Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Page 1 of 49 Document

2/16/10 2:50PM

B1 (Official Form 1)(1/08) **United States Bankruptcy Court** Voluntary Petition Northern District of Georgia Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Boos, Vincent John Boos, Mary Ann T All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN xxx-xx-8066 xxx-xx-5431 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 1330 Winning Colors Ct 1330 Winning Colors Ct Suwanee, GA Suwanee, GA ZIP Code ZIP Code 30024 30024 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Gwinnett Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP Code ZIP Code Location of Principal Assets of Business Debtor (if different from street address above): Type of Debtor Nature of Business **Chapter of Bankruptcy Code Under Which** (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box) ☐ Health Care Business ☐ Chapter 7 Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) ☐ Chapter 15 Petition for Recognition ☐ Chapter 9 Individual (includes Joint Debtors) of a Foreign Main Proceeding Chapter 11 See Exhibit D on page 2 of this form. Railroad ☐ Chapter 15 Petition for Recognition ☐ Chapter 12 □ Stockbroker ☐ Corporation (includes LLC and LLP) of a Foreign Nonmain Proceeding ☐ Chapter 13 Commodity Broker ☐ Partnership ☐ Clearing Bank Other (If debtor is not one of the above entities, ☐ Other Nature of Debts check this box and state type of entity below.) **Tax-Exempt Entity** Debts are primarily consumer debts, ☐ Debts are primarily (Check box, if applicable) defined in 11 U.S.C. § 101(8) as business debts. ☐ Debtor is a tax-exempt organization under Title 26 of the United States "incurred by an individual primarily for Code (the Internal Revenue Code). a personal, family, or household purpose." Chapter 11 Debtors Filing Fee (Check one box) Check one box: Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Full Filing Fee attached Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). ☐ Filing Fee to be paid in installments (applicable to individuals only). Must Check if: attach signed application for the court's consideration certifying that the debtor Debtor's aggregate noncontingent liquidated debts (excluding debts owed is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes: attach signed application for the court's consideration. See Official Form 3B. A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 50-99 200-999 5,001-10,000 100-1,000-10,001-25,001-50,001-OVER 49 199 25,000 100,000 Estimated Assets \$50,001 to \$100,000 \$100,001 to \$500,000 \$10,000,001 to \$50 \$500,000,001 More than to \$1 billion \$1 billion \$0 to \$50,000 \$500,001 \$1,000,001 \$50,000,001 \$100,000,001 million million Estimated Liabilities \$50.001 to \$1,000,001 to \$10 million \$100,001 to \$500,000 \$500,001 \$10,000,001 to \$50 \$50,000,001 \$100,000,001 \$500,000,001 More than to \$500 to \$1 billion \$1 billion \$100,000

million

million

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main 2/16/10 2:50PM

Document Page 2 of 49

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Boos, Vincent John Boos, Mary Ann T (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Date Filed: Location Case Number: Where Filed: - None -Location Date Filed: Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition.  $\mathbf{X}$  /s/ Bob J. Phillips February 16, 2010 Signature of Attorney for Debtor(s) (Date) Bob J. Phillips 576702 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? ☐ Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ■ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08)

Document Page 3 of 49

Page 3

## **Voluntary Petition**

petition is true and correct.

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

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

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

chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief

available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

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

Name of Debtor(s):

Boos, Vincent John Boos, Mary Ann T

## Signatures

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

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.)

Address			

Date

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

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

## I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Debtor Vincent John Boos

## $\mathbf{X}$ /s/ Mary Ann T Boos

X /s/ Vincent John Boos

Signature of Joint Debtor Mary Ann T Boos

Telephone Number (If not represented by attorney)

#### February 16, 2010

Date

#### Signature of Attorney\*

## X /s/ Bob J. Phillips

Signature of Attorney for Debtor(s)

#### Bob J. Phillips 576702

Printed Name of Attorney for Debtor(s)

#### B. Phillips & Associates PC

Firm Name

327 Dahlonega St Suite 104 Cumming, GA 30040

Address

## Email: bphill60@msn.com

770-205-1922 Fax: 770-205-0887

Telephone Number

#### February 16, 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

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

## **United States Bankruptcy Court** Northern District of Georgia

	Vincent John Doos	_		
In re	Vincent John Boos Mary Ann T Boos		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.

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 5 of 49

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

at the credit counseling
person, by telephone, or
person, by telephone, or
person, by telephone, or
d to the extent of being
ions with respect to
n of mental illness or
eck the applicable
ook the applicable
3

February 16, 2010

Date:

Page 2

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

## United States Bankruptcy Court Northern District of Georgia

		1,01011112111211100 01 0001811		
_	Vincent John Boos			
In re	Mary Ann T Boos		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.

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 7 of 49

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

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Mary Ann T Boos
Mary Ann T Boos
Date: February 16, 2010

Page 2

B7 (Official Form 7) (12/07)

## United States Bankruptcy Court Northern District of Georgia

In re	Vincent John Boos re Mary Ann T Boos		Case No.	
		Debtor(s)	Chapter	11

## STATEMENT OF FINANCIAL AFFAIRS

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 \$60,721.00 2008 Income (Joint) \$89,000.00 2009 Income (Joint) \$8,460.00 2010 Income (Joint) YTD

2

2/16/10 2:51PM

#### 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

\$93,977.00 2008 Joint (Pension + SSI)

\$94.908.00 2009 Joint 2010 Joint YTD \$7.909.00

#### 3. Payments to creditors

None 

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

*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 creditor 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 Wells Fargo PO Box 7648 Boise, ID 83707	DATES OF PAYMENTS <b>November - January</b>	AMOUNT PAID <b>\$5,973.00</b>	AMOUNT STILL OWING <b>\$314,910.00</b>
GMAC 2740 Arthur St Saint Paul, MN 55113	November - January	\$1,719.00	\$0.00
Infiniti PO Box 371491 Dallas, TX 75266	November - January	\$2,091.00	\$0.00
First Tennessee Bank Find Address	November - January	\$6,300.00	\$117,000.00

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 \$5,475. 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 creditor 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.)

		AMOUNT	
	DATES OF	PAID OR	
	PAYMENTS/	VALUE OF	AMOUNT STILL
NAME AND ADDRESS OF CREDITOR	TRANSFERS	TRANSFERS	OWING

None

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 P

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.)

CAPTION OF SUIT AND CASE NUMBER Joseph R. Privitera, Patricia Lombardi. Dominick Lombardi, Cathy Capozzoli, and Mary Privitera Vincent J. Boos and Mary Ann Boos

COURT OR AGENCY STATUS OR DISPOSITION AND LOCATION Supreme Court, County of **Pending** Rockland

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

2/16/10 2:51PM

3

Document Page 11 of 49

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

2/16/10 2:51PM

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

B. Phillips & Associates PC 327 Dahlonega St Suite 104 Cumming, GA 30040

DATE OF PAYMENT. NAME OF PAYOR IF OTHER THAN DEBTOR

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

Filing Fee: \$1,039 Attorney Fee: \$3,961

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

5

## 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 NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

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.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

#### 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 NOTICE

 ${\bf ENVIRONMENTAL}$ 

LAW

Document Page 13 of 49

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 **ENVIRONMENTAL** DATE OF SITE NAME AND ADDRESS LAW

GOVERNMENTAL UNIT NOTICE

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

2/16/10 2:51PM

6

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

None

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

**BEGINNING AND** NATURE OF BUSINESS

**ENDING DATES** 

None 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.

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

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 DATES SERVICES RENDERED

None b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books 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 None of the debtor. If any of the books of account and records are not available, explain.

Page 14 of 49 Document

NAME **ADDRESS** 

None 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.

20. Inventories

NAME AND ADDRESS

DATE OF INVENTORY

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,

DATE ISSUED

DOLLAR AMOUNT OF INVENTORY

and the dollar amount and basis of each inventory.

DATE OF INVENTORY INVENTORY SUPERVISOR (Specify cost, market or other basis)

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

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.

NATURE OF INTEREST NAME AND ADDRESS 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.

NATURE AND PERCENTAGE NAME AND ADDRESS TITLE 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 AMOUNT OF MONEY DATE AND PURPOSE OF RECIPIENT, OR DESCRIPTION AND OF WITHDRAWAL RELATIONSHIP TO DEBTOR VALUE OF PROPERTY

2/16/10 2:51PM

7

## 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)

2/16/10 2:51PM

8

#### 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	February 16, 2010	Signature	/s/ Vincent John Boos	
		•	Vincent John Boos	
			Debtor	
Date	February 16, 2010	Signature	/s/ Mary Ann T Boos	
			Mary Ann T Boos	
			Joint 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

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 16 of 49

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

## **United States Bankruptcy Court** Northern District of Georgia

In re	Vincent John Boos Mary Ann T Boos		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]
5/3 Bank Cc 38 Fountain Square Cincinnati, OH 45263	5/3 Bank Cc 38 Fountain Square Cincinnati, OH 45263	CreditCard		9,305.00
American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355	American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355	CreditCard		35,974.00
American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355	American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355	CreditCard		18,143.00
Bank Of America 4060 Ogletown/Stanton Rd Newark, DE 19713	Bank Of America 4060 Ogletown/Stanton Rd Newark, DE 19713	CreditCard		37,906.00
Bank Of America De5-019-03-07 Newark, DE 19714	Bank Of America De5-019-03-07 Newark, DE 19714	CreditCard		561.00
Chase Po Box 15298 Wilmington, DE 19850	Chase Po Box 15298 Wilmington, DE 19850	CreditCard		9,643.00
Citi P.o. Box 6500 Sioux Falls, SD 57117	Citi P.o. Box 6500 Sioux Falls, SD 57117	CreditCard		17,123.00
Citibank Usa Attn.: Centralized Bankruptcy Po Box 20363 Kansas City, MO 64195	Citibank Usa Attn.: Centralized Bankruptcy Po Box 20363 Kansas City, MO 64195	ChargeAccount		3,156.00
Fidelity Bank 160 Clairmont Rd Dctr, GA 30030	Fidelity Bank 160 Clairmont Rd Dctr, GA 30030	CheckCreditOrLine OfCredit		5,000.00
Fidelity Mtg 3 Corporate Sq Ne Ste 11 Atlanta, GA 30329	Fidelity Mtg 3 Corporate Sq Ne Ste 11 Atlanta, GA 30329	ConventionalRealE stateMortgage		Unknown

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 17 of 49

B4 (Official Form 4) (12/07) - Cont.

Vincent John Boos
In re Mary Ann T Boos

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]
Fifth Third Bank C/O Bankruptcy Dept, Mdropso5 1850 East Paris Grand Rapids, MI 49546	Fifth Third Bank C/O Bankruptcy Dept, Mdropso5 1850 East Paris Grand Rapids, MI 49546	CreditCard		9,305.00
G M A C Po Box 130424 Roseville, MN 55113	G M A C Po Box 130424 Roseville, MN 55113	Lease		2,677.00
Gregg A. Coffey 254 South Main St New City, NY 10956	Gregg A. Coffey 254 South Main St New City, NY 10956	Representing: 1. Joseph R. Privitera 2. Patricia Lombardi 3. Domonick Lombardi 4. Cathy Capozzoli		382,976.00
Hsbc/rs Hsbc Retail Services Attn: Bankruptcy Po Box 5263 Carol Stream, IL 60197	Hsbc/rs Hsbc Retail Services Attn: Bankruptcy Po Box 5263 Carol Stream, IL 60197	CheckCreditOrLine		13,591.00
Lowes / MBGA Attention: Bankruptcy Department Po Box 103104 Roswell, GA 30076	Lowes / MBGA Attention: Bankruptcy Department Po Box 103104 Roswell, GA 30076	ChargeAccount		1,505.00
Nissn Inf Lt Attn: Bankruptcy Po Box 371491 Pittsburg, PA 75266	Nissn Inf Lt Attn: Bankruptcy Po Box 371491 Pittsburg, PA 75266	Lease		4,444.00
Tnb-visa Po Box 560284 Dallas, TX 75356	Tnb-visa Po Box 560284 Dallas, TX 75356	CreditCard		9,013.00
Visdsnb Bankruptcy 6356 Corley Rd Norcross, GA 30071	Visdsnb Bankruptcy 6356 Corley Rd Norcross, GA 30071	CreditCard		4,852.00
Wf Fin Bank Wells Fargo Financial 4137 121st St Urbendale, IA 50323	Wf Fin Bank Wells Fargo Financial 4137 121st St Urbendale, IA 50323	CreditCard		4,421.00
Wffinancial 3360 Satellite Blv 6 Duluth, GA 30096	Wffinancial 3360 Satellite Blv 6 Duluth, GA 30096	NoteLoan		679.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 18 of 49

B4 (Official Form 4) (12/07) - Cont.

Vincent John Boos
In re Mary Ann T Boos

Debtor(s)

Case No.

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

We, *Vincent John Boos* and *Mary Ann T Boos*, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date	February 16, 2010	Signature	/s/ Vincent John Boos	
		_	Vincent John Boos	
			Debtor	
Date	February 16, 2010	Signature	/s/ Mary Ann T Boos	
		_	Mary Ann T Boos	
			Ioint Debtor	

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

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 19 of 49

B6A (Official Form 6A) (12/07)

	W 411 B	
In re	Vincent John Boos,	Case No.
	Marv Ann T Boos	

Debtors

## **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.

House & Lot 1330 Winning Colors Ct Suwanee, GA 30024	Fee simple	J	315,000.00	314,910.00
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

Sub-Total > **315,000.00** (Total of this page)

Total > **315,000.00** 

**0** continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 20 of 49

B6B (Official Form 6B) (12/07)

In re

Case No.		

2/16/10 2:50PM

Vincent John Boos, Mary Ann T Boos

Debtors

## **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 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
1.	Cash on hand	x		
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	Fidelity Bank- Checking Account	J	500.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X		
4.	Household goods and furnishings, including audio, video, and computer equipment.	Household Goods	J	5,000.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X		
6.	Wearing apparel.	Clothing	J	500.00
7.	Furs and jewelry.	Jewelry	J	3,000.00
8.	Firearms and sports, photographic, and other hobby equipment.	X		
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X		
10.	Annuities. Itemize and name each issuer.	X		
		(T	Sub-Tota of this page)	al > <b>9,000.00</b>

<sup>2</sup> continuation sheets attached to the Schedule of Personal Property

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 21 of 49

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re Vincent John Boos,
Mary Ann T Boos

Case No. \_\_\_\_\_\_

#### Debtors

## **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
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.		nsion Plan (UPS) 6,100 per month	J	0.00
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.	X			
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.	X			
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			
				Sub-Tota	al > <b>0.00</b>
			(To	Sub-10ta otal of this page)	11 / 0.00

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

In re Vincent John Boos, Mary Ann T Boos

2/16/10 2:50PM

#### Debtors

## **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
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	2007	Cadillac CTS (Leased Vehicle)	J	0.00
	other vehicles and accessories.	2007 I	nfiniti QX 35 (Leased Vehicle)	J	0.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	Lapto	o	J	100.00
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
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 > (Total of this page)
Total >

100.00

10tat >

9,100.00

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

(Report also on Summary of Schedules)

B6C (Official Form 6C) (12/07)

In re	Vincent John Boos,	Case No.
	Mary Ann T Boos	

Debtors

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:	Check if debtor claims a homestead exemption that exceeds
(Check one box)	\$ 136,875.
☐ 11 U.S.C. §522(b)(2)	
■ 11 U.S.C. §522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Real Property House & Lot 1330 Winning Colors Ct Suwanee, GA 30024	Ga. Code Ann. § 44-13-100(a)(1)	90.00	315,000.00
Checking, Savings, or Other Financial Account Fidelity Bank- Checking Account	s, Certificates of Deposit Ga. Code Ann. § 44-13-100(a)(6)	500.00	500.00
<u>Household Goods and Furnishings</u> Household Goods	Ga. Code Ann. § 44-13-100(a)(4)	5,000.00	5,000.00
Wearing Apparel Clothing	Ga. Code Ann. § 44-13-100(a)(6)	500.00	500.00
<u>Furs and Jewelry</u> Jewelry	Ga. Code Ann. § 44-13-100(a)(5)	1,000.00	3,000.00
Office Equipment, Furnishings and Supplies Laptop	Ga. Code Ann. § 44-13-100(a)(6)	100.00	100.00

Total: **7,190.00 324,100.00** 

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 24 of 49

B6D (Official Form 6D) (12/07)

In re	Vincent John Boos,
	Mary Ann T Boos

2/16/10 2:50PM

Debtors

## 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.

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

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 "Unliquidated". (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 "Amount of Claim" also on the 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.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	Hu H W J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	COXH-XGEX	UNLLQULDA	ローのTUTLD	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.			Leased Vehicle	T	D A T E			
GMAC 2740 Arthur St Saint Paul, MN 55113		J	2007 Cadillac CTS (Leased Vehicle)		D			
			Value \$ 0.00				0.00	0.00
Account No.			Leased Vehicle					
Infiniti PO Box 371491 Dallas, TX 75266		J	2007 Infiniti QX 35 (leased Vehicle)					
			Value \$ 0.00	1			0.00	0.00
Account No.			First Mortgage					
Wells Fargo PO Box 7648 Boise, ID 83707		J	House & Lot 1330 Winning Colors Ct Suwanee, GA 30024					
			Value \$ <b>315,000.00</b>	Ш			314,910.00	0.00
Account No.			Value \$					
continuation sheets attached			S (Total of the	ubto his p			314,910.00	0.00
			(Report on Summary of Sc		ota ule	- 1	314,910.00	0.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 25 of 49

B6E (Official Form 6E) (12/07)

In re	Vincent John Boos,	Case No
	Marv Ann T Boos	

Debtors

## 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 <u>not</u> 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.

= closed and control and contr
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 relation 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 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 salar representatives up to \$10,950* 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 \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
☐ <b>Deposits by individuals</b> Claims of individuals up to \$2,425* 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 Feder 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).

<sup>\*</sup> Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 26 of 49

B6F (Official Form 6F) (12/07)

In re	Vincent John Boos,		Case No.	
	Mary Ann T Boos			
_		Debtors	,	

## 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

— Check and con it dector has no election nothing unseen			is to report on any semedate r					
CREDITOR'S NAME,	C	Ηu	sband, Wife, Joint, or Community	CO	U	Ŀ	ΣŢ	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	I DATE CLAUVEW AS INCURRED AIND	ONTINGEN	LIQUI	ΙĿ	<b>=</b>	AMOUNT OF CLAIM
Account No. <b>5467</b>	T		Opened 7/11/08 Last Active 1/04/10 CreditCard	T N	D A T E D		Ī	
5/3 Bank Cc 38 Fountain Square Cincinnati, OH 45263		н						9,305.00
Account No. xxxxxxxxxxxx6453	T		Opened 3/01/00 Last Active 1/26/10	$\dagger$	$\vdash$	T	$\dagger$	
American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355		J	CreditCard					35,974.00
Account No. xxxxxxxxxxxx2733	╁		Opened 2/01/00 Last Active 1/29/10 CreditCard			t	†	
American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355		Н						18,143.00
Account No. <b>1434</b>	╁	H	Opened 6/01/00 Last Active 12/31/09	+	<u> </u>	H	+	10,140.00
Bank Of America 4060 Ogletown/Stanton Rd Newark, DE 19713	-	н	CreditCard					
		L				L	$\perp$	37,906.00
continuation sheets attached			(Total of	Subt			)	101,328.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 27 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Vincent John Boos,	Case No.
	Mary Ann T Boos	

## Debtors

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

	С	ш.,	sband, Wife, Joint, or Community	С	11	П	1
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	ODEBTOR	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	ONT INGEN		Ш	AMOUNT OF CLAIM
Account No. <b>2188</b>			Opened 4/01/05 Last Active 1/04/10 CreditCard	Ī	E		
Bank Of America De5-019-03-07 Newark, DE 19714		Н	Creditcard				561.00
Account No. xxxxxxxx0137	╂		Opened 1/01/90 Last Active 12/01/09	+	+	+	307.00
Chase Po Box 15298 Wilmington, DE 19850		J	CreditCard				
	L						9,643.00
Account No. xxxxxxxx1949  Citi P.o. Box 6500 Sioux Falls, SD 57117		J	Opened 2/01/89 Last Active 1/07/10 CreditCard				17,123.00
Account No. xxxxxxxxxxx7148	T		Opened 3/01/00 Last Active 2/01/10	$\dagger$	$\dagger$		
Citibank Usa Attn.: Centralized Bankruptcy Po Box 20363 Kansas City, MO 64195		н	ChargeAccount				3,156.00
Account No. xxxxx3851	$\vdash$		Opened 4/01/03 Last Active 1/28/10			+	, , , , ,
Fidelity Bank 160 Clairmont Rd Dctr, GA 30030		Н	CheckCreditOrLineOfCredit				5,000.00
Sheet no1 of _4 sheets attached to Schedule of				Sub	ntot	 al	
Creditors Holding Unsecured Nonpriority Claims			(Total c				35,483.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 28 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Vincent John Boos,	Case No.
	Mary Ann T Boos	

## Debtors

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

	С	ш.,	sband, Wife, Joint, or Community	- 1	сТ	11	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	ODEBTOR	J C H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	[ ]	οl	NL Q	SPUTED	AMOUNT OF CLAIM
Account No. <b>x3960</b>			Opened 8/01/00 Last Active 9/01/00		Т	T E D		
Fidelity Mtg 3 Corporate Sq Ne Ste 11 Atlanta, GA 30329		н	ConventionalRealEstateMortgage					Unknown
Account No. xxxxxxxxxxx6727	╫		Opened 7/01/08 Last Active 1/04/10			+		
Fifth Third Bank C/O Bankruptcy Dept, Mdropso5 1850 East Paris Grand Rapids, MI 49546		н	CreditCard					9,305.00
Account No. xxxxxxxx7802  G M A C Po Box 130424 Roseville, MN 55113		н	Opened 4/01/07 Last Active 1/28/10 Lease					
								2,677.00
Account No.  Gregg A. Coffey 254 South Main St New City, NY 10956		J	Representing: 1. Joseph R. Privitera 2. Patricia Lombardi 3. Domonick Lombardi 4. Cathy Capozzoli					382,976.00
Account No. xxxxxx7525  Hsbc/rs Hsbc Retail Services Attn: Bankruptcy Po Box 5263		н	Opened 8/01/06 Last Active 12/31/09 CheckCreditOrLineOfCredit					
Carol Stream, IL 60197								13,591.00
Sheet no. <b>2</b> of <b>4</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims	f	<u> </u>	I (Tota	Su of thi		otal age	- 1	408,549.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 29 of 49

B6F (Official Form 6F) (12/07) - Cont.

In re	Vincent John Boos,	Case No
	Mary Ann T Boos	

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

	I c	11	should Wife laint or Community	16	1,,	Т	<u> </u>
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	H W H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGEN	N L I Q I	Ηı	AMOUNT OF CLAIM
Account No. xxxxxxxx1081			Opened 6/01/00 Last Active 12/30/09	٦	T E D		
Lowes / MBGA Attention: Bankruptcy Department Po Box 103104 Roswell, GA 30076		н	ChargeAccount				1,505.00
Account No. xxxxxxxxxxxx5466	╁		Opened 4/01/07 Last Active 1/21/10	+	$\perp$	+	
Nissn Inf Lt Attn: Bankruptcy Po Box 371491 Pittsburg, PA 75266		н	Lease				4,444.00
Account No. xxxxxxxx5989  Tnb-visa Po Box 560284  Dallas, TX 75356		J	Opened 4/01/00 Last Active 12/08/09 CreditCard				
							9,013.00
Account No. xxxxxxxxxxx4555  Visdsnb Bankruptcy 6356 Corley Rd Norcross, GA 30071		н	Opened 10/01/04 Last Active 9/28/09 CreditCard				4,852.00
Account No. xxxxxxxx2112  Wf Fin Bank Wells Fargo Financial		н	Opened 10/01/07 Last Active 1/15/10 CreditCard				
4137 121st St		•					
Urbendale, IA 50323							4,421.00
Sheet no. 3 of 4 sheets attached to Schedule of				Sub	tota	1 al	24 225 00
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pa	ge)	24,235.00

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

In re	Vincent John Boos,	Case No.
	Mary Ann T Boos	

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

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	C	U	P	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	Ü	SPUTED	AMOUNT OF CLAIM
Account No. xxxxxxxxxxx1365			Opened 9/01/06 Last Active 1/29/10	Т	E		
Wffinancial 3360 Satellite Blv 6 Duluth, GA 30096		н	NoteLoan		D		679.00
	L						679.00
Account No.							
Account No.	┢	H		$\vdash$	$\vdash$	┢	
Account No.							
recount No.	ł						
Account No.	1						
Sheet no. 4 of 4 sheets attached to Schedule of		•		Sub	tota	ıl	272.22
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	pag	ge)	679.00
				Т	ota	al	
			(Report on Summary of So	chec	lule	es)	570,274.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 31 of 49

B6G (Official Form 6G) (12/07)

In re	Vincent John Boos,	Case No
	Mary Ann T Boos	

Debtors

## 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.

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 32 of 49

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

	N/I	G V
In re	Vincent John Boos,	Case No.
	Mary Ann T Roos	

Debtors

## **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

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 33 of 49

B6I (Official Form 6I) (12/07)

In re

Vincent John Boos Mary Ann T Boos		Case No.	
	Debtor(s)	_	

2/16/10 2:51PM

## 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 DEBTOR AND SI	POUSE		
Married	RELATIONSHIP(S): None.	AGE(S):			
Employment:	DEBTOR		SPOUSE		
Occupation Occupation	Contractor	Unemployed	DI OCSE		
Name of Employer	Talbot Construction, Inc.	Onemployed			
How long employed	3 Years				
<u> </u>	5000 Research Court				
Address of Employer	Ste 750 Suwanee, GA 30024				
INCOME: (Estimate of average	ge or projected monthly income at time case filed)		DEBTOR		SPOUSE
	y, and commissions (Prorate if not paid monthly)	\$	7,332.00	\$	0.00
2. Estimate monthly overtime	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$	0.00	\$	0.00
3. SUBTOTAL		\$_	7,332.00	\$	0.00
4. LESS PAYROLL DEDUCT					
a. Payroll taxes and socia	al security	\$_	1,466.00	\$	0.00
b. Insurance		\$_	0.00	\$	0.00
c. Union dues		\$	0.00	\$	0.00
d. Other (Specify):		\$ \$	0.00	\$ ——	0.00 0.00
5. SUBTOTAL OF PAYROLI	L DEDUCTIONS	\$_	1,466.00	\$	0.00
6. TOTAL NET MONTHLY	ГАКЕ НОМЕ РАҮ	\$_	5,866.00	\$	0.00
7. Regular income from operat	tion of business or profession or farm (Attach detailed state	ement) \$_	0.00	\$	0.00
8. Income from real property		\$	0.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	0.00
dependents listed above	support payments payable to the debtor for the debtor's use	e or that of \$	0.00	\$	0.00
11. Social security or governm (Specify): <b>SSI</b>	nent assistance	\$	1,809.00	\$	782.00
		\$	0.00	\$	0.00
<ul><li>12. Pension or retirement inco</li><li>13. Other monthly income</li></ul>	me	\$	4,733.00	\$	0.00
(Specify):			0.00	\$	0.00
		\$	0.00	\$	0.00
14. SUBTOTAL OF LINES 7	THROUGH 13	\$_	6,542.00	\$	782.00
15. AVERAGE MONTHLY I	NCOME (Add amounts shown on lines 6 and 14)	\$_	12,408.00	\$	782.00
16. COMBINED AVERAGE	MONTHLY INCOME: (Combine column totals from line	15)	\$	13,190.	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:

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 34 of 49

B6J (Official Form 6J) (12/07)

In re

Vincent John Boos
Mary Ann T Boos

Debtor(s)

Case No.

2/16/10 2:51PM

## 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.

expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22	2C.	
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comple expenditures labeled "Spouse."	ete a separat	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	1,999.00
a. Are real estate taxes included? Yes <b>X</b> No		
b. Is property insurance included? Yes X No		
2. Utilities: a. Electricity and heating fuel	\$	300.00
b. Water and sewer	\$	61.00
c. Telephone	\$	125.00
d. Other See Detailed Expense Attachment	\$	187.00
3. Home maintenance (repairs and upkeep)	\$	0.00
4. Food	\$	600.00
5. Clothing	\$	100.00
6. Laundry and dry cleaning	\$	50.00
7. Medical and dental expenses	\$	368.00
8. Transportation (not including car payments)	\$	360.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
10. Charitable contributions	\$	150.00
11. Insurance (not deducted from wages or included in home mortgage payments) a. Homeowner's or renter's	¢	0.00
b. Life	\$ \$	1,100.00
c. Health	\$ 	0.00
d. Auto	\$	182.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	Ψ	0.00
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	Ψ	
a. Auto	\$	1,342.00
b. Other	\$	0.00
c. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Commercial Loan	\$	2,100.00
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.) 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year	\$	9,024.00
following the filing of this document:  20. STATEMENT OF MONTHLY NET INCOME	<b>-</b>	42 400 00
a. Average monthly income from Line 15 of Schedule I	\$	13,190.00
b. Average monthly expenses from Line 18 above	\$	9,024.00
c. Monthly net income (a. minus b.)	\$	4,166.00

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 35 of 49

B6J (Official Form 6J) (12/07)

Vincent John Boos
In re Mary Ann T Boos

Case No.

Debtor(s)

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

**Detailed Expense Attachment** 

**Other Utility Expenditures:** 

Cell Phone	\$ 64.00
Direct TV	\$ 109.00
Trash	\$ 14.00
Total Other Utility Expenditures	\$ 187.00

## Page 36 of 49 Document

## **United States Bankruptcy Court Northern District of Georgia**

In re	Vincent John Boos Mary Ann T Boos		Case No.	
	•	Debtor(s)	Chapter	11

	Debtor(s) Chapter 11
	DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and th compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:
	For legal services, I have agreed to accept \$ 3,961.00
	Prior to the filing of this statement I have received \$ 3,961.00
	Balance Due \$ 0.00
2.	\$ of the filing fee has been paid.
3.	The source of the compensation paid to me was:
	■ Debtor □ Other (specify):
4.	The source of compensation to be paid to me is:
	■ Debtor □ Other (specify):
5.	■ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm
	☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6.	In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
	<ul> <li>a. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;</li> <li>b. [Other provisions as needed]         If this is a Chapter 13:         All customary and usual work required during the course of the case, including: Pre-Confirmation Motion for Reliefs, Modifications necessary to confirm the debtor's plan, objections to claim necessary to confirm the debtor's plan, pre-discharge financial counseling certificate, pay advices and tax transcripts/returns, Motions to extend or Impose Stay and related hearings, Employer Deduction Order, Confirmation Hearings, lien avoidances necessary to confirm the debtor's 13 plan, bar date review.     </li> </ul>
	The Debtor and Debtor's attorney have agreed that any services not covered above may result in the Debtor's attorney filing an application with the court for additional attorney fees at the rate of \$225.00 per hour.
	If this case is a Chapter 7:  Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.
7.	By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other proceeding, any Trustee or U.S. Trustee requests for documents, any document retrieval services, credit counseling and financial management course fees, post discharge credit repair, 707(b) objections, judicial lien avoidances, preparation and filing of motions pursuant to 11 USC 5229f(2)(A) for avoidance of liens on household goods, relief from stay actions or any other adversary proceeding, or preparation and filing of reaffirmation agreements and applications.

The Debtor and Debtor's attorney have agreed that any services not covered above may result in the Debtor's attorney filing an application with the court for additional attorney fees at the rate of \$225.00 per hour.

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 37 of 49

In re	Vincent John Boos Mary Ann T Boos	Case No.	
	Debtor(s)		

## DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

(Continuation Sheet)

	CERTIFICATION						
	I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in its bankruptcy proceeding.						
Dated: February 16, 2010		/s/ Bob J. Phillips					
		Bob J. Phillips 576702					
		B. Phillips & Associates PC					
		327 Dahlonega St					
		Suite 104					
		Cumming, GA 30040					
		770-205-1922 Fax: 770-205-0887					
		bphill60@msn.com					

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 38 of 49

B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court** Northern District of Georgia

In re	Vincent John Boos,		Case No.	
	Mary Ann T Boos			
-		Debtors	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	1	315,000.00		
B - Personal Property	Yes	3	9,100.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		314,910.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	5		570,274.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			13,190.00
J - Current Expenditures of Individual Debtor(s)	Yes	2			9,024.00
Total Number of Sheets of ALL Schedules		17			
	Т	otal Assets	324,100.00		
			Total Liabilities	885,184.00	

2/16/10 2:50PM

2/16/10 2:50PM

### **United States Bankruptcy Court** Northern District of Georgia

In re	Vincent John Boos,		Case No.		
	Mary Ann T Boos				
_		Debtors	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)	13,190.00
Average Expenses (from Schedule J, Line 18)	9,024.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	13,190.00

#### State the following:

_ state the roll wing.		-
Total from Schedule D, "UNSECURED PORTION, IF ANY" column		0.00
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		570,274.00
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		570,274.00

Case 10-64478 Doc 1

Document

Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Page 40 of 49

**B6 Declaration (Official Form 6 - Declaration).** (12/07)

## **United States Bankruptcy Court** Northern District of Georgia

In re	Vincent John Boos Mary Ann T Boos		Case No.		
		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 _	19
sheets, and that they are true and correct to the best of my knowledge, information, and belief.	

Date	February 16, 2010	Signature	/s/ Vincent John Boos	
			Vincent John Boos	
			Debtor	
Date	February 16, 2010	Signature	/s/ Mary Ann T Boos	
		C	Mary Ann T Boos	
			Joint 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** Northern District of Georgia

In re	Vincent John Boos Mary Ann T Boos		Case No.	
<u> </u>	mary Amir i boos	Debtor(s)	Chapter	11
The abo		IFICATION OF CREDITOR  that the attached list of creditors is true and co		of their knowledge.
Date:	February 16, 2010	/s/ Vincent John Boos Vincent John Boos Signature of Debtor		
Date:	February 16, 2010	/s/ Mary Ann T Boos Mary Ann T Boos		

Signature of Debtor

2/16/10 2:51PM

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 NORTHERN DISTRICT OF GEORGIA

# 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)

# Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 43 of 49

Form B 201A, Notice to Consumer Debtor(s)

2/16/10 2:51PM

Page 2

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.

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 44 of 49

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

### **United States Bankruptcy Court** Northern District of Georgia

	Northe				
In re	Vincent John Boos		Case No.		
III IC	Mary Ann T Boos	Debtor(s)	<del></del>	11	
	CERTIFICATION OF NO UNDER § 342(b) O	OTICE TO CONSUN F THE BANKRUPT	•	<b>S</b> )	
attache	Certification of [Non-Att I, the [non-attorney] bankruptcy petition preparer s and notice, as required by § 342(b) of the Bankruptcy C	igning the debtor's petition		I delivered to the debtor this	
Printed name and title, if any, of Bankruptcy Petition Preparer Address:			Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)		
princip	ture of Bankruptcy Petition Preparer or officer, pal, responsible person, or partner whose Security number is provided above.				
Code.	Certi I (We), the debtor(s), affirm that I (we) have receive	fication of Debtor ed and read the attached n	otice, as required by	§ 342(b) of the Bankruptcy	
	nt John Boos Ann T Boos	X /s/ Vincent Jo	hn Boos	February 16, 2010	
Printed	d Name(s) of Debtor(s)	Signature of D	ebtor	Date	
		V /o/Mom Amm	T Boos	February 16, 2010	
Case N	No. (if known)	X /s/ Mary Ann		7 007 447 7 10, 2010	

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.

2/16/10 2:51PM

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 45 of 49

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

In re	Vincent John Boos Mary Ann T Boos		
	Debtor(s)		
Case N	rumber:		
	(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. CALCULATION OF CURRENT MONTHLY INC	OM	Œ				
1	Marital/filing status. Check the box that applies and complete the balance of this part of this statement as directed.  a. □ Unmarried. Complete only Column A ("Debtor's Income") for Lines 2-10.  b. □ Married, not filing jointly. Complete only column A ("Debtor's Income") for Lines 2-10.  c. ■ Married, filing jointly. Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 2-10.						
	All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.		Column A  Debtor's Income	Column B Spouse's Income			
2	Gross wages, salary, tips, bonuses, overtime, commissions.	\$	5,866.00	\$ 0.00			
3	Net income from the operation of a business, profession, or farm. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If more than one business profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero.    Debtor   Spouse						
	b. Ordinary and necessary business expenses \$ 0.00 \$ 0.00	_					
	c. Business income Subtract Line b from Line a	\$	0.00	\$ 0.00			
4	Net Rental and other real property income. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero.    Debtor   Spouse	\$	0.00	s <i>0.00</i>			
		<u> </u>					
5	Interest, dividends, and royalties.	\$	0.00	\$ 0.00			
6	Pension and retirement income.	\$	4,733.00	\$ 0.00			
7	Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose. Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse if Column B is completed.	\$	0.00	\$ 0.00			
8	Unemployment compensation. Enter the amount in the appropriate column(s) of Line 8. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:  Unemployment compensation claimed to						
	be a benefit under the Social Security Act Debtor \$ 0.00 Spouse \$ 0.00	\$	0.00	\$ 0.00			
9	Income from all other sources. Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or separate maintenance. Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism.    Debtor   Spouse						
	b. \$ \$	\$	1,809.00	\$ 782.00			
10	<b>Subtotal of current monthly income.</b> Add lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 thru 9 in Column B. Enter the total(s).	\$	12,408.00				

Case 10-64478 Doc 1 Filed 02/16/10 Entered 02/16/10 14:49:45 Desc Main Document Page 46 of 49

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

2/16/10 2:51PM

11		ly income. If Column B has been cornd enter the total. If Column B has not A.			13,190.00	
		Part II.	VERIFICATION			
12	I declare under penalty of perjury that the information provided i must sign.)  Date: February 16, 2010			Signature: /s/ Vincent John Boos Vincent John Boos (Debtor)		
12	Date:	February 16, 2010	Signature	/s/ Mary Ann T Boos Mary Ann T Boos (Joint Debtor, if a	uny)	

5/3 Bank Cc 38 Fountain Square Cincinnati, OH 45263

American Express c/o Becket and Lee LLP Po Box 3001 Malvern, PA 19355

Bank Of America 4060 Ogletown/Stanton Rd Newark, DE 19713

Bank Of America De5-019-03-07 Newark, DE 19714

Chase Po Box 15298 Wilmington, DE 19850

Citi P.o. Box 6500 Sioux Falls, SD 57117

Citibank Usa Attn.: Centralized Bankruptcy Po Box 20363 Kansas City, MO 64195

Fidelity Bank 160 Clairmont Rd Dctr, GA 30030

Fidelity Mtg 3 Corporate Sq Ne Ste 11 Atlanta, GA 30329 Fifth Third Bank C/O Bankruptcy Dept, Mdropso5 1850 East Paris Grand Rapids, MI 49546

G M A C Po Box 130424 Roseville, MN 55113

GMAC 2740 Arthur St Saint Paul, MN 55113

Gregg A. Coffey 254 South Main St New City, NY 10956

Hsbc/rs Hsbc Retail Services Attn: Bankruptcy Po Box 5263 Carol Stream, IL 60197

Infiniti PO Box 371491 Dallas, TX 75266

Lowes / MBGA Attention: Bankruptcy Department Po Box 103104 Roswell, GA 30076

Nissn Inf Lt Attn: Bankruptcy Po Box 371491 Pittsburg, PA 75266

Tnb-visa Po Box 560284 Dallas, TX 75356 Visdsnb Bankruptcy 6356 Corley Rd Norcross, GA 30071

Wells Fargo PO Box 7648 Boise, ID 83707

Wf Fin Bank Wells Fargo Financial 4137 121st St Urbendale, IA 50323

Wffinancial 3360 Satellite Blv 6 Duluth, GA 30096