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### United States Bankruptcy Court Southern District of Indiana

IN	IN RE:	Case No.
3 <u>1</u>	310 I R, L.L.C.	Chapter 11
	Debtor(s)	
	DISCLOSURE OF COMPEN	SATION OF ATTORNEY FOR DEBTOR
1.	<ol> <li>Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify one year before the filing of the petition in bankruptcy, or agreed to be of or in connection with the bankruptcy case is as follows:</li> </ol>	that I am the attorney for the above-named debtor(s) and that compensation paid to me within paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation
	For legal services, I have agreed to accept	\$\$120.00/hr
	Prior to the filing of this statement I have received	\$
	Balance Due	\$
2.	2. The source of the compensation paid to me was: Debtor Other	er (specify):
3.	3. The source of compensation to be paid to me is: $\begin{tabular}{ c c c c }\hline \end{tabular}$ Debtor $\begin{tabular}{ c c c c c c }\hline \end{tabular}$ Other	er (specify):
4.	4. I have not agreed to share the above-disclosed compensation with	any other person unless they are members and associates of my law firm.
	I have agreed to share the above-disclosed compensation with a protogether with a list of the names of the people sharing in the comp	erson or persons who are not members or associates of my law firm. A copy of the agreement, tensation, is attached.
5.	5. In return for the above-disclosed fee, I have agreed to render legal servi	ce for all aspects of the bankruptcy case, including:
	<ul> <li>a. Analysis of the debtor's financial situation, and rendering advice to Preparation and filing of any petition, schedules, statement of affa Representation of the debtor at the meeting of creditors and confir d. Representation of the debtor in adversary proceedings and other confirmation.</li> <li>e. [Other provisions as needed]</li> </ul>	mation hearing, and any adjourned hearings thereof;
6.	6. By agreement with the debtor(s), the above disclosed fee does not inclu	de the following services:
	Г	CERTIFICATION
		rangement for payment to me for representation of the debtor(s) in this bankruptcy
	April 10, 2006 /s/ E. Fra	anco Upano
-	Date	Signature of Attorney
	E. Franc	co Upano
1		Name of Law Firm

	nited States Ba Southern Disti				Voluntary	Petition				
Name of Debtor (if individual, enter Last 310 l R, L.L.C.	, First, Middle):		Name of Joint Debtor (Spouse) (Last, First, Middle):							
All Other Names used by the Debtor in the (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. No./Complet one, state all): 13-4293886	te EIN or other Tax I.D	O. No. (if more than	Last four digits one, state all):	of Soc. Sec. N	o./Complete I	EIN or other Tax I.D	. No. (if more than			
Street Address of Debtor (No. & Street, 4 310 Indianapolis Road Mooresville, IN	City, State & Zip Code	):	Street Address	of Joint Debtor	(No. & Stree	et, City, State & Zip	Code):			
		ZIPCODE 46158					ZIPCODE			
County of Residence or of the Principal I	Place of Business:		County of Resi	dence or of the	Principal Plac	ce of Business:				
Mailing Address of Debtor (if different fi	rom street address)		Mailing Addres	ss of Joint Debt	tor (if differen	nt from street address	s):			
		ZIPCODE					ZIPCODE			
Location of Principal Assets of Business 310 Indianapolis Road	Debtor (if different fro	m street address ab	ove):							
Mooresville, IN							ZIPCODE 46158			
Type of Debtor (Form of Organization) (Check one box.)	Nature of I (Check all appli		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)							
☐ Individual (includes Joint Debtors) ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and	☐ Health Care Busin ☐ Single Asset Real in 11 U.S.C. § 101 ☐ Railroad ☐ Stockbroker	Estate as defined	☐ Chapter 7				oceeding or Recognition			
provide the information requested below.)	Commodity Broke	er	Nature of Debts (Check one box)							
State type of entity:	Nonprofit Organiz under 15 U.S.C. §	•	☐ Consumer/Non-Business ☑ Business							
Filing Fee (C  Full Filing Fee attached Filing Fee to be paid in installments (A attach signed application for the court)	Applicable to individual		Chapter 11 Debtors:  Check one box:  Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).  Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).							
is unable to pay fee except in installme 3A.  Filing Fee waiver requested (Applicab attach signed application for the court'	ents. Rule 1006(b). See le to chapter 7 individu	Official Form	Check if:  ✓ Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2 million.							
Statistical/Administrative Information		inclair Form 3D.			THIS	SPACE IS FOR COURT	USE ONLY			
Debtor estimates that funds will be av Debtor estimates that, after any exem no funds available for distribution to a	pt property is excluded			ere will be						
Estimated Number of Creditors		40.004								
1- 50- 100- 200- 49 99 199 999	1,000- 5,001- 5,000 10,000	10,001- 25,00 25,000 50,00		Over 100,000						
Estimated Assets  \$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$500,000	\$500,001 to \$1,000 \$1 million \$10 m	,001 to \$10,000,001 nillion \$50 million		More than \$100 million						
Estimated Debts   \$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$500,000	\$500,001 to \$1,000 \$1 million \$10 m	,001 to \$10,000,001 nillion \$50 million		More than \$100 million						

(Official Form 1) (10/05) FORM B1, Page 2 Name of Debtor(s): Voluntary Petition (This page must be completed and filed in every case) 310 I R, L.L.C. Prior Bankruptcy Case Filed Within Last 8 Years (If more than one, attach additional sheet) Date Filed: Case Number: Location Where Filed: None Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Case Number: Date Filed: Name of Debtor: None District: Relationship: Judge: Exhibit A Exhibit B (To be completed if debtor is required to file periodic reports (e.g., forms (To be completed if debtor is an individual 10K and 10Q) with the Securities and Exchange Commission pursuant to whose debts are primarily consumer debts) Section 13 or 15(d) of the Securities Exchange Act of 1934 and is I, the attorney for the petitioner named in the foregoing petition, declare requesting relief under chapter 11.) that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have Exhibit A is attached and made a part of this petition. explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code. Signature of Attorney for Debtor(s) Date **Exhibit C Certification Concerning Debt Counseling** Does the debtor own or have possession of any property that poses or is by Individual/Joint Debtor(s) alleged to pose a threat of imminent and identifiable harm to public health or safety? I/we have received approved budget and credit counseling during the 180-day period preceding the filing of this petition Yes, and Exhibit C is attached and made a part of this petition. ☐ I/we request a waiver of the requirement to obtain budget and credit **✓** No counseling prior to filing based on exigent circumstances. (Must attach certification describing.) **Information Regarding the Debtor (Check the Applicable Boxes) 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. Statement 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 or lessor that obtained judgment) (Address of landlord or lessor) 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.

### **Voluntary Petition**

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

Name of Debtor(s):

310 I R, L.L.C.

### Signatures

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

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State 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 § 342(b) of the Bankruptcy Code.

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

X
Signature of Debtor

X
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

### 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 main proceeding, and that I am authorized to file this petition. A certified copy of the order granting recognition is attached.

(Check one box only)

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached.
- ☐ Pursuant to § 1511 of title 11, United States Code, 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 Attorney**

### X /s/ E. Franco Upano

Signature of Attorney for Debtor(s)

### E. Franco Upano 12040-49

Printed Name of Attorney for Debtor(s)

### E. Franco Upano

Firm Name

Date

### 302 East Troy Avenue

Address

Indianapolis, IN 46225

### (317) 783-0511

Telephone Number

### April 10, 2006

Date

### **Signature of Non-Attorney 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); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110 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 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

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.)

Address

### 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 /s/ John H. McGuire
Signature of Authorized Individual

John H. McGuire
Printed Name of Authorized Individual

Resident Agent
Title of Authorized Individual

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.

Date

April 10, 2006

## United States Bankruptcy Court Southern District of Indiana

IN RE:		Case No.
310 I R, L.L.C.		Chapter 11
·	Debtor(s)	

### 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."

### AMOUNTS SCHEDULED

			A	MOUNTS SCHEDULE	D
NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 0.00		
B - Personal Property	Yes	2	\$ 2,000.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$ 133,000.00	
E - Creditors Holding Unsecured Priority Claims	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		\$ 1,539.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No				\$
J - Current Expenditures of Individual Debtor(s)	No				\$
	TOTAL	11	\$ 2,000.00	\$ 134,539.00	

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Case	No

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint or "C" for Community in the column labeled "HWJC." 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.

	TOTA	\L	0.00	
None			EXEMPTION	
DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	W J C	PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR	AMOUNT OF SECURED CLAIM
		Н	CURRENT VALUE OF DEBTOR'S INTEREST IN	

TOTAL 0.00 (Report also on Summary of Schedules)

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### **SCHEDULE B - PERSONAL PROPERTY**

Case No.

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, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." 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." In providing the information requested in this schedule, do not include the name or address of a minor child. Simply state "a minor child."

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<ol> <li>Cash on hand.</li> <li>Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and</li> </ol>	X			
homestead associations, or credit unions, brokerage houses, or cooperatives.				
<ol> <li>Security deposits with public utilities, telephone companies, landlords, and others.</li> </ol>	X			
Household goods and furnishings, include audio, video, and computer equipment.	X			
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
<ol> <li>Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.</li> </ol>	X			
Annuities. Itemize and name each issue.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(3). 11 U.S.C. § 521(c); Rule 1007(b)).	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
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 non-negotiable instruments.	X			
16. Accounts receivable.	X			

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## SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
17.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	Х			
18.	Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of 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.	Х			
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)) in customer lists or similar compilations provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26.	Boats, motors, and accessories.	X			
	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
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.		Office Equipment, including chairs, desk, filing cabinets, tools		2,000.00
			TOT	ΊAL	2,000.00

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SCHEDULE C - PROPERTY CLAIMED AS EXEMPT						
Debtor elects the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)	☐ Check if debtor claims a homestead exemption that exceeds \$125,000.					

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
ot Applicable			

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### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Case No.

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, indicate that by stating "a minor child." and do not disclose the child's name. See 11 U.S.C. § 112; 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 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 "HWJC."

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.

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See instructions above.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL  UNSECURED PORTION, IF ANY
Account No. 55D01-0508-PL-493			May, 2005 - Lease of property commonly known as 1903 Foxcliffe North, Martinsville,		X		
MSC 310 LLC 8815 Rosewood Lane Indianapolis, IN 46240			IN 46151.				52,500.00
			Value \$				52,500.00
Account No. 55D01-0508-PL-493			February, 2005 - Commercial lease on		X		
MSC 310 LLC 8815 Rosewood Lane Indianapolis, IN 46240			property copmmonly known as 310 Indianapolis Road, Mooresville, IN 46158.				80,500.00
			Value \$				80,500.00
Account No.							
			Value \$				
Account No.							
			Value \$				
ocntinuation sheets attached			(Total o		Subte is pa		133,000.00
			(Use only on last page of the completed Schedule I	) <b>T</b>	тот	ΆL	133,000.00

(Report total also on Summary of Schedules)

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Case No.

Debtor(s)

### 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, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; 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 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 "HWJC." 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 "Subtotal" 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 "Subtotal" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. If applicable, also report this total on the Means Test form.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.							
TYPE	S OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)						
Cla res	omestic Support Obligations aims 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 ponsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 S.C. § 507(a)(1).						
Cla	tensions of credit in an involuntary case aims 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 pointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).						
Wa ind	ages, salaries, and commissions ages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying dependent sales representatives up to \$10,000* per person earned within 180 days immediately preceding the filing of the original petition, or the station of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).						
Mo	ontributions to employee benefit plans oney owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the seation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).						
	ertain farmers and fishermen aims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).						
Cla	eposits by individuals aims of individuals up to \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that re not delivered or provided. 11 U.S.C. § 507(a)(7).						
	exes and Other Certain Debts Owed to Governmental Units exes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).						
Cla	ommitments to Maintain the Capital of an Insured Depository Institution aims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).						

\* Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol,

**0** continuation sheets attached

a drug, or another substance. 11 U.S.C. § 507(a)(10).

Claims for Death or Personal Injury While Debtor Was Intoxicated

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### 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, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; 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 husband, wife, both of them, or the marital community maybe 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.

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N	N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No. None			April 10, 2006 - Money loaned to Debtor.		X		
M&M Service LLC C/O KIM McCLAREN 6565 New Harmony Road Martinsville, IN 46151							1,539.00
Account No.							.,556.66
				l			
Account No.							
Account No.							
				1			
Account No.							
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(Use only on last page of the completed Schedule F) TOTAL

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### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Case No.

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, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; 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.

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Case No.
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### **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, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

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Debtor(s)

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

Case No. \_\_\_

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I he they are true and correct to the best of m	ave read the foregoing summary and schedules, consisting of sheets, and that y knowledge, information, and belief.
Date:	Signature:
Data:	Signature:
Date.	(Joint Debtor, if any)  [If joint case, both spouses must sign.]
DECLARATION AND SIGNAT	URE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)
compensation and have provided the debtor vand 342 (b); and, (3) if rules or guidelines have	I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), ave been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by e debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting ection.
Printed or Typed Name and Title, if any, of Bankru  If the bankruptcy petition preparer is not an  responsible person, or partner who signs the	individual, state the name, title (if any), address, and social security number of the officer, principal,
Address	
Signature of Bankruptcy Petition Preparer	Date
Names and Social Security numbers of all oth is not an individual:	er individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer
If more than one person prepared this docum	ent, attach additional signed sheets conforming to the appropriate Official Form for each person.
A bankruptcy petition preparer's failure to comprisonment or both. 11 U.S.C. § 110; 18	omply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or U.S.C. § 156.
DECLARATION UNDER P	ENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP
I, the Resident Agent member or an authorized agent of the pa	(the president or other officer or an authorized agent of the corporation or a rtnership) of the 310 l R, L.L.C.
	ebtor in this case, declare under penalty of perjury that I have read the foregoing summary and $\frac{12}{2}$ sheets, and that they are true and correct to the best of my knowledge, information, and belief.
Date: <b>April 10, 2006</b>	Signature: /s/ John H. McGuire
	John H. McGuire  (Print or type name of individual signing on behalf of 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.

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

IN RE:		Case No.
310 I R, L.L.C.		Chapter 11
	Debtor(s)	•

### 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. Do not include the name or address of a minor child in this statement. Indicate payments, transfers and the like to minor children by stating "a minor child." 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

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

42,000.00 Gross Income 2004 - 39,000.00 - Rent from 310 IR Mooresville, IN

2005 - 42,000.00 same

YTD 2006 - 10,000.00

### 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, 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.)

### 3. Payments to creditors

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

None

a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. 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.)

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 if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000.

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.)

### 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 bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

### 10. Other transfers

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.)

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.

### 11. Closed financial accounts

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.)

### 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.)

### 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.)

### 14. Property held for another person

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



### 15. Prior address of debtor

If 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.

### 16. Spouses and Former Spouses

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 resided with the debtor in the community property state.

### 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.

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.

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

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which 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.

### 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.

 $\checkmark$ 

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.

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 the 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 otherwise self-employed.

(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 the 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

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

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.

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

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

### 20. Inventories

None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the ✓ dollar amount and basis of each inventory.

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

 $\checkmark$ 

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

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



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.

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

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.

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None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within <b>one year</b> immediately preceding the commencement of this case.
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 <b>one year</b> immediately preceding the commencement of this case.
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 <b>six years</b> immediately preceding the commencement of the case.
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 <b>six years</b> immediately preceding the commencement of the case.
[If completed on behalf of a partnership or corporation]
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 to the best of my knowledge, information, and belief.
Date: April 10, 2006 Signature: /s/ John H. McGuire
John H. McGuire, Resident Agent
Print Name and Title
[An individual signing on behalf of a partnership or corporation must indicate position or relationship to 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.

**0** continuation pages attached

M&M Service LLC C/O KIM McCLAREN 6565 New Harmony Road Martinsville, IN 46151

MSC 310 LLC 8815 Rosewood Lane Indianapolis, IN 46240