# Case 09-32460-hcd Doc 1 Filed 05/25/09 Page 1 of 11 B1 (Official Form 1) (1/08)

|  | tes Bankruptcy<br>1 District of Indi  |  |  |  | Volu            | ntary Petition  |
|--|---|--|--|--|-----------------|---|
| Name of Debtor (if individual, enter Last, First, Midd JSM4JC Investment Properties, LLC   | le):  | Name of J                                  | oint Debto   | or (Spouse) (Last, First,  | Middle):        |   |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):   |   |  | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):   |  |                 |   |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.<br>EIN (if more than one, state all): <b>20-0278190</b>  | D. (ITIN) No./Complete  |  |  | oc. Sec. or Individual-T<br>ne, state all):  | axpayer I.D.    | (ITIN) No./Complete   |
| Street Address of Debtor (No. & Street, City, State &<br>18199 Stoneridge St Apt F   | Zip Code):  | Street Add                                 | lress of Joi   | int Debtor (No. & Stree  | et, City, State | e & Zip Code):  |
| South Bend, IN   | ZIPCODE <b>46637-514</b>  | )  |  |  | Z               | IPCODE  |
| County of Residence or of the Principal Place of Busi<br><b>St. Joseph</b>   | ness:   | County of                                  | Residence  | e or of the Principal Plac   | ce of Busine    | ss:   |
| Mailing Address of Debtor (if different from street ad   | dress)  | Mailing A                                  | ddress of J  | Joint Debtor (if differen  | t from street   | t address):   |
|  | ZIPCODE   |  |  |  | Z               | IPCODE  |
| Location of Principal Assets of Business Debtor (if di Real Estate Located St. Joseph, Elkart  |   |  | o. MI  |  | <b>—</b>        |   |
| Type of Debtor   | ,<br>   | f Business                                 |  | Charatan af Da   |                 | IPCODE Various  |
| Image: Strength of Dentor         (Form of Organization)         (Check one box.)         Individual (includes Joint Debtors)         See Exhibit D on page 2 of this form.         ✓ Corporation (includes LLC and LLP)         Partnership         Other (If debtor is not one of the above entities, check this box and state type of entity below.)  | (Check of<br>Health Care Busines<br>Single Asset Real Es<br>U.S.C. § 101(51B)<br>Railroad<br>Stockbroker<br>Commodity Broker  | one box.)<br>s                             | x.) the Petition is Filed (Check one box.)<br>Chapter 7 Chapter 15 Petition f  |  |                 | Check <b>one</b> box.)<br>er 15 Petition for<br>gnition of a Foreign<br>Proceeding<br>er 15 Petition for<br>gnition of a Foreign<br>tain Proceeding |
|  | ☐ Clearing Bank<br>✓ Other<br>Tax-Exempt Entity<br>(Check box, if applicable.)<br>☐ Debtor is a tax-exempt organization under<br>Title 26 of the United States Code (the<br>Internal Revenue Code). |  |  | Nature of Debts<br>(Check one box.)<br>Debts are primarily consumer<br>debts, defined in 11 U.S.C.<br>§ 101(8) as "incurred by an<br>individual primarily for a<br>personal, family, or house-<br>hold purpose." |                 |   |
| Filing Fee (Check one box  | )   | Cheekene                                   | hove   | Chapter 11 I   | Debtors         |   |
| <ul> <li>Full Filing Fee attached</li> <li>Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.</li> </ul>   |   |  | <ul> <li>Check one box:</li> <li>□ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).</li> <li>☑ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).</li> <li>Check if:</li> <li>□ Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000.</li> </ul> |  |                 |   |
| Acceptances of   |   |  |  |  |                 |   |
| Statistical/Administrative Information           ✓ Debtor estimates that funds will be available for distribution to unsecured credit           □ Debtor estimates that, after any exempt property is excluded and administrative distribution to unsecured creditors.   |   |  | iid, there w   | vill be no funds availabl  | le for          | THIS SPACE IS FOR<br>COURT USE ONLY   |
| Estimated Number of Creditors           Image: Strength of Creditors |   | 10,001-                                    | □<br>25,001-   | 50,001-  | Over            |   |
| Estimated Assets         \$\$\$0 to \$\$50,001 to \$\$100,001 to \$\$500,001 to \$\$1,00           \$\$\$0 to \$\$50,001 to \$\$100,000 \$\$\$\$\$\$0,000 \$\$\$1 million \$\$10 to \$   | 00,001 to \$10,000,001  | 25,000<br>\$50,000,001 to<br>\$100 million | 50,000<br>50,000<br>\$100,000<br>to \$500 1  |  | 100,000         |   |
| Estimated Liabilities  | D0,001 to \$10,000,001  | \$50,000,001 to<br>\$100 million           |  | D,001 \$500,000,001  |                 |   |

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|---|---|--|--|
| <b>Voluntary Petition</b><br>(This page must be completed and filed in every case)  | Name of Debtor(s):<br>JSM4JC Investment Properties, LLC   |  |  |
| Prior Bankruptcy Case Filed Within Last 8   | _   |  |  |
| Location<br>Where Filed: None   | Case Number:  | Date Filed:  |  |
| Location<br>Where Filed:  | Case Number:  | Date Filed:  |  |
| Pending Bankruptcy Case Filed by any Spouse, Partner or   | Affiliate of this Debtor (If mo   | re than one, attach additional sheet)  |  |
| Name of Debtor:<br>See Schedule Attached  | Case Number:  | Date Filed:  |  |
| District:   | Relationship:   | Judge:   |  |
| Exhibit A<br>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) | (To be completed<br>whose debts are pr<br>I, the attorney for the petitioner r<br>that I have informed the petitior<br>chapter 7, 11, 12, or 13 of tit<br>explained the relief available un<br>that I delivered to the debtor the<br>Bankruptcy Code. | <b>xhibit B</b><br>if debtor is an individual<br>rimarily consumer debts.)<br>named in the foregoing petition, declare<br>her that [he or she] may proceed under<br>le 11, United States Code, and have<br>der each such chapter. I further certify<br>he notice required by § 342(b) of the |  |
|   | X Signature of Attorney for Debtor(s)   | Date   |  |
| Exhi (To be completed by every individual debtor. If a joint petition is filed, es Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attach                     | de a part of this petition.   | ch a separate Exhibit D.)  |  |
| Tufermer the Descent  | a dha Dahdara Marra   |  |  |
|   |   | is District for 180 days immediately   |  |
| There is a bankruptcy case concerning debtor's affiliate, general   | partner, or partnership pending in t  | this District.   |  |
| Debtor is a debtor in a foreign proceeding and has its principal pl<br>or has no principal place of business or assets in the United States<br>in this District, or the interests of the parties will be served in reg  | but is a defendant in an action or pro  | oceeding [in a federal or state court]   |  |
| Certification by a Debtor Who Reside  |   | Property   |  |
| (Check all app<br>Landlord has a judgment against the debtor for possession of deb  | licable boxes.)<br>tor's residence. (If box checked, co   | omplete the following.)  |  |
| (Name of landlord or less   | or that obtained judgment)  |  |  |
| (Address of lan<br>Debtor claims that under applicable nonbankruptcy law, there are   | dlord or lessor)<br>circumstances under which the de  | ebtor would be permitted to cure   |  |
| the entire monetary default that gave rise to the judgment for pos  | session, after the judgment for pos   | session was entered, and   |  |
| Debtor has included in this petition the deposit with the court of filing of the petition.  | any rent that would become due du   | uring the 30-day period after the  |  |
| Debtor certifies that he/she has served the Landlord with this cert   | tification. (11 U.S.C. § 362(l)).   |  |  |

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| B1 (Official Form 1) (1/08)  | Page 3  |  |  |
|--|---|--|--|
| <b>Voluntary Petition</b><br>(This page must be completed and filed in every case)   | Name of Debtor(s):<br>JSM4JC Investment Properties, LLC   |  |  |
| Signa  | atures  |  |  |
| Signature(s) of Debtor(s) (Individual/Joint)   | Signature of a Foreign Representative   |  |  |
| I declare under penalty of perjury that the information provided in this petition is true and correct.<br>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.<br>[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).<br>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.<br>X | 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.<br>(Check only <b>one</b> 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.<br>□ 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  | Printed Name of Foreign Representative  |  |  |
| Signature of Joint Debtor  |   |  |  |
| Telephone Number (If not represented by attorney)  | Date  |  |  |
|  |   |  |  |
| Date   |   |  |  |
| Signature of Attorney*   | Signature of Non-Attorney Petition PreparerI declare under penalty of perjury that: 1) I am a bankruptcy petition   |  |  |
| Signature of Attorney for Debtor(s)<br>James K Tamke 12030-71<br>James K. Tamke, PC<br>115 S. Lafayette Blvd., Suite 512<br>South Bend, IN 46601<br>(574) 289-8788   | compensation and have provided the debtor with a copy of this document<br>and the notices and information required under 11 U.S.C. §§ 110(b),<br>110(h) and 342(b); 3) if rules or guidelines have been promulgated<br>pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services<br>chargeable by bankruptcy petition preparers, I have given the debtor<br>notice of the maximum amount before preparing any document for filing<br>for a debtor or accepting any fee from the debtor, as required in that<br>section. Official Form 19 is attached.   |  |  |
| May 22, 2009   | 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.)  |  |  |
| Date<br>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a<br>certification that the attorney has no knowledge after an inquiry that the<br>information in the schedules is incorrect.  | Address   |  |  |
| Signature of Debtor (Corporation/Partnership)  | X   |  |  |
| 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.<br>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.  | Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.         Date         Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:   |  |  |
| X /s/ Jeffrey S. Miller  |   |  |  |
| Signature of Authorized Individual Jeffrey S. Miller Printed Name of Authorized Individual President Title of Authorized Individual  | If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. <i>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. &amp; 100, 18 U.S.C. &amp; 156</i>  |  |  |
| May 22, 2009<br>Date   | in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.  |  |  |

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#### **IN RE JSM4JC Investment Properties, LLC**

Case No.

Debtor(s)

**VOLUNTARY PETITION Continuation Sheet - Page 1 of 2** 

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor:

Name of Debtor: JSM Auto, Inc. Case Number: 09-32287 Date Filed: 5/14/09 **District: Northern District Of Indiana Relationship: Affiliated Corporation** Judge: Harry C. Dees, Jr.

Name of Debtor: Jeffrey Scott Miller And Wanda Janell Miller Case Number: 09-32299 Date Filed: 5/14/09 **District: Northern District Of Indiana** Relationship: Owner & Owner's Wife Judge: Harry C. Dees, Jr.

| B1 (Official Form 1) (1/08) Case 09-32460-hcd Doc 1  |   |  |  |  |
|--|---|--|--|--|
| Voluntary Petition<br>(This page must be completed and filed in every case)  | Name of Debtor(s):<br>JSM4JC Investment Properties, LLC   |  |  |  |
| Signa  | tures   |  |  |  |
| Signature(s) of Debtor(s) (Individual/Joint)   | Signature of a Foreign Representative   |  |  |  |
| I declare under penalty of perjury that the information provided in this petition is true and correct.<br>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.<br>[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).<br>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.<br>X<br>Signature of Debtor<br>Telephone Number (If not represented by attorney)   | 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.<br>(Check only <b>one</b> box.)<br>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.<br>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.<br>X<br>Signature of Foreign Representative<br>Date  |  |  |  |
| Date Signature of Attorney*  | Signature of Non-Attorney Petition Preparer   |  |  |  |
| Algorithmeter and the second s | I declare under penalty of perjury that: 1) I am a bankruptcy petiti<br>preparer as defined in 11 U.S.C. § 110; 2) I prepared this document is<br>compensation and have provided the debtor with a copy of this document<br>and the notices and information required under 11 U.S.C. §§ 110(1<br>110(h) and 342(b); 3) if rules or guidelines have been promulgat<br>pursuant to 11 U.S.C. § 110(h) setting a maximum fee for servic<br>chargeable by bankruptcy petition preparers, I have given the debi<br>notice of the maximum amount before preparing any document for fili<br>for a debtor or accepting any fee from the debtor, as required in th<br>section. Official Form 19 is attached.<br>Printed Name and title, if any, of Bankruptcy Petition Preparer<br>Social Security Number (If the bankruptcy petition preparer is not an individual, state the |  |  |  |
| $\frac{\mathcal{J} - \mathcal{L} - \mathcal{O} \mathcal{G}}{Date}$ *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a   | Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)  |  |  |  |
| 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       X         Signature of Authorized Individual       Jeffrey S. Miller         Printed Name of Authorized Individual       President         Title of Authorized Individual $\int -22 - 02^{G}$ Date       Date   | X         Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.         Date         Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:         If more than one person prepared this document, 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.  |  |  |  |

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Northern District of Indiana

IN RE:

JSM4JC Investment Properties, LLC

Debtor(s)

Chapter 11

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

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

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

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

I, [the president or other officer or an authorized agent of the corporation][or a member or an authorized agent of the partnership] named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

| Date: | 5-22-09  | Signature: | × Jappy / MOB |
|-------|----------|------------|---------------|
|       | <b>,</b> | -          |               |

Jeffrey S. Miller, President

(Print Name and Title)

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|------------------------------|-------------------|-------|----------------|--------------|
|------------------------------|-------------------|-------|----------------|--------------|

Debtor(s)

United States Bankruptcy Court Northern District of Indiana

IN RE:

Case No.

# JSM4JC Investment Properties, LLC

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

| (1)<br>Name of creditor and complete mailing address<br>including zip code | (2)<br>Name, telephone number and complete mailing<br>address, including zip code, of employee, agent<br>or department of creditor familiar with claim<br>who may be contacted | (3)<br>Nature of claim<br>(trade debt,<br>bank loan,<br>government<br>contract, etc.) | (4)<br>Indicate if claim<br>is contingent,<br>unliquidated,<br>disputed or<br>subject to setoff | (5)<br>Amount of<br>claim (if<br>secured also<br>state value of<br>security) |
|--|--|---|---|--|
| Lowe's Business Account<br>P.O. Box 530970<br>Atlanta, GA 30353            | BANKRUPTCY DEPARTMENT<br>(800) 444-1408  | Trade debt  |   | 26,000.00  |

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

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: May 22, 2009

Signature: /s/ Jeffrey S. Miller

Jeffrey S. Miller, President

(Print Name and Title)

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

Case No. JSM4JC Investment Properties, LLC Chapter 11 Debtor(s)

# **VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: May 22, 2009 Signature: /s/ Jeffrey S. Miller Jeffrey S. Miller, President

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Joint Debtor, if any

Debtor

IN RE:

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Northern District of Indiana

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

**JSM4JC Investment Properties, LLC** 

IN RE:

Chapter 11

# **VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Debtor(s)

| Date: | 5-22-09 | Signature: X July / Hills<br>Jeffrey S. Willer, President | Debtor               |
|-------|---------|---|----------------------|
| Date: |         | Signature:  | Joint Debtor, if any |

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ALLEN COUNTY TREASURER CITY COUNTY BUILDING, ROOM 104 1 EAST MAIN ST. FORT WAYNE, IN 46802

BERRIEN COUNTY TREASURER 701 MAIN ST. ST. JOSEPH, MI 49085

CASS COUNTY TREASURER CASS COUNTY BUILDING 120 N. BROADWAY CASSOPOLIS, MI 49031

ELKHART COUNTY TREASURER 117 N. SECOND ST., ROOM 201 ELKHART, IN 46526

JEFFREY SCOTT MILLER 18199 STONERIDGE ST., APT. F SOUTH BEND, IN 46637

JSM AUTO, INC. 18199 STONERIDGE DRIVE, UNIT F SOUTH BEND, IN 46637

Lowe's Business Account P.O. Box 530970 Atlanta, GA 30353

MICHAEL HARDY, ATTORNEY BARNES & THORNBURG 100 N. MICHIGAN ST., SUITE 600 SOUTH BEND, IN 46601

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ONTWA TOWNSHIP TREASURER PO BOX 209 EDWARDSBURG, MI 49112

SARAH QUINN KUHNY, ATTORNEY 600 1ST SOURCE BANK CENTER 100 NORTH MICHIGAN SOUTH BEND, IN 46601

ST. JOSEPH COUNTY TREASURER COUNTY CITY BUILDING SOUTH BEND, IN 46601

ST. JOSEPH COUNTY TREASURER PO BOX 4758 SOUTH BEND, IN 46634-4758

ST. JOSEPH SUPERIOR COURT CAUSE NO. 71D06-0905-MF-464 101 SOUTH MAIN ST. SOUTH BEND, IN 46601

TCU 110 S Main St South Bend, IN 46601-1805

TEACHERS CREDIT UNION PO BOX 1395 SOUTH BEND, IN 46624-1395

WANDA JANELL MILLER 18199 STONERIDGE ST., APT. F SOUTH BEND, IN 46637