

Kimberly P. Cappolla	Aurora Loan Services I	Chase Home Finance
1037 Ingleside Avenue	10350 Park Meadows Drive	P.O. Box 9001871
Jacksonville, FL 32205	Littleton, CO 80124	Louisville, KY 40290-1871
Taylor J. King Mickler & Mickler 5452 Arlington Epressway Jacksonivlle, FL 32211	Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	City Code Enforcement Board 1101 East First Street Sanford, FL 32771
American Home Mtg Svci	Bank of America	Concord
4600 Regent Blvd Ste 200	P.O. Box 1598	6560 N Scottsdale Rd #G100
Irving, TX 75063	Norfolk, VA 23501	Scottsdale, AZ 85253
American Home Mtg Svci	Bank Of America	Crdt First
4600 Regent Blvd Ste 200	4161 Piedmont Parkway	6275 Eastland Road
Irving, TX 75063	Greensboro, NC 27410	Brook Park, OH 44142-1399
American Home Mtg Svci	Bank Of America	EMC Mortgage
4600 Regent Blvd Ste 200	4161 Piedmont Parkway	PO Box 293150
Irving, TX 75063	Greensboro, NC 27410	Lewisville, TX 75029
Americas Servicing Co	Bank Of America	EMC Mortgage
PO Box 10328	4161 Piedmont Parkway	PO Box 293150
Des Moines, IA 50306	Greensboro, NC 27410	Lewisville, TX 75029
Amex Po Box 84063 Columbus, GA 31908	Barclays Bank Delaware 125 S West St Wilmington, DE 19801	Misc Tenants
Aurora Loan Services I 10350 Park Meadows Drive Littleton, CO 80124	Chase Home Finance P.O. Box 9001871 Louisville, KY 40290-1871	Misc Tennants
Aurora Loan Services I	Chase Home Finance	Monterey Col
10350 Park Meadows Drive	P.O. Box 9001871	4095 Avenida De La
Littleton, CO 80124	Louisville, KY 40290-1871	Oceanside, CA 92056

Wells Fargo Fin/Wachovia Ban PO Box 3117 Winston Salem, NC 27102

Wf/Wachovia Bank PO Box 3117 Winston Salem, NC 27102

# United States Bankruptcy Court Middle District of Florida

In re	Kimberly P. Cappolla		Case No.	
		Debtor(s)	Chapter	11
	DISCLOSURE OF COMP	PENSATION OF ATTO	RNEY FOR DI	EBTOR(S)
	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy compensation paid to me within one year before the be rendered on behalf of the debtor(s) in contemplati	filing of the petition in bankruptc	y, or agreed to be pai	d to me, for services rendered or to
	For legal services, I have agreed to accept		\$	13,911.00
	Prior to the filing of this statement I have receive	ed	\$	13,911.00
	Balance Due		\$	0.00
2.	The source of the compensation paid to me was:			
	■ 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 co	ompensation with any other person	unless they are mem	bers and associates of my law firm.
	☐ I have agreed to share the above-disclosed composition copy of the agreement, together with a list of the			
5.	In return for the above-disclosed fee, I have agreed t	o render legal service for all aspec	ts of the bankruptcy	ease, including:
	<ul> <li>a. Analysis of the debtor's financial situation, and reb. Preparation and filing of any petition, schedules,</li> <li>c. Representation of the debtor at the meeting of cred. [Other provisions as needed]         Negotiations with secured creditors of reaffirmation agreements and applications of liens on     </li> </ul>	statement of affairs and plan which ditors and confirmation hearing, a to reduce to market value; ex ations as needed; preparation	n may be required; nd any adjourned hea emption planning	rings thereof;
6.	By agreement with the debtor(s), the above-disclosed Representation of the debtors in any any other adversary proceeding.			es, relief from stay actions or
		CERTIFICATION		
	I certify that the foregoing is a complete statement of pankruptcy proceeding.	any agreement or arrangement for	payment to me for re	epresentation of the debtor(s) in
Date	d: <b>May 27, 2010</b>	/s/ Taylor J. King	l	
		Taylor J. King 72		
		Mickler & Mickle 5452 Arlington E		
		Jacksonivile, FL	32211	
		904-725-0822 Fa court@planlaw.c		
		Court @pianiaw.c	, O 111	

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

In re	Kimber	ly P. Cappolla	
		Debtor(s)	
Case N	umber:		
		(If known)	

# CHAPTER 11 STATEMENT OF CURRENT MONTHLY INCOME

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

	Part I. CALCULATIO	ΟN	OF CURRENT	MONTHLY INC	OM	E	
	Marital/filing status. Check the box that applies and complete the balance of this part of this statement as directed.						
1	Imperried Complete only Column A ("Debtor's Income") for Lines 2 10						
1	b. $\square$ Married, not filing jointly. Complete only c						
	c.  Married, filing jointly. Complete both Colu	mn	A ("Debtor's Inco	me") and Column B ("	Spou	se's Income'')	for Lines 2-10.
	All figures must reflect average monthly income re	ceiv	red from all sources.	, derived during the six		Column A	Column B
	calendar months prior to filing the bankruptcy case					Debtor's	
	the filing. If the amount of monthly income varied six-month total by six, and enter the result on the a			you must divide the		Income	Spouse's Income
	<u> </u>		•				
2	Gross wages, salary, tips, bonuses, overtime, con				\$	0.00	\$
	Net income from the operation of a business, pro						
	and enter the difference in the appropriate column( profession or farm, enter aggregate numbers and pr	S) 01	t Line 3. II more the details on an atta	an one business chment Do not enter a			
2	number less than zero.	OVIC	ie details on an atta	ennient. Do not enter a			
3			Debtor	Spouse			
	a. Gross receipts	\$	26,925.00				
	b. Ordinary and necessary business expenses	\$	28,027.00				
	c. Business income	•	btract Line b from I		\$	0.00	\$
	Net Rental and other real property income. Sub						
	difference in the appropriate column(s) of Line 4. Do not enter a number less than zero.  Debtor Spouse						
4	a. Gross receipts	\$	0.00				
	b. Ordinary and necessary operating expenses	\$	0.00				
	c. Rent and other real property income	Sı	abtract Line b from	Line a	\$	0.00	\$
5	Interest, dividends, and royalties.				\$	0.00	\$
6	Pension and retirement income.			\$	0.00	\$	
	Any amounts paid by another person or entity, o						
7	expenses of the debtor or the debtor's dependent						
	<b>purpose.</b> Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse if Column B is completed.					0.00	\$
	<b>Unemployment compensation.</b> Enter the amount i	n th	e appropriate colun	nn(s) of Line 8	\$		•
	However, if you contend that unemployment comp						
8	benefit under the Social Security Act, do not list the amount of such compensation in Column A						
O	or B, but instead state the amount in the space belo	w:		1			
	Unemployment compensation claimed to be a benefit under the Social Security Act Debtor	r ¢	<b>0.00</b> Spc	nuce \$			_
	or a contin ander the Boolan Became, 1100				\$	0.00	\$
	Income from all other sources. Specify source an						
	on a separate page. Total and enter on Line 9. <b>Do not include alimony or separate maintenance</b> 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						
9	Security Act or payments received as a victim of a war crime, crime against humanity, or as a						
	victim of international or domestic terrorism.		Dobt - ::	Cmc			
	a.	\$	Debtor	Spouse \$			
	b.	\$		\$	\$	0.00	\$
10	Subtotal of current monthly income. Add lines 2	thru	9 in Column A. an	nd, if Column B is			
10	completed, add Lines 2 thru 9 in Column B. Enter			,	\$	0.00	\$

2

11	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.			0.00				
	Part II. VERIFICATION							
12	I declare under penalty of perjury that the information provided in this statement is true and correct. (If this is a joint case, both debtors must sign.)							

# **Current Monthly Income Details for the Debtor**

#### **Debtor Income Details:**

Income for the Period 11/01/2009 to 04/30/2010.

## Line 3 - Income from operation of a business, profession, or farm

Source of Income: **Rental Business** Income/Expense/Net by Month:

	Date	Income	Expense	Net
6 Months Ago:	11/2009	\$26,925.00	\$28,027.00	\$-1,102.00
5 Months Ago:	12/2009	\$26,925.00	\$28,027.00	\$-1,102.00
4 Months Ago:	01/2010	\$26,925.00	\$28,027.00	\$-1,102.00
3 Months Ago:	02/2010	\$26,925.00	\$28,027.00	\$-1,102.00
2 Months Ago:	03/2010	\$26,925.00	\$28,027.00	\$-1,102.00
Last Month:	04/2010	\$26,925.00	\$28,027.00	\$-1,102.00
	Average per month:	\$26,925.00	\$28,027.00	
		_	Average Monthly NET Income:	\$-1,102.00