Case 10-12656 Doc 1 Filed 02/08/10 Page 1 of 42 **B 1 (Official Form 1) (1/08) United States Bankruptcy Court Voluntary Petition** District of Maryland Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Russell, Carolyn, P. All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more more than one, state all): xxx-xx-6398than one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 305 North Rolling Road Baltimore, MD ZIP CODE ZIP CODE 21228 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business **Baltimore County** Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 2302 Manor Gate Terrace Upper Marlboro, MD ZIP CODE ZIP CODE 20772 Location of Principal Assets of Business Debtor (if different from street address above): 305 North Rolling Road ZIP CODE 21228 Baltimore, MD Type of Debtor Chapter of Bankruptcy Code Under Which Nature of Business (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 ☐ Chapter 15 Petition for Single Asset Real Estate as defined in 11 Individual (includes Joint Debtors) Recognition of a Foreign Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Chapter 11 V Corporation (includes LLC and LLP) □ Railroad ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12 Recognition of a Foreign ☐ Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding  $\Box$ Chapter 13 ☐ Clearing Bank check this box and state type of entity below.) **Nature of Debts ✓** Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose. Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached ☑ 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). 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. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes 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  $\mathbf{\Lambda}$ 100-200-50-1,000-5.001-10,001-25.001-50,001-Over 49 199 999 99 5,000 10,000 25,000 50,000 100,000 100,000 Estimated Assets V  $\Box$ \$100,000,001 \$50,001 to \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$0 to \$500,000,001 More than \$1 to \$100 \$50,000 \$100,000 \$500,000 to \$10 to \$50 to \$500 to \$1 billion billion \$1 million million million million million Estimated Liabilities  $\Box$  $\Box$ V  $\Box$ \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$100,001 to \$500,000,001 More than \$1 \$1 to \$10 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 to \$1 billion billion million million million million million

B 1 (Official Form	n 1) (1/08) Case 10-12656 Doc 1	Filed 02/08/10 Page 2 of 42	FORM B1, Page 2
Voluntary Petiti (This page must b		Name of Debtor(s): Carolyn P. Russell	
	All Prior Bankruptcy Cases Filed Within La	ast 8 Years (If more than two, attach additional sheet.)	
Location Where Filed:	Baltimore, MD	Case Number: <b>03-12056-NVA Ch 13</b>	Date Filed: <b>02/21/2003</b>
Location	partimore, MD	Case Number:	Date Filed:
Where Filed:	Pending Bankruptcy Case Filed by any Spouse, Partner of	or Affiliate of this Debtor (If more than one, attach a	dditional sheet)
Name of Debtor: NONE		Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	Exhibit B	
10Q) with the Securit	ebtor is required to file periodic reports (e.g., forms 10K and ies and Exchange Commission pursuant to Section 13 or 15(d) lange Act of 1934 and is requesting relief under chapter 11.)	(To be completed if debtor is whose debts are primarily cor	nsumer debts)  ing petition, declare that I  oceed under chapter 7, 11,  explained the relief
Exhibit A is atta	ached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date
Exhibit D c		this petition.	
Exhibit D a	lso completed and signed by the joint debtor is attached and made	a part of this petition.  I ding the Debtor - Venue	
	(Check any	y applicable box)	
	Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180		lays immediately
	There is a bankruptcy case concerning debtor's affiliate. general particles	artner, or partnership pending in this District.	
_	Debtor is a debtor in a foreign proceeding and has its principal pla has no principal place of business or assets in the United States bu this District, or the interests of the parties will be served in regard	t is a defendant in an action or proceeding [in a federal	
	<del>_</del>	des as a Tenant of Residential Property pplicable boxes.)	
	Landlord has a judgment against the debtor for possession of debtor	or'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 entire monetary default that gave rise to the judgment for possession	•	ted to cure the
	Debtor has included in this petition the deposit with the court of a filing of the petition.	ny rent that would become due during the 30-day period	d after the

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C.  $\S$  362(l)).

3 1 (Official Form 1) (1/08) Case 10-12656 Doc 1  Voluntary Petition	Filed 02/08/10 Page 3 of 42 FORM B1, Page 3		
(This page must be completed and filed in every case)	Name of Debtor(s):  Carolyn P. Russell		
Sign	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.  [If petitioner is an individual whose debts are primarily consumer debts and has	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.		
chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.	(Check only <b>one</b> box.)		
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).	I request relief in accordance with chapter 15 of Title 11, United States Code.  Certified Copies of the documents required by § 1515 of title 11 are attached.		
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.		
X s/ Carolyn P. Russell	X Not Applicable		
Signature of Debtor Carolyn P. Russell	(Signature of Foreign Representative)		
X Not Applicable			
Signature of Joint Debtor	(Printed Name of Foreign Representative)		
Telephone Number (If not represented by attorney)			
2/5/2010 Date	Date		
Signature of Attorney	Signature of Non-Attorney Petition Preparer		
X/s/Marc R. Kivitz			
Signature of Attorney for Debtor(s)	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		
Marc R. Kivitz, Esquire Bar No. 02878	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,		
Printed Name of Attorney for Debtor(s) / Bar No.			
Marc R. Kivitz, Esquire Firm Name	as required in that section. Official Form 19 is attached.		
201 N. Charles Street, Suite 1330 Baltimore, MD 21201			
Address	Not Applicable		
mkivitz@aol.com	Printed Name and title, if any, of Bankruptcy Petition Preparer		
IIIMIVITZ@ AOI.COIII			
410-625-2300 410-576-0140 Telephone Number	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		
2/5/2010 Date	the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)		
*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.	Address		
Signature of Debtor (Corporation/Partnership)	X Not Applicable		
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.	Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or		
The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.	partner whose Social-Security number is provided above.  Names and Social-Security numbers of all other individuals who prepared or assisted		
X Not Applicable	in preparing this document unless the bankruptcy petition preparer is not an individual.		
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form for each person.		
Printed Name of Authorized Individual	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		
Title of Authorized Individual	both. 11 U.S.C. § 110; 18 U.S.C. § 156.		

Title of Authorized Individual

Date

Form B1, Exhibit C (9/01)

# UNITED STATES BANKRUPTCY COURT District of Maryland

Exhibit "C"

	[If, to the best of the debtor's knowledge, the debtor owns or has possession obses or is alleged to pose a threat of imminent and identifiable harm to the public lattach this Exhibit "C" to the petition.]		
In re:	Carolyn P. Russell	Case No.:	
		Chapter:	11
	Debtor(s)		
	Exhibit "C" to Voluntary Petition		
	I. Identify and briefly describe all real or personal property owned by or in postor that, to the best of the debtor's knowledge, poses or is alleged to pose a threat and identifiable harm to the public health or safety (attach additional sheets if	at of	:
N/A			
or other	2. With respect to each parcel of real property or item of personal property iden 1, describe the nature and location of the dangerous condition, whether enviror wise, that poses or is alleged to pose a threat of imminent and identifiable harm lealth or safety (attach additional sheets if necessary):	nmental	

## **United States Bankruptcy Court District of Maryland**

In re	Carolyn P. Russell	Case No.	
	Debtor	Chapter	<u>11</u>

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(2) (1) (3) (4) (5) Name of creditor Name, telephone number and Nature of claim Indicate if claim Amount of claim and complete complete mailing address, (trade debt, is contingent, [if secured also including zip code, of bank loan, govstate value of mailing address unliquidated, including zip employee, agent, or department ernment contract, disputed or security] of creditor familiar with code etc.) subject to setoff claim who may be contacted **Homeq Servicing** \$360,000.00 P.O. Box 13716 Sacramento, CA 95853-3716 Fremont Investment and Loan **Deed of Trust** \$220,000.00 P. O. Box 19030 San Berndino, CA 92423-9030 **SECURED VALUE:** \$450,000.00 **Aetna Isurance Company** \$27,000.00 151 Farmington Avenue Hartford, CT 06156 **Baltimore County, Maryland** \$19,750.00 Attn: Treasurer P. O. Box 64281 Baltimore, MD 21264-4281 Internal Revenue Service \$3,500.00 **Special Procedures Branch Room 1140** 

Heidi S. Kenny, LLC 11426 York Road 1st Floor Cockeysville, MD 21030

31 Hopkins Plaza Baltimore, MD 21201

\$2,051.07

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

In re Carolyn P. Russell	Debtor	,	Chapter 11	
LIST OF CREI	DITORS HOLDING	20 LARGES	T UNSECURE	D CLAIMS
(1)  Name of creditor  and complete  mailing address including zip  code	(2)  Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3)  Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5)  Amount of claim [if secured also state value of security]
State of Maryland Comptroller of the Treasury Income Tax Division Annapolis, MD 21401				\$1,900.00
Target National Bank 3901 West 53rd Street Sioux Falls, SD 57106-4216				\$1.600.00
Verizon P.O. Box 17577 Baltimore, MD 21297				\$900.00
Slomin Security 125 Lauman Lane P.O. Box 1886 Hicksville, NY 11802-1886				\$900.00

Southern Maryland Heating Oil Co. P.O. Box 2810 LaPlata, MD 20646

**Slomin Security** 

125 Lauman Lane P.O. Box 1886

Hicksville, NY 11802-1886

\$600.00

\$900.00

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.

B7 (Official Form 7) (12/07)

# UNITED STATES BANKRUPTCY COURT District of Maryland

Carolyn P. Russell	<u>.</u>	Case No.
	Debtor	(If known)
	STATEMENT OF FINANCIA	AL AFFAIRS
1. Income from	employment or operation of business	
debtor's business, ir beginning of this cal years immediately p of a fiscal rather tha fiscal year.) If a joint	unt of income the debtor has received from employmentuding part-time activities either as an employee or intendar year to the date this case was commenced. State preceding this calendar year. (A debtor that maintains, in a calendar year may report fiscal year income. Idental petition is filed, state income for each spouse separate income of both spouses whether or not a joint petitic led.)	n independent trade or business, from the te also the gross amounts received during the <b>two</b> or has maintained, financial records on the basis ify the beginning and ending dates of the debtor's tely. (Married debtors filing under chapter 12 or
AMOUNT	SOURCE	FISCAL YEAR PERIOD
95.770.00	wages and renal losses	01/01/06 - 12/31/06
142,127.00	wages and renal losses and capital gains	01/01/07 - 12/31/07
182,799.00	wages and interest and retirement distibutions joint with spouse	01/01/08 - 12/31/08
State the amount of business during the filed, state income f	r than from employment or operation of but income received by the debtor other than from employ two years immediately preceding the commencement or each spouse separately. (Married debtors filing under or not a joint petition is filed, unless the spouses are	yment, trade, profession, operation of the debtor's t of this case. Give particulars. If a joint petition is er chapter 12 or chapter 13 must state income for
·		
AMOUNT	SOURCE	FISCAL YEAR PERIOD

### 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 unless the aggregate value of all property that constitutes or is affected by such transfer is 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 credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS

AMOUNT PAID AMOUNT STILL OWING None  $\mathbf{\Lambda}$ 

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 credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS/ **TRANSFERS**  AMOUNT PAID OR VALUE OF **TRANSFERS** 

**AMOUNT** STILL **OWING** 

None  $\mathbf{\Delta}$ 

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

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF **PAYMENT**  **AMOUNT** PAID

STILL OWING

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

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 Decker v. Russell 03-C-09-13756

NATURE OF PROCEEDING foreclosure

**Circuit Court for Baltimroe** County

COURT OR AGENCY

AND LOCATIO

DISPOSITION sale 02/09/10 at 10:00 a.m.

STATUS OR

Two Thousand Nine Counties, LLC v. Russell, et al. 03-C-09-014617

foreclosure of equity of redemption of tax sale purchase of 305 N. Rolling

**Circuit Court for Baltmore** County

sale 06/03/09

Road Homeq v. Russell

**401 Bosley Avenue** Towson, MD 21204

foreclosure sale of 5715

**Circuit Court for Anne Arundel** 

DESCRIPTION

AND VALUE OF

**PROPERTY** 

sold 09/09

Pindell Road, Lothian, MD

Co.

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 DATE OF OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED **SEIZURE** 

### 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.)

DATE OF REPOSSESSION, DESCRIPTION

NAME AND ADDRESS FORECLOSURE SALE, AND VALUE OF

OF CREDITOR OR SELLER TRANSFER OR RETURN 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.)

TERMS OF
NAME AND ADDRESS
DATE OF
ASSIGNMENT
OF ASSIGNEE
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

NAME AND ADDRESS

OF COURT

OF CUSTODIAN

OF COURT

CASE TITLE & NUMBER

ORDER

DESCRIPTION

AND VALUE OF

ORDERTY

### 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 RELATIONSHIP DESCRIPTION
OF PERSON TO DEBTOR, DATE AND VALUE OF
OR ORGANIZATION IF ANY OF GIFT GIFT

### 8. Losses

None ☑

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

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

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

NAME AND ADDRESS DATE OF PAYMENT, AMOUNT OF MONEY OR OF PAYEE NAME OF PAYOR IF **DESCRIPTION AND VALUE** 

02/05/10

OTHER THAN DEBTOR OF PROPERTY

**Consumer Credit Counseling** 

757 Frederick Road Catonsville, MD 21228

> \$1,039.00 filing fee and \$6,461.00 02/03/10

\$50.00

towards \$15,000.00 retainer

Marc R. Kivitz, Esquire 201 N. Charles Street, Suite 1330 Baltimore, MD 21201 mkivitz@aol.com

#### 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.)

DESCRIBE PROPERTY NAME AND ADDRESS OF TRANSFEREE, **TRANSFERRED RELATIONSHIP TO DEBTOR** DATE AND VALUE RECEIVED

Heidi S. Kenny, LLC 11426 York Road 1st Floor

Cockeysville, MD 21030

none

06/03/2009 tax sale, and purchase, of 305

North Rolling Road, Baltimore,

MD 21228

None  $\square$ 

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 DATE(S) OF AMOUNT OF MONEY OR DESCRIPTION **DEVICE** TRANSFER(S) AND VALUE OF PROPERTY OR DEBTOR

INTEREST IN PROPERTY

#### 11. Closed financial accounts

None  $\mathbf{\Delta}$ 

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.)

TYPE OF ACCOUNT, LAST FOUR **AMOUNT AND** NAME AND ADDRESS DIGITS OF ACCOUNT NUMBER, DATE OF SALE OF INSTITUTION AND AMOUNT OF FINAL BALANCE **OR CLOSING** 

### 12. Safe deposit boxes

None **✓**  List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	NAMES AND ADDRESSES	DESCRIPTION	DATE OF TRANSFER
OF BANK OR	OF THOSE WITH ACCESS	OF	OR SURRENDER,
OTHER DEPOSITORY	TO BOX OR DEPOSITOR	CONTENTS	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.)

	DATE OF	AMOUNT OF
NAME AND ADDRESS OF CREDITOR	SETOFF	SETOFF

#### 14. Property held for another person

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

NAME AND ADDRESS DESCRIPTION AND VALUE

OF OWNER OF PROPERTY LOCATION OF PROPERTY

#### 15. Prior address of debtor

None **☑** 

Ø

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.

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 NAME AND ADDRESS DATE OF ENVIRONMENTAL ADDRESS OF GOVERNMENTAL UNIT NOTICE 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.

SITE NAME AND NAME AND ADDRESS DATE OF ENVIRONMENTAL ADDRESS OF GOVERNMENTAL UNIT NOTICE LAW

### None **☑**

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.

NAME AND ADDRESS DOCKET NUMBER STATUS OR OF GOVERNMENTAL UNIT DISPOSITION

### 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 the 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 the 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 the 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 business, 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 the six years immediately preceding the commencement of this case.

LAST FOUR DIGITS

TAXPAYER-I.D. NO.

OF SOCIAL SECURITY ADDRESS OR OTHER INDIVIDUAL NAME

NATURE OF BUSINESS

BEGINNING AND ENDING

**DATES** 

(ITIN)/ COMPLETE EIN

**Rolling Grace** 

305 North rolling Road

Senior Assisted

08/01/2008

**Assisted Living, LLC** 

Baltimore, MD 21228

**Living Facility** 

03/01/2007

**Saints Missionary** 

U.S.C. § 101.

2302 Manor Gate

charitable organization

**Foundation** 

**Terrace** 

Upper Marlboro, MD

20774

Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11

NAME **ADDRESS** 

### 19. Books, records and financial statements

None  $\mathbf{\Lambda}$ 

None

 $\square$ 

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 Ø

b. List all firms or individuals who within 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

None  $\mathbf{Q}$ 

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

NAME

ADDRESS

None  $\mathbf{\Delta}$ 

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.

NAME AND ADDRESS

DATE ISSUED

### 20. Inventories

None  $\square$ 

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

DATE OF INVENTORY

INVENTORY SUPERVISOR

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

8

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

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

DATE OF INVENTORY

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

None **☑**  a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

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

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE OF STOCK OWNERSHIP

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

None **☑**  a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS

DATE OF WITHDRAWAL

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

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

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

None ☑

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

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL AMOUNT OF MONEY
OR DESCRIPTION
AND VALUE OF PROPERTY

### 24. Tax Consolidation Group.

None 
☑

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

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

### 25. Pension Funds.

None

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

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

9

\* \* \* \* \* \*

[if completed by an individual or individual and spouse]

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 2/5/2010 Signature of Debtor Signature Carolyn P. Russell Carolyn P. Russell

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

# United States Bankruptcy Court District of Maryland

n re Carolyn P. Russell		Case No.	
	Debtor	Chapter 11	_

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must 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	\$ 1.350.000.0	00	
B - Personal Property	YES	3	\$ 57.153.1	9	
C - Property Claimed as Exempt	YES	2			
D - Creditors Holding Secured Claims	YES	2		\$ 1,411,642.81	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	2		\$ 27,201.07	
F - Creditors Holding Unsecured Nonpriority Claims	YES	2		\$ 391.900.00	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	2			\$ 3.563.02
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 13.070.50
тот.	AL	17	\$ 1,407,153.19	9 \$ 1,830,743.88	

# Case 10-12656 Doc 1 Filed 02/08/10 Page 17 of 42

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

ln re:	Carolyn P. Russell	Case No.	
	Debtor	(If known)	

# **SCHEDULE A - REAL PROPERTY**

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
2302 Manor Gate Terrace Upper Marlboro, MD 20772 Deed dated August 3, 2001, recorded on August 30, 2001, 2008, among the Land records of Prince George's County at Liber 14950, folio 378 et. seq., owned as tenants by entirety with spouse, James R. Russell, Jr.	Fee Owner	J	\$ 450,000.00	\$ 670,000.00
305 North Rolling Road Baltimore, MD 21228 Deed dated October 29, 2008, recorded on December 3, 2008, among the Land records of Baltimore County at Liber 027486, folio 114 et. seq., owned as tenants by entirety with spouse, James R. Russell, Jr.	Fee Owner	J	\$ 900,000.00	\$ 693,642.81

Total > \$1,350,000.00

(Report also on Summary of Schedules.)

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

In re	Carolyn P. Russell	Case No.	
	Debtor	_,	(If known)

# **SCHEDULE B - PERSONAL PROPERTY**

			1 1	
TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		cash on hand		50.00
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.		Bank of America checking account no. xxxx0460	J	700.00
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.		Bank of America checking account no. xxxx5276	J	300.00
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.		Bank of America checking account no. xxxx9404 held by Saints Missionary Foundation		472.19
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.		Bank of America savings account no. xxxx3365	J	200.00
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.		HEMA Credit Union certificate of deposit account no. xxxx	J	50,000.00
<ol> <li>Security deposits with public utilities, telephone companies, landlords, and others.</li> </ol>	X			
Household goods and furnishings, including audio, video, and computer equipment.		household goods and furnishings	J	0.00
<ol> <li>Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.</li> </ol>		piano (100 years old)	J	1,500.00
Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		piano (125 yers old)	J	300.00
6. Wearing apparel.		wearing apparel		0.00
7. Furs and jewelry.		jewelry		0.00
Firearms and sports, photographic, and other hobby equipment.		camera	J	25.00
Firearms and sports, photographic, and		exercise bike	J	25.00

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

In re	Carolyn P. Russell		Case No.	
		Dobtor		(If known)

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Cumberland Insurance Company hazard and risk policy insuring 305 North Rolling Road	J	No Cash Value
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Insurance Company insurning 2302 Manor Gate Terrace	J	No Cash Value
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Insurance Company term insurance policy face value \$50,000; husband is beneficiary		No Cash Value
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	х			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		Pension with Jefferson Hospital of Philadelphia, payable monthly \$222.42		0.00
Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		Social Security \$1,881.00 payable monthly		1,881.00
<ol> <li>Stock and interests in incorporated and unincorporated businesses. Itemize.</li> </ol>		sole member of Rolling Grace Assisted Living, LLC		0.00
14. Interests in partnerships or joint ventures. Itemize.	X			
Government and corporate bonds and other negotiable and nonnegotiable instruments.	Х			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	Х			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	Х			
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			_
Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			

## Case 10-12656 Doc 1 Filed 02/08/10 Page 20 of 42

B6B (Official Form 6B) (12/07) -- Cont. Case No. In re Carolyn P. Russell (If known)

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NON	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		1999 Dodge Sports Van (200,000 miles)	J	1,500.00
26. Boats, motors, and accessories.	Х			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.		HP computer and printer	J	200.00
<ol> <li>Machinery, fixtures, equipment and supplies used in business.</li> </ol>	X			
30. Inventory.	X			
31. Animals.	Х			
<ol> <li>Crops - growing or harvested. Give particulars.</li> </ol>	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			
	_	2 continuation sheets attached Tota	al >	\$ 57,153.19

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

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

✓ 11 U.S.C. § 522(b)(3)

In re	Carolyn P. Russell	Case No.	
	Debtor	,	(If known)

# **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

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

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
1999 Dodge Sports Van (200,000 miles)	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	1,500.00	1,500.00
2302 Manor Gate Terrace Upper Marlboro, MD 20772 Deed dated August 3, 2001, recorded on August 30, 2001, 2008, among the Land records of Prince George's County at Liber 14950, folio 378 et. seq., owned as tenants by entirety with spouse, James R. Russell, Jr.	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	450,000.00
305 North Rolling Road Baltimore, MD 21228 Deed dated October 29, 2008, recorded on December 3, 2008, among the Land records of Baltimore County at Liber 027486, folio 114 et. seq., owned as tenants by entirety with spouse, James R. Russell, Jr.	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	900,000.00
Bank of America checking account no. xxxx0460	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	700.00
	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	700.00	
Bank of America checking account no. xxxx5276	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	300.00	300.00
	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	
Bank of America checking account no. xxxx9404 held by Saints Missionary Foundation	Md. Code Ann., Cts. & Jud. Proc. §11-504(b)(5)	422.19	472.19
	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	50.00	
Bank of America savings account no. xxxx3365	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	200.00	200.00
	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	
camera	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	25.00

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B6C (Official Form 6C) (12/07) - Cont.

In re	Carolyn P. Russell		Case No.	
		Debtor	,	(If known)

# **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
cash on hand	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	50.00	50.00
exercise bike	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	25.00
HEMA Credit Union certificate of deposit account no. xxxx	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	2,000.00	50,000.00
HP computer and printer	Md. Code Ann., Cts. & Jud. Proc. §11-504(f)	200.00	200.00
	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	
Insurance Company term insurance policy face value \$50,000; husband is beneficiary	Md. Code Ann., Ins. § 16-111(a)	No Limit	No Cash Value
piano (100 years old)	Md. Code Ann., Cts. & Jud. Proc. §11-504(b)(4)	700.00	1,500.00
	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	
piano (125 yers old)	11 USC § 522(b)(3)(B) as to non-joint creditors only	No Limit	300.00
	Md. Code Ann., Cts. & Jud. Proc. §11-504(b)(4)	300.00	
Social Security \$1,881.00 payable monthly	U.S.C. 42 § 407	No Limit	1,881.00

In re	Carolyn P. Russell			Case No.	
		Debtor	• •		(If known)

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

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 AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Fremont Investment and Loan P. O. Box 19030 San Berndino, CA 92423-9030  Friedman & MacFadyen P.A. 210 East Redwood Street Suite 210 Baltimore, MD 21202-3399  Wilshire Credit Corporation P O. Box 8517 Portland, OR 97207-8517  Wilshire Credit Corporation 14523 S.W. Milikan Beaverton, OR 97006	x	J	01/24/2007 Deed of Trust 2302 Manor Gate Terrace Upper Marlboro, MD 20772 Deed of Trust dated January 24, 2007, recorded on February 22, 2007, among the Land records of Prince George's County at Liber 27218, folio 701 et. seq.  VALUE \$450,000.00				670,000.00	220,000.00
ACCOUNT NO.  Health Employees MA 8701 Georrgia Avenue Silver Spring, MD	х	J	Security Agreement HEMA Credit Union certificate of deposit account no. xxxx  VALUE \$50,000.00				48,000.00	0.00

continuation sheets attached

1

Subtotal → (Total of this page)

Total > (Use only on last page)

\$ 718,000.00	\$ 220,000.00	
\$	\$	

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

## Case 10-12656 Doc 1 Filed 02/08/10 Page 24 of 42

B6D (Official Form 6D) (12/07)- Cont.

In re	Carolyn P. Russell		Case No.	
		Debtor		(If known)

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.  Matthew C. Decker Margaret H. Decker 5746 Masters Blvd. Orlando, FL 32819  Benjamin M. Decker, P.A. 3524 Yadkinville Road Suite 208	х	J	10/29/2008 Deed of Trust 305 North Rolling Road Baltimore, MD 21228 Deed of Trust dated October 29, 2008, recorded on December 3, 2008, among the Land records of Baltimore County at Liber 027486, folio 119 et. seq.				693,642.81	0.00
Winston-Salem, NC 27106			VALUE \$900,000.00					

Sheet no. 1 of 1 continuation sheets attached to Schedule of Creditors Holding Secured Claims

Subtotal → (Total of this page)

Total → (Use only on last page)

\$ 693,642.81	\$ 0.00
\$ 1,411,642.81	\$ 220,000.00

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B6E	6E (Official Form 6E) (12/07)	
In r	re Carolyn P. Russell	Case No.
	Debtor	(If known)
	SCHEDULE E - CREDITORS HOLDING UN	ISECURED PRIORITY CLAIMS
	Check this box if debtor has no creditors holding unsecured priority claims to report on thi	is Schedule E.
TYF	YPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that cat	egory are listed on the attached sheets.)
	Domestic Support Obligations	
•	Claims for domestic support that are owed to or recoverable by a spouse, former spouse, sponsible relative of such a child, or a governmental unit to whom such a domestic support cl 1 U.S.C. § 507(a)(1).	
	Extensions of credit in an involuntary case	
арро	Claims arising in the ordinary course of the debtor's business or financial affairs after the oppointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).	commencement of the case but before the earlier of the
	Wages, salaries, and commissions	
	Wages, salaries, and commissions, including vacation, severance, and sick leave pay owi dependent sales representatives up to \$10,950* per person earned within 180 days immediatessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4)	ely preceding the filing of the original petition, or the
	Contributions to employee benefit plans	
cess	Money owed to employee benefit plans for services rendered within 180 days immediately essation 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	he debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals	
that	Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of proper at were not delivered or provided. 11 U.S.C. § 507(a)(7).	rty or services for personal, family, or household use,
<b>I</b>	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 Institut	tion
Cov	Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervis	sion, Comptroller of the Currency, or Board of

Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

### ☐ Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* 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.

1 continuation sheets attached

B6E (Official Form 6E) (12/07) - Cont.

In re	Carolyn P. Russell		Case No.	
	<u>ouroryn r r raddon</u>	Debtor		(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Type of Priority: Taxes and Certain Other Debts Owed to Governmental Units

			or Friority. Taxes and Cert		-				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO. 2400012907  Baltimore County, Maryland  Attn: Treasurer  P. O. Box 64281  Baltimore, MD 21264-4281		J	07/01/2009 2008/2009 and 2009/2010 real property taxes for 305 North Rolling Road, Baltimore, MD 21228				19,750.00	19,750.00	\$0.00
ACCOUNT NO. 2400012907 Heidi S. Kenny, LLC 11426 York Road 1st Floor Cockeysville, MD 21030		J	02/12/2010 tax sale purchase of 305 North Roling Road, Baltimore, MD 21228				2,051.07	2,051.07	\$0.00
Internal Revenue Service Special Procedures Branch Room 1140 31 Hopkins Plaza Baltimore, MD 21201	X	J	12/31/2008 2008 Federal income tax				3,500.00	3,500.00	\$0.00
Internal Revenue Service Centralized Insolvency Unit P.O. Box 21126 Philadelphia, PA 19114		J	withholding taxes				0.00	0.00	\$0.00
ACCOUNT NO.  State of Maryland  Comptroller of the Treasury  Income Tax Division  Annapolis, MD 21401		J	2008 State income tax				1,900.00	1,900.00	\$0.00
ACCOUNT NO.  State of Maryland  Comptroller of the Treasury  301 West Preston Street  Baltimore, MD 21201		J	withholding taxes				0.00	0.00	\$0.00

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Priority Claims

Subtotals > (Totals of this page)

Total >
(Use only on last page of the completed
Schedule E. Report also on the Summary of
Schedules.)

Total > (Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

\$	27,201.07	\$ 27,201.07	\$ 0.00
\$	27,201.07		
_		\$ 27,201.07	\$ 0.00

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

In re	Carolyn P. Russell		Case No.	
		Debtor		(If known)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Chook this hav if debter has no areditors holdi	as unacquired eleime to report on this Cahadula E
Check this box if debtor has no creditors holding	ng unsecured claims to report on this Schedule F.

Officer this box if debtor has no creditor		·	·				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No.  Aetna Isurance Company 151 Farmington Avenue Hartford, CT 06156			overpayment of disabillity insurance				27,000.00
Homeq Servicing P.O. Box 13716 Sacramento, CA 95853-3716	х	J	foreclosure sale of 5715 Pindell Road, Lothian, MD				360,000.00
Slomin Security 125 Lauman Lane P.O. Box 1886 Hicksville, NY 11802-1886			security for 305 N. Rolling Road				900.00
Slomin Security 125 Lauman Lane P.O. Box 1886 Hicksville, NY 11802-1886			security for 5715 Pindell Road				900.00
Southern Maryland Heating Oil Co. P.O. Box 2810 LaPlata, MD 20646	х	J	heating oil				600.00

1 Continuation sheets attached

Subtotal > \$ 389,400.00

Total > \$

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.)

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| B6F (Official Form 6F) (12/07) - Cont. | Case No. \_\_\_\_\_\_\_ | Debtor | Case No. \_\_\_\_\_\_\_ | (If known)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							1,600.00
Target National Bank 3901 West 53rd Street Sioux Falls, SD 57106-4216			credit charges				000.00
ACCOUNT NO.							900.00
Verizon P.O. Box 17577 Baltimore, MD 21297			utilities				

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 2,500.00

Total > \$ 391,900.00

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.)

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

In re:	Carolyn P. Russell Debtoo	, Case No.	(If known)	_
SC	CHEDULE G - EXECUTORY	CONTRACTS AND	UNEXPIRED	LEASES

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

<sub>In re:</sub> Carolyn P. Russell	Case No.	
	Debtor ,	(If known)

# **SCHEDULE H - CODEBTORS**

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
James R. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD20772	Fremont Investment and Loan P. O. Box 19030 San Berndino, CA 92423-9030
Carolyn Caldwell	Health Employees MA 8701 Georrgia Avenue Silver Spring, MD
Mary Leamy-Snead 305 North Rolling Road Baltmore, MD 21228 Michael Russell	
James P. Russell, Sr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772	Homeq Servicing P.O. Box 13716 Sacramento, CA 95853-3716
James R. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772	Internal Revenue Service Special Procedures Branch Room 1140 31 Hopkins Plaza Baltimore, MD 21201
James P. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772	Matthew C. Decker Margaret H. Decker 5746 Masters Blvd. Orlando, FL 32819
James R. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772	Southern Maryland Heating Oil Co. P.O. Box 2810 LaPlata, MD 20646

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

In re	Carolyn P. Russell		Case No.	
		Debtor		(If known)

# 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: married	DEPENDENTS OF	DEBTOR AN	ID SPOUSE		
	RELATIONSHIP(S):			AGE	(S):
Employment:	DEBTOR		SPOUSE		
Occupation	manager	retired			
Name of Employer	Rolling Grace Assisted Living, LLC	Totalo			
How long employed	15 months				
Address of Employer	305 N. Rolling Road Baltimore, MD 21228				
INCOME: (Estimate of average case filed)	rage or projected monthly income at time		DEBTOR		SPOUSE
1. Monthly gross wages, sa		\$	0.00	\$	854.70
(Prorate if not paid mo 2. Estimate monthly overtime	• •	\$ <u> </u>	0.00	\$	0.00
3. SUBTOTAL		\$	0.00	_	854.70
4. LESS PAYROLL DEDU	CTIONS	Ψ	0.00	Ψ_	634.70
a. Payroll taxes and se		\$	0.00	\$_	0.00
b. Insurance		\$ _	0.00	\$	0.00
c. Union dues		\$ _	0.00	\$_	0.00
d. Other (Specify)	Medicare Part B premium	\$	0.00	\$_	154.70
	Medicare Prescription	\$	0.00	\$_	120.20
5. SUBTOTAL OF PAYRO	DLL DEDUCTIONS	\$	0.00	\$_	274.90
6. TOTAL NET MONTHLY	TAKE HOME PAY	\$ <u>_</u>	0.00	\$_	579.80
7. Regular income from ope	eration of business or profession or farm				
(Attach detailed staten	nent)	\$	0.00	\$_	0.00
8. Income from real property	y	\$	0.00	\$_	0.00
9. Interest and dividends		\$	0.00	\$_	0.00
-	or support payments payable to the debtor for the dependents listed above.	\$	0.00	\$_	0.00
11. Social security or other (Specify) <b>Social Secu</b>	•	\$	1,881.00	\$	579.80
12. Pension or retirement in	•	\$	0.00	\$	0.00
13. Other monthly income				_	
(Specify) Pension with	Jefferson Hospital of Philadelphia, p	\$	222.42	\$	0.00
Rent from Ja	mes Russell, III	\$	300.00	\$	0.00
14. SUBTOTAL OF LINES	7 THROUGH 13	\$	2,403.42	\$_	579.80
15. AVERAGE MONTHLY	INCOME (Add amounts shown on lines 6 and 14)	\$	2,403.42	\$_	1,159.60
16. COMBINED AVERAGE totals from line 15)	\$ 3,563.02				

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

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

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B6I (Of	6I (Official Form 6I) (12/07) - Cont.				
In re	Carolyn P. Russell		Case No.		
		Debtor		(If known)	

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

NONE

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

In re Carolyn P. Russell		Case No.	
•	Debtor	·	(If known)

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

	ate for all the state of the state of	and Charles Donnelle
Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debto any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expendiffer from the deductions from income allowed on Form22A or 22C.		
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a sep expenditures labeled "Spouse."	arate schedule of	
Rent or home mortgage payment (include lot rented for mobile home)	\$	4,003.00
a. Are real estate taxes included? Yes ✓ No		,
b. Is property insurance included? Yes ✓ No		
2. Utilities: a. Electricity and heating fuel	\$	125.00
b. Water and sewer	\$	0.00
c. Telephone	\$	150.00
d. Other heating oil	\$	350.00
propane	\$	107.00
well and septic	\$	12.50
3. Home maintenance (repairs and upkeep)	\$	100.00
4. Food	\$	350.00
5. Clothing	\$	50.00
6. Laundry and dry cleaning	\$	60.00
7. Medical and dental expenses	\$	150.00
8. Transportation (not including car payments)	\$	225.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
10. Charitable contributions	\$	600.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	0.00
b. Life	\$	20.00
c. Health	\$	0.00
d. Auto	\$	115.00
e. Othe <u>r</u>	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) Real estate taxes for 305 N. Rolling Road	\$	467.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	0.00
b. Other Wilshire Credit secured by 305 N. Rolling Road	\$	6,171.0

\$ 13,070.50 if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

0.00

0.00

0.00

15.00

\$

\$

\$

\$

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

b. Other Wilshire Credit -- secured by 305 N. Rolling Road

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and,

16. Regular expenses from operation of business, profession, or farm (attach detailed statement)

14. Alimony, maintenance, and support paid to others

17. Other personal grooming

15. Payments for support of additional dependents not living at your home

20. STATEMENT OF MONTHLY NET INCOME	
a. Average monthly income from Line 15 of Schedule I	\$ 3,563.02
b. Average monthly expenses from Line 18 above	\$ 13,070.50
c. Monthly net income (a. minus b.)	\$ -9,507.48

Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court District of Maryland

In re	Carolyn P. Russell	Case No.	
	Debtor	Chapter	11
	STATISTICAL SUMMARY OF CERTAIN LIABILITIE	ES 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	An	nount
Domestic Support Obligations (from Schedule E)	\$	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$	27,201.07
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	\$	27,201.07

### State the following:

Average Income (from Schedule I, Line 16)	\$ 3,563.02
Average Expenses (from Schedule J, Line 18)	\$ 13,070.50
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20)	\$ 3,258.12

### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 220,000.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 27,201.07	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 391,900.00
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 611,900.00

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In re Carolyn P. Russell

Debtor

Case No.

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 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 2/5/2010

Signature: s/ Carolyn P. Russell
Carolyn P. Russell
Debtor

[If joint case, both spouses must sign]

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

# UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND

Carolyn	P. Russell	Case No
	Debtor	Chapter 11
	VERIFICATION OF	CREDITOR MATRIX
the attacl	hed Master Mailing List of creditors, consisting	applicable, do hereby certify under penalty of perjury that g of 3 sheet(s) is complete, correct and consistent with the and I/we assume all responsibility for errors and omissions
Dated:	2/5/2010	Signed: s/ Carolyn P. Russell Carolyn P. Russell
Signed:	/s/Marc R. Kivitz Marc R. Kivitz, Esquire Attorney for Debtor(s)	
	Bar no.: 02878  Marc R. Kivitz, Esquire 201 N. Charles Street, Suite 1330	

Baltimore, MD 21201 mkivitz@aol.com

Telephone No.: 410-625-2300 410-576-0140 E-mail address: mkivitz@aol.com

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Aetna Isurance Company 151 Farmington Avenue Hartford, CT 06156

Baltimore County, Maryland Attn: Treasurer P. O. Box 64281 Baltimore, MD 21264-4281

Benjamin M. Decker, P.A. 3524 Yadkinville Road Suite 208 Winston-Salem, NC 27106

Carolyn Caldwell

Fremont Investment and Loan P. O. Box 19030 San Berndino, CA 92423-9030

Matthew C. Decker Margaret H. Decker 5746 Masters Blvd. Orlando, FL 32819

Friedman & MacFadyen P.A. 210 East Redwood Street Suite 210 Baltimore, MD 21202-3399

Health Employees MA 8701 Georrgia Avenue Silver Spring, MD

Heidi S. Kenny, LLC 11426 York Road 1st Floor Cockeysville, MD 21030

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Homeq Servicing P.O. Box 13716 Sacramento, CA 95853-3716

Internal Revenue Service Centralized Insolvency Unit P.O. Box 21126 Philadelphia, PA 19114

Internal Revenue Service Special Procedures Branch Room 1140 31 Hopkins Plaza Baltimore, MD 21201

James P. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772

James P. Russell, Sr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772

James R. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD 20772

James R. Russell, Jr. 2302 Manor Gate Terrace Upper Marlboro, MD20772

Mary Leamy-Snead 305 North Rolling Road Baltmore, MD 21228

Michael Russell

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Slomin Security 125 Lauman Lane P.O. Box 1886 Hicksville, NY 11802-1886

Southern Maryland Heating Oil Co. P.O. Box 2810 LaPlata, MD 20646

State of Maryland Comptroller of the Treasury 301 West Preston Street Baltimore, MD 21201

State of Maryland Comptroller of the Treasury Income Tax Division Annapolis, MD 21401

Target National Bank 3901 West 53rd Street Sioux Falls, SD 57106-4216

Verizon P.O. Box 17577 Baltimore, MD 21297

Wilshire Credit Corporation P O. Box 8517 Portland, OR 97207-8517

Wilshire Credit Corporation 14523 S.W. Milikan Beaverton, OR 97006 **B 201A** (Form 201A) (12/09)

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 DISTRICT OF MARYLAND

# 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 <a href="mailto:before">before</a> 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.

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

Page 2

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

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

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

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

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

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

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

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

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

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

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

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

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

# UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND

In re <u>Carolyn P. Russell</u> Debtor	Case No Chapter11								
CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE									
Certificate of the Debtor  I, the debtor, affirm that I have received and read this notice, as required by § 342(b) of the Bankruptcy Code.									
Carolyn P. Russell	Xs/ Carolyn P. Russell	2/5/2010							
Printed Name of Debtor  Case No. (if known)	Carolyn P. Russell Signature of Debtor	Date							

Instructions: Attach a copy of Form B 201A, 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.