

B1 (Official Form 1)(1/08)

**United States Bankruptcy Court  
District of Nevada**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Smith, Barclay Emery Jr.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Smith, Gail Rochelle</b>
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-6474</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-6583</b>
Street Address of Debtor (No. and Street, City, and State): <b>1534 Ice Box Canyon Mesquite, NV</b>	Street Address of Joint Debtor (No. and Street, City, and State): <b>1534 Ice Box Canyon Mesquite, NV</b>
ZIP Code <b>89034</b>	ZIP Code <b>89034</b>
County of Residence or of the Principal Place of Business: <b>Clark</b>	County of Residence or of the Principal Place of Business: <b>Clark</b>
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP Code	ZIP Code

Location of Principal Assets of Business Debtor (if different from street address above):

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <hr/> <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> 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. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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**Statistical/Administrative Information**

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**

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000

**Estimated Assets**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

**Estimated Liabilities**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$50 million	\$10,000,001 to \$100 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Smith, Barclay Emery Jr.</b> <b>Smith, Gail Rochelle</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)			
Location Where Filed: <b>- None -</b>		Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor: <b>- None -</b>		Case Number:	Date Filed:
District:		Relationship:	Judge:
<b>Exhibit A</b>		<b>Exhibit B</b>	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)		(To be completed if debtor is an individual whose debts are primarily consumer debts.)	
<input type="checkbox"/> Exhibit A is attached and made a part of this petition.		I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).	
		<b>X /s/ Charles T. Wright NV</b> <b>February 12, 2010</b> Signature of Attorney for Debtor(s)                      (Date) <b>Charles T. Wright NV No.10285</b>	
<b>Exhibit C</b>			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.			
<input checked="" type="checkbox"/> No.			
<b>Exhibit D</b>			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.			
If this is a joint petition:			
<input checked="" type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b>			
(Check any applicable box)			
<input checked="" type="checkbox"/> 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.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> 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.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b>			
(Check all applicable boxes)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
_____			
(Name of landlord that obtained judgment)			
_____			
(Address of landlord)			
<input type="checkbox"/> 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			
<input type="checkbox"/> 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.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

<p><b>Voluntary Petition</b></p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s):  <b>Smith, Barclay Emery Jr.</b>  <b>Smith, Gail Rochelle</b></p>
<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.                  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.                  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><b>X /s/ Barclay Emery Smith, Jr.</b>                  _____                  Signature of Debtor <b>Barclay Emery Smith, Jr.</b></p> <p><b>X /s/ Gail Rochelle Smith</b>                  _____                  Signature of Joint Debtor <b>Gail Rochelle Smith</b></p> <p>_____                  Telephone Number (If not represented by attorney)</p> <p><b>February 12, 2010</b>                  _____                  Date</p>	<p style="text-align: center;"><b>Signatures</b></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>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.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p><b>X</b> _____                      Signature of Foreign Representative</p> <p>_____                      Printed Name of Foreign Representative</p> <p>_____                      Date</p> </div> <div style="width: 48%;"> <p style="text-align: center;"><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b></p> <p>I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.</p> <p>_____                      Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____                      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.)</p> <p>_____                      Address</p> <p><b>X</b> _____                      Date</p> <p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.</p> <p>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:</p> <p>_____                      If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.</i></p> </div> </div>
<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p><b>X /s/ Charles T. Wright NV</b>                  _____                  Signature of Attorney for Debtor(s)</p> <p><b>Charles T. Wright NV No.10285</b>                  _____                  Printed Name of Attorney for Debtor(s)</p> <p><b>Piet &amp; Wright</b>                  _____                  Firm Name</p> <p><b>3130 S. Rainbow Blvd., Suite 304</b>  <b>Las Vegas, NV 89146</b></p> <p>_____                  Address</p> <p><b>d@pietwright.com, tiffany@pietwright.com, stephanie@pietwright.com</b>  <b>(702) 566-1212 Fax: (702) 566-4833</b>                  _____                  Telephone Number</p> <p><b>February 12, 2010</b>                  _____                  Date</p> <p><small>*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.</small></p>	<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>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.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p><b>X</b> _____                  Signature of Authorized Individual</p> <p>_____                  Printed Name of Authorized Individual</p> <p>_____                  Title of Authorized Individual</p> <p>_____                  Date</p>

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

**United States Bankruptcy Court  
District of Nevada**

In re Barclay Emery Smith, Jr.  
Gail Rochelle Smith

Debtor(s)

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

Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

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

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

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Barclay Emery Smith, Jr.

Barclay Emery Smith, Jr.

Date: February 12, 2010

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

**United States Bankruptcy Court  
District of Nevada**

In re Barclay Emery Smith, Jr.  
Gail Rochelle Smith

Debtor(s)

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

Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

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

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

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Gail Rochelle Smith

Gail Rochelle Smith

Date: February 12, 2010

**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 NEVADA**

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)**

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

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

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

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

**Chapter 13: 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](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 Nevada**

In re **Barclay Emery Smith, Jr.  
Gail Rochelle Smith**

Debtor(s)

Case No.

Chapter **11**

**CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S)  
UNDER § 342(b) OF THE BANKRUPTCY CODE**

**Certification of [Non-Attorney] Bankruptcy Petition Preparer**

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this attached notice, as required by § 342(b) of the Bankruptcy Code.

Printed name and title, if any, of Bankruptcy Petition Preparer  
Address:

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

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

**Certification of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

**Barclay Emery Smith, Jr.  
Gail Rochelle Smith**

Printed Name(s) of Debtor(s)

X **/s/ Barclay Emery Smith, Jr.**

Signature of Debtor

**February 12, 2010**

Date

Case No. (if known) \_\_\_\_\_

X **/s/ Gail Rochelle Smith**

Signature of Joint Debtor (if any)

**February 12, 2010**

Date

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

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

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court**  
**District of Nevada**

In re **Barclay Emery Smith, Jr.**  
**Gail Rochelle Smith**

Debtor(s)

Case No.

Chapter **11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

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

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
America First Credit U Po Box 9199 Ogden, UT 84409	America First Credit U Po Box 9199 Ogden, UT 84409	2004 Jeep Grand Cherokee		13,792.00  (8,775.00 secured)
Amex Po Box 297871 Fort Lauderdale, FL 33329	Amex Po Box 297871 Fort Lauderdale, FL 33329	ChargeAccount		6,788.00
Amex Po Box 297871 Fort Lauderdale, FL 33329	Amex Po Box 297871 Fort Lauderdale, FL 33329			2,996.00
Amex Po Box 297871 Fort Lauderdale, FL 33329	Amex Po Box 297871 Fort Lauderdale, FL 33329			750.00
Babcock Scott & Babcock c/o C&C Landscapes, Inc. Washington Federal Plaza 505 East 200 South, Suite 300 Salt Lake City, UT 84102	Babcock Scott & Babcock c/o C&C Landscapes, Inc. Washington Federal Plaza Salt Lake City, UT 84102	Case No.: 080916756		Unknown
Callister Nebeker & McCullough c/o Zion First National Bank 10 E Zion Temple Salt Lake City, UT 84133	Callister Nebeker & McCullough c/o Zion First National Bank 10 E Zion Temple Salt Lake City, UT 84133			47,520.00
Hirschi Christensen c/o Stewert Title Guaranty Company 136 East Temple, Suite 1400 Salt Lake City, UT 84111	Hirschi Christensen c/o Stewert Title Guaranty Company 136 East Temple, Suite 1400 Salt Lake City, UT 84111			413,960.00
Ihc Health Services In 3930 W Parkway Blvd Salt Lake City, UT 84130	Ihc Health Services In 3930 W Parkway Blvd Salt Lake City, UT 84130	Collection American Fork Hospit		1,238.00
Lester A. Perry c/o Ray C. Unrath 4276 South Highland Drive Salt Lake City, UT 84124-2634	Lester A. Perry c/o Ray C. Unrath 4276 South Highland Drive Salt Lake City, UT 84124-2634	Case No.: 080918210		2,000,000.00

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

In re **Barclay Emery Smith, Jr.**  
**Gail Rochelle Smith**

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

Debtor(s) \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Sherman C. Young c/o Armen Khachatryan and Emily Tyler 226 West 2230 North POB 657 Provo, UT 84603</b>	<b>Sherman C. Young c/o Armen Khachatryan and Emily Tyler 226 West 2230 North Provo, UT 84603</b>	<b>Case No.: 080904237</b>		<b>Unknown</b>
<b>State of California PO Box 1328 Rancho Cordova, CA 95741-1328</b>	<b>State of California PO Box 1328 Rancho Cordova, CA 95741-1328</b>	<b>State Income Tax</b>		<b>11,681.00</b>
<b>Us Bank/Na Nd 4325 17th Ave S Fargo, ND 58125</b>	<b>Us Bank/Na Nd 4325 17th Ave S Fargo, ND 58125</b>			<b>962.00</b>
<b>VanCott Bagley, Cornwall c/o Bank of the West 36 South State Street, Suite 1900 Salt Lake City, UT 84111-1478</b>	<b>VanCott Bagley, Cornwall c/o Bank of the West 36 South State Street, Suite 1900 Salt Lake City, UT 84111-1478</b>	<b>Case No.: 080403707</b>		<b>227,549.30</b>
<b>Verizon California Inc 500 Technology Dr Weldon Spring, MO 63304</b>	<b>Verizon California Inc 500 Technology Dr Weldon Spring, MO 63304</b>			<b>Unknown</b>
<b>Zions Bank/Dovenmuehle 1 Corporate Dr Ste 360 Lake Zurich, IL 60047</b>	<b>Zions Bank/Dovenmuehle 1 Corporate Dr Ste 360 Lake Zurich, IL 60047</b>	<b>Mortgage</b>		<b>Unknown</b>

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

In re **Barclay Emery Smith, Jr.**  
**Gail Rochelle Smith**

Debtor(s)

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

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

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

We, **Barclay Emery Smith, Jr.** and **Gail Rochelle Smith**, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date **February 12, 2010**

Signature **/s/ Barclay Emery Smith, Jr.**  
**Barclay Emery Smith, Jr.**  
Debtor

Date **February 12, 2010**

Signature **/s/ Gail Rochelle Smith**  
**Gail Rochelle Smith**  
Joint Debtor

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

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

**United States Bankruptcy Court**  
**District of Nevada**

In re **Barclay Emery Smith, Jr.,**  
**Gail Rochelle Smith**

Debtors

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

Chapter 11

**SUMMARY OF SCHEDULES**

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

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	232,500.00		
B - Personal Property	Yes	4	316,474.17		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		38,741.17	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		11,681.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	7		2,701,763.30	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			3,895.20
J - Current Expenditures of Individual Debtor(s)	Yes	2			7,196.00
Total Number of Sheets of ALL Schedules		21			
Total Assets			548,974.17		
				Total Liabilities	2,752,185.47

**United States Bankruptcy Court**  
**District of Nevada**

In re **Barclay Emery Smith, Jr.,**  
**Gail Rochelle Smith**

Debtors

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

Chapter 11

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

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

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

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	11,681.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	11,681.00

**State the following:**

Average Income (from Schedule I, Line 16)	3,895.20
Average Expenses (from Schedule J, Line 18)	7,196.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	4,328.00

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	5,017.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	0.00
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	11,681.00
4. Total from Schedule F	2,701,763.30
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	2,718,461.30

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE A - REAL PROPERTY**

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

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

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

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
Single family, 3 beds, 2.0 baths, 2,248 sq ft 1534 Ice Box Canyon Mesquite, NV 89034	Primary residence	C	232,500.00	0.00
Timeshare London Bridge Resort 1477 Queen Bay Lake Havasu City, AZ 86403		C	Unknown	0.00
Timeshare Hyatt High Sierra Lodge 989 Incline Way Incline Village, NV 89451		C	Unknown	0.00

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 Sub-Total > **232,500.00** (Total of this page)

 Total > **232,500.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property



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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

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

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

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

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

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. 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.		<b>Executive Healthcare Strategies, LLC</b> <b>Location: Utah Community Credit Union</b>	<b>W</b>	<b>13,000.00</b>
		<b>Location: Nevada State Bank</b>	<b>H</b>	<b>1,751.00</b>
		<b>G R Smith, Smith Family Trust</b> <b>Location: Nevada State Bank</b>	<b>W</b>	<b>101,514.00</b>
		<b>Location: Zions Bank</b>	<b>W</b>	<b>5,790.00</b>
		<b>GRS Holdings, LLC</b> <b>Location: Wells Fargo</b>	<b>W</b>	<b>41,466.00</b>
		<b>Location: Wells Fargo Checking</b> <b>(Social Security Income)</b>	<b>J</b>	<b>43,905.00</b>
		<b>Location: Wells Fargo Checking</b>	<b>J</b>	<b>2,354.00</b>
		<b>CS Homes of Utah LLC Checking</b> <b>Location: Key Bank Savings</b> <b>CS Homes Business Account</b>	<b>W</b>	<b>49,125.00</b>
	<b>Location: American First Credit Union</b> <b>Account for Car Loan.</b>	<b>W</b>	<b>240.00</b>	
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>Basic Household Furnishings</b>	<b>C</b>	<b>10,000.00</b>
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		<b>Artwork painted by Joint Debtor and family members.</b>	<b>C</b>	<b>Unknown</b>
			Sub-Total >	<b>269,145.00</b>
			(Total of this page)	

3 continuation sheets attached to the Schedule of Personal Property

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.		<b>Pension Plan for Employees of Children's Hospital Location: TransAmerica</b>	<b>C</b>	<b>Unknown</b>
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.		<b>50% interst in CS Homes LLC</b>	<b>C</b>	<b>Unknown</b>
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			

Sub-Total > **0.00**  
(Total of this page)

Sheet 1 of 3 continuation sheets attached  
to the Schedule of Personal Property

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		<b>Contract with Frontgate Homes, Uncollectible.</b>	<b>C</b>	<b>0.00</b>
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2001 Chevy Silverado Truck</b>	<b>C</b>	<b>8,245.00</b>
		<b>2002 Jeep Grand Cherokee</b>	<b>C</b>	<b>4,860.00</b>
		<b>2004 Jeep Grand Cherokee</b>	<b>C</b>	<b>8,775.00</b>
		<b>2010 Jeep Grand Cherokee</b>	<b>C</b>	<b>24,949.17</b>
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.		<b>Computers</b>	<b>C</b>	<b>500.00</b>

Sub-Total > **47,329.17**  
(Total of this page)

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

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

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

Sub-Total > **0.00**  
 (Total of this page)  
 Total > **316,474.17**

(Report also on Summary of Schedules)

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

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims 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 \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Real Property</u></b>			
<b>Single family, 3 beds, 2.0 baths, 2,248 sq ft 1534 Ice Box Canyon Mesquite, NV 89034</b>	<b>Nev. Rev. Stat. § 21.090(1)(m)</b>	<b>232,500.00</b>	<b>232,500.00</b>
<b><u>Household Goods and Furnishings</u></b>			
<b>Basic Household Furnishings</b>	<b>Nev. Rev. Stat. § 21.090(1)(b)</b>	<b>10,000.00</b>	<b>10,000.00</b>
<b><u>Automobiles, Trucks, Trailers, and Other Vehicles</u></b>			
<b>2001 Chevy Silverado Truck</b>	<b>Nev. Rev. Stat. § 21.090(1)(f)</b>	<b>8,245.00</b>	<b>8,245.00</b>
<b>2002 Jeep Grand Cherokee</b>	<b>Nev. Rev. Stat. § 21.090(1)(f)</b>	<b>4,860.00</b>	<b>4,860.00</b>
<b><u>Office Equipment, Furnishings and Supplies</u></b>			
<b>Computers</b>	<b>Nev. Rev. Stat. § 21.090(1)(d)</b>	<b>500.00</b>	<b>500.00</b>

Total:	<b>256,105.00</b>	<b>256,105.00</b>
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0 continuation sheets attached to Schedule of Property Claimed as Exempt

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

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

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

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

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

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

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

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	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. xxxxxxxxxxxxxxxxxxxxxx1217  <b>America First Credit U Po Box 9199 Ogden, UT 84409</b>	<b>W</b>					<b>13,792.00</b>	<b>5,017.00</b>
		<b>Opened 12/17/08 Last Active 1/01/10  Automobile Loan  2004 Jeep Grand Cherokee</b>					
		Value \$ <b>8,775.00</b>					
Account No. xxxxxx9792  <b>Wachovia Dealer Services, Inc. P.O. Box 25341 Santa Ana, CA 92799-5341</b>	<b>C</b>					<b>24,949.17</b>	<b>0.00</b>
		<b>Automobile Loan  2010 Jeep Grand Cherokee</b>					
		Value \$ <b>24,949.17</b>					
Account No.							
		Value \$					
Account No.							
		Value \$					
<b>Subtotal (Total of this page)</b>						<b>38,741.17</b>	<b>5,017.00</b>
<b>Total (Report on Summary of Schedules)</b>						<b>38,741.17</b>	<b>5,017.00</b>

0 continuation sheets attached

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

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

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

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

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

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

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

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

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

**Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

**Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

**Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

**Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

**Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

**Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

**Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

**Commitments to maintain the capital of an insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the 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.

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Taxes and Certain Other Debts  
Owed to Governmental Units**

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	A M O U N T O F C L A I M	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
								A M O U N T E N T I T L E D T O P R I O R I T Y
Account No. <b>xxx-xx-6474</b>  <b>State of California</b> <b>PO Box 1328</b> <b>Rancho Cordova, CA 95741-1328</b>	<b>C</b>		<b>State Income Tax</b>					<b>11,681.00</b>
							<b>11,681.00</b>	<b>0.00</b>
Account No.								
Account No.								
Account No.								
Account No.								

Sheet **1** of **1** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

Subtotal  
(Total of this page)

**11,681.00** | **11,681.00**  
**0.00**

Total  
(Report on Summary of Schedules)

**11,681.00** | **11,681.00**  
**0.00**



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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

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

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

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

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. -xxxxxxxxxxxx9523  Amex Po Box 297871 Fort Lauderdale, FL 33329		H	Opened 1/04/85 Last Active 2/01/09 ChargeAccount			6,788.00
Account No. -xxxxxxxxxxxx1533  Amex Po Box 297871 Fort Lauderdale, FL 33329		W	Opened 6/30/08 Last Active 1/01/10			2,996.00
Account No. xxxx-xxxxxx-x1006  Amex Po Box 297871 Fort Lauderdale, FL 33329		C				750.00
Account No. xxxxxxxxx3720  Aurora Loan Services I 10350 Park Meadows Dr St Littleton, CO 80124		C	Opened 6/21/05 Last Active 3/29/06 Mortgage			0.00
Subtotal (Total of this page)						<b>10,534.00</b>

6 continuation sheets attached

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. xxxxxxxx3837  <b>Aurora Loan Services I 10350 Park Meadows Dr St Littleton, CO 80124</b>	C		Opened 6/21/05 Last Active 10/27/05 Mortgage			0.00
Account No.  <b>Babcock Scott &amp; Babcock c/o C&amp;C Landscapes, Inc. Washington Federal Plaza 505 East 200 South, Suite 300 Salt Lake City, UT 84102</b>	C		Case No.: 080916756			Unknown
Account No. xxx1073  <b>Bac Home Loans Servi 450 American St Simi Valley, CA 93065</b>	C		Opened 2/20/97 Last Active 11/01/01 Mortgage			0.00
Account No. xxxxx9417  <b>Bank Of The West 1450 Treat Blvd Walnut Creek, CA 94597</b>	C		Opened 1/17/98 Last Active 9/01/02 Automobile			0.00
Account No. xxxxxxx1181  <b>Callister Nebeker &amp; McCullough c/o Zion First National Bank 10 E Zion Temple Salt Lake City, UT 84133</b>	C					47,520.00
Sheet no. <u>1</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims					Subtotal (Total of this page)	47,520.00

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. xxxxxxxxxx3804  Chase 201 N Walnut St # De1-10 Wilmington, DE 19801	C		Opened 8/03/02 Last Active 1/03/06 Automobile			0.00
Account No. xxxxxx3091  Chase Manhattan Mtge 3415 Vision Dr Columbus, OH 43219	C		Opened 7/16/98 Last Active 12/01/01 Mortgage			0.00
Account No. xxx2486  Chase-Pier Po Box 15298 Wilmington, DE 19850	H		Opened 4/24/99 Last Active 5/14/99			0.00
Account No. xxxxxx1722  Chrysler Financial 5225 Crooks Rd Ste 140 Troy, MI 48098	C		Opened 1/20/07 Last Active 1/02/09 Automobile			0.00
Account No. xxxxxxxxxx1201  Citimortgage Inc Po Box 9438 Gaithersburg, MD 20898	C		Opened 12/07/01 Last Active 9/01/03 Mortgage			0.00
Sheet no. <u>2</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims					Subtotal (Total of this page)	0.00

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>xxxxx2923</b>  <b>Citimortgage Inc</b> <b>Po Box 9438</b> <b>Gaithersburg, MD 20898</b>	<b>C</b>		<b>Opened 6/21/05 Last Active 4/01/06</b> <b>Mortgage</b>			<b>0.00</b>
Account No. <b>xxxxxxxx5729</b>  <b>Gemb/Mens W</b> <b>Po Box 981400</b> <b>El Paso, TX 79998</b>	<b>W</b>		<b>Opened 12/20/02 Last Active 4/10/03</b> <b>ChargeAccount</b>			<b>0.00</b>
Account No. <b>xxxxxxxx6143</b>  <b>Gmac</b> <b>Po Box 12699</b> <b>Glendale, AZ 85318</b>	<b>C</b>		<b>Opened 8/21/03 Last Active 5/09/06</b> <b>Automobile</b>			<b>0.00</b>
Account No. <b>xxxxx9399</b>  <b>Hirschi Christensen</b> <b>c/o Stewert Title Guaranty Company</b> <b>136 East Temple, Suite 1400</b> <b>Salt Lake City, UT 84111</b>	<b>C</b>					<b>413,960.00</b>
Account No. <b>xxxx0604</b>  <b>Ihc Health Services In</b> <b>3930 W Parkway Blvd</b> <b>Salt Lake City, UT 84130</b>	<b>H</b>		<b>Opened 7/21/09 Last Active 6/01/09</b> <b>Collection American Fork Hospit</b>			<b>1,238.00</b>
Sheet no. <b>3</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims					Subtotal (Total of this page)	<b>415,198.00</b>

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.  <b>Lester A. Perry c/o Ray C. Unrath 4276 South Highland Drive Salt Lake City, UT 84124-2634</b>	<b>C</b>	<b>Case No.: 080918210</b>				<b>2,000,000.00</b>
Account No. xxxxxxxxx1420  <b>Macys/Fdsb P.O. Box 8122 Mason, OH 45040</b>	<b>C</b>	<b>Opened 11/01/86</b>				<b>0.00</b>
Account No. xxxxxxxxx0001  <b>Mellon 1st Business Ba 601 W 5th St Los Angeles, CA 90071</b>	<b>C</b>	<b>Opened 1/21/98 Last Active 2/12/03</b>				<b>0.00</b>
Account No. xxxxxxxxx0001  <b>Mellon 1st Business Ba 601 W 5th St Los Angeles, CA 90071</b>	<b>C</b>	<b>Opened 3/07/00 Last Active 1/04/06</b>				<b>0.00</b>
Account No. xxxxxxxx7401  <b>Nelnet Lns Po Box 1649 Denver, CO 80201</b>	<b>H</b>	<b>Opened 4/06/92 Last Active 4/01/01 Educational</b>				<b>0.00</b>
Sheet no. <u>4</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims					Subtotal (Total of this page)	<b>2,000,000.00</b>

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. xxxxxx0129  Provident Funding Asso 1235 N Dutton Ave Ste E Santa Rosa, CA 95401	C		Opened 2/01/05 Last Active 1/28/09 Mortgage			0.00
Account No. xxxxx1847  Sears/Cbsd Po Box 6189 Sioux Falls, SD 57117	C		Opened 1/29/00 Last Active 10/01/01 ChargeAccount			0.00
Account No. xxxxxxxxxxxxxx8183  Sears/Cbsd Po Box 6189 Sioux Falls, SD 57117	C		Opened 8/09/05 Last Active 9/01/05			0.00
Account No.  Sherman C. Young c/o Armen Khachatryan and Emily Tyler 226 West 2230 North POB 657 Provo, UT 84603	C		Case No.: 080904237			Unknown
Account No. xxxxxxxx0139  Us Bank Cb Disputes Po Box 108 Saint Louis, MO 63166	C		Opened 8/01/82 Last Active 10/01/01 CreditCard			0.00
Sheet no. <u>5</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims					Subtotal (Total of this page)	0.00

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. xxxxxxxxxxxx7964  Us Bank/Na Nd 4325 17th Ave S Fargo, ND 58125	C		Opened 8/01/82 Last Active 12/21/09			962.00
Account No.  VanCott Bagley, Cornwall c/o Bank of the West 36 South State Street, Suite 1900 Salt Lake City, UT 84111-1478	C		Case No.: 080403707			227,549.30
Account No. 8545  Verizon California Inc 500 Technology Dr Weldon Spring, MO 63304	W		Opened 6/29/05			Unknown
Account No. xxxxxxxxx1518  Zions Bank/Dovenmuehle 1 Corporate Dr Ste 360 Lake Zurich, IL 60047	C		Opened 10/10/03 Last Active 1/01/05 Mortgage			Unknown
Account No.						

Sheet no. 6 of 6 sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal  
(Total of this page) **228,511.30**

Total  
(Report on Summary of Schedules) **2,701,763.30**

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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

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

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

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
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\_\_\_\_\_ continuation sheets attached to Schedule of Executory Contracts and Unexpired Leases



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

In re **Barclay Emery Smith, Jr.,  
Gail Rochelle Smith**

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

Debtors

**SCHEDULE H - CODEBTORS**

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

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
------------------------------	------------------------------

0

\_\_\_\_\_ continuation sheets attached to Schedule of Codebtors

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

In re **Barclay Emery Smith, Jr.**  
**Gail Rochelle Smith**

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

Debtor(s)

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

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

Debtor's Marital Status: <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S): <b>None.</b>	AGE(S):
<b>Employment:</b>	DEBTOR	SPOUSE
Occupation		<b>Homemaker</b>
Name of Employer	<b>Retired</b>	<b>Unemployed</b>
How long employed		
Address of Employer		

	DEBTOR	SPOUSE
INCOME: (Estimate of average or projected monthly income at time case filed)		
1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)	\$ <b>0.00</b>	\$ <b>0.00</b>
2. Estimate monthly overtime	\$ <b>0.00</b>	\$ <b>0.00</b>
3. SUBTOTAL	\$ <b>0.00</b>	\$ <b>0.00</b>
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ <b>348.70</b>	\$ <b>84.10</b>
b. Insurance	\$ <b>0.00</b>	\$ <b>0.00</b>
c. Union dues	\$ <b>0.00</b>	\$ <b>0.00</b>
d. Other (Specify): _____	\$ <b>0.00</b>	\$ <b>0.00</b>
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <b>348.70</b>	\$ <b>84.10</b>
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ <b>-348.70</b>	\$ <b>-84.10</b>
7. Regular income from operation of business or profession or farm (Attach detailed statement)	\$ <b>0.00</b>	\$ <b>0.00</b>
8. Income from real property	\$ <b>0.00</b>	\$ <b>0.00</b>
9. Interest and dividends	\$ <b>0.00</b>	\$ <b>0.00</b>
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$ <b>0.00</b>	\$ <b>0.00</b>
11. Social security or government assistance (Specify): <b>Social Security</b>	\$ <b>1,903.00</b>	\$ <b>841.00</b>
	\$ <b>0.00</b>	\$ <b>0.00</b>
12. Pension or retirement income	\$ <b>1,584.00</b>	\$ <b>0.00</b>
13. Other monthly income (Specify): _____	\$ <b>0.00</b>	\$ <b>0.00</b>
	\$ <b>0.00</b>	\$ <b>0.00</b>
14. SUBTOTAL OF LINES 7 THROUGH 13	\$ <b>3,487.00</b>	\$ <b>841.00</b>
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ <b>3,138.30</b>	\$ <b>756.90</b>
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)	\$ <b>3,895.20</b>	

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

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

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

In re Barclay Emery Smith, Jr.  
Gail Rochelle Smith

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

Debtor(s)

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

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

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

1. Rent or home mortgage payment (include lot rented for mobile home)		\$	<u>0.00</u>
a. Are real estate taxes included?	Yes <u>    </u> No <u>  X  </u>		
b. Is property insurance included?	Yes <u>    </u> No <u>  X  </u>		
2. Utilities:		\$	<u>125.00</u>
a. Electricity and heating fuel		\$	<u>50.00</u>
b. Water and sewer		\$	<u>170.00</u>
c. Telephone		\$	<u>260.00</u>
d. Other <u>See Detailed Expense Attachment</u>		\$	<u>120.00</u>
3. Home maintenance (repairs and upkeep)		\$	<u>600.00</u>
4. Food		\$	<u>150.00</u>
5. Clothing		\$	<u>60.00</u>
6. Laundry and dry cleaning		\$	<u>1,000.00</u>
7. Medical and dental expenses		\$	<u>550.00</u>
8. Transportation (not including car payments)		\$	<u>900.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.		\$	<u>550.00</u>
10. Charitable contributions		\$	<u>55.00</u>
11. Insurance (not deducted from wages or included in home mortgage payments)		\$	<u>0.00</u>
a. Homeowner's or renter's		\$	<u>974.00</u>
b. Life		\$	<u>300.00</u>
c. Health		\$	<u>0.00</u>
d. Auto		\$	<u>0.00</u>
e. Other _____		\$	<u>0.00</u>
12. Taxes (not deducted from wages or included in home mortgage payments)		\$	<u>300.00</u>
(Specify) <u>Property Taxes</u>		\$	<u>0.00</u>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		\$	<u>471.00</u>
a. Auto		\$	<u>238.00</u>
b. Other <u>2010 Jeep Grand Cherokee</u>		\$	<u>200.00</u>
c. Other <u>238 Jeep Grand Cherokee</u>		\$	<u>0.00</u>
14. Alimony, maintenance, and support paid to others		\$	<u>0.00</u>
15. Payments for support of additional dependents not living at your home		\$	<u>0.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)		\$	<u>123.00</u>
17. Other <u>See Detailed Expense Attachment</u>		\$	<u>7,196.00</u>
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)		\$	<u>7,196.00</u>
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:			
20. STATEMENT OF MONTHLY NET INCOME			
a. Average monthly income from Line 15 of Schedule I		\$	<u>3,895.20</u>
b. Average monthly expenses from Line 18 above		\$	<u>7,196.00</u>
c. Monthly net income (a. minus b.)		\$	<u>-3,300.80</u>

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

In re **Barclay Emery Smith, Jr.**  
**Gail Rochelle Smith**

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

Debtor(s) \_\_\_\_\_

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**  
**Detailed Expense Attachment****Other Utility Expenditures:**

<b>Baja Broadband</b>	\$	<b>140.00</b>
<b>HOA</b>	\$	<b>120.00</b>
<b>Total Other Utility Expenditures</b>	\$	<b>260.00</b>

**Other Expenditures:**

<b>Timeshare Dues (London Bridge Resort)</b>	\$	<b>21.00</b>
<b>Timeshare Dues (High Sierra Hyatt)</b>	\$	<b>80.00</b>
<b>Costco Membership</b>	\$	<b>12.00</b>
<b>AAA Membership</b>	\$	<b>10.00</b>
<b>Total Other Expenditures</b>	\$	<b>123.00</b>

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

**United States Bankruptcy Court  
District of Nevada**

In re **Barclay Emery Smith, Jr.  
Gail Rochelle Smith**

Debtor(s)

Case No.

Chapter

**11**

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 23 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date **February 12, 2010**

Signature /s/ Barclay Emery Smith, Jr.  
**Barclay Emery Smith, Jr.**  
Debtor

Date **February 12, 2010**

Signature /s/ Gail Rochelle Smith  
**Gail Rochelle Smith**  
Joint Debtor

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

B7 (Official Form 7) (12/07)

United States Bankruptcy Court
District of Nevada

In re Barclay Emery Smith, Jr.
Gail Rochelle Smith

Debtor(s)

Case No.

Chapter

11

STATEMENT OF FINANCIAL AFFAIRS

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

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

DEFINITIONS

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

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

1. Income from employment or operation of business

None

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

AMOUNT
\$307,867.00

SOURCE
2008: Joint Dbt Income Stated on 2008 Tax Return

2. Income other than from employment or operation of business

None

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

AMOUNT
\$43,164.00

SOURCE
2009: Joint Dbt SSI Benefits & Retirement Income

**3. Payments to creditors**None  *Complete a. or b., as appropriate, and c.*

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

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
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None  b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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None  c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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**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	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
<b>Bank of West vs. Barcaly Smith et al. Case No.: 080403707</b>	<b>Civil</b>	<b>In the Fourth Judicial District Court 125 North 100 West Provo, UT 84601</b>	<b>Pending</b>
<b>Ray C. Unrath et al. vs. Barclay E. Smith et al. Case No.: 080918210</b>	<b>Civil</b>	<b>In the Third Judicial District Court Salt Lake County, Utah 450 South State St P.O. Box 1860 Salt Lake City, UT 84114-1860</b>	<b>Pending</b>
<b>K. Bell Plumbing &amp; Heating, Inc. vs. Barclay E. Smith and Gail R. Smith et al. Case No.: 080907104</b>	<b>Civil</b>	<b>In the Third Judicial District Court Salt Lake County, Utah 450 South State St P.O. Box 1860 Salt Lake City, UT 84114-1860</b>	<b>Pending</b>

CAPTION OF SUIT AND CASE NUMBER <b>C&amp;C Landscapes, Inc. vs.                  Gail Smith, Barclay Smith et                  al.</b> Case No.: 080916756	NATURE OF PROCEEDING <b>Civil</b>	COURT OR AGENCY AND LOCATION <b>In the Third Judicial District                  Court                  Salt Lake County, Utah                  450 South State St                  P.O. Box 1860                  Salt Lake City, UT 84114-1860</b>	STATUS OR DISPOSITION <b>Pending</b>
<b>A&amp;T Plumbing, Inc. vs. Gail                  Smith, Barclay Smith et al.</b> Case No.: 080904237	<b>Civil</b>	<b>In the Third Judicial District                  Court                  Salt Lake County, Utah                  450 South State St                  P.O. Box 1860                  Salt Lake City, UT 84114-1860</b>	<b>Pending</b>

**Stewart Title vs. Gail Smith,  
 Barclay Smith et al.**

None  b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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**5. Repossessions, foreclosures and returns**

None  List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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**6. Assignments and receiverships**

None  a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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None  b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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**7. Gifts**

- None  List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
Church of Jesus Christ of Latter Day Sai Salt Lake City, UT	Church		10% of gross monthly income

**8. Losses**

- None  List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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**9. Payments related to debt counseling or bankruptcy**

- None  List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Piet & Wright 3130 S. Rainbow Blvd., #304 Las Vegas, NV 89146	4/07/2009	\$1,000.00
Piet & Wright 3130 S. Rainbow Blvd., #304 Las Vegas, NV 89146	12/03/2004	\$14,000.00

**10. Other transfers**

- None  a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
Martha Hutching no relation	February 2009	1472 E. Bald Mnt. Cir., Alpine, UT 84004 \$835,000.00

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

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
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**11. Closed financial accounts**

None  List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
<b>Bank of American Fork</b>	<b>Savings Account No.: 4492 Final Balance: \$0.00</b>	

**12. Safe deposit boxes**

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

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
<b>Nevada State Bank PO Box 990 Las Vegas, NV 89125-0990</b>		<b>Real Estate documents- time share info and home title; automobile pink slips.</b>	

**13. Setoffs**

None  List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

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

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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**15. Prior address of debtor**

None  If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
<b>1472 E. Bald Mountain Cir., Alpine, UT 84004</b>	<b>Barclay Emery Smith, Jr. &amp; Gail Rochelle Smith</b>	<b>December 2004 to January 2009</b>

16. Spouses and Former Spouses

None
If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

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

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

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

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

None
a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

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

SITE NAME AND ADDRESS NAME AND ADDRESS OF GOVERNMENTAL UNIT DATE OF NOTICE ENVIRONMENTAL 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 OF GOVERNMENTAL UNIT DOCKET NUMBER STATUS OR 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 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.

NAME	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Executive Healthcare Strategies, LLC	26-2731930	11582 N. Skyline Drive Highland, UT 84003	Healthcare Consulting	4/8/2008 to present
GRS Holdings, LLC	6823829-0160	1472 E. Bald Mountain Circle Alpine, UT 84004	Hold Real Estate	11/05/2007 to present
CS Homes of Utah	6006365-0160	1472 E. Bald Mountain Circle Alpine, UT 84004	Real Estate	11/15/2005 to presernt

None  b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME ADDRESS

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

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

**19. Books, records and financial statements**

None  a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS DATES SERVICES RENDERED

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

NAME ADDRESS DATES SERVICES RENDERED

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

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

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

DATE OF INVENTORY	NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS
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**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
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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
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**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
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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
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**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
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**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)
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**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)
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**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

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

Date February 12, 2010

Signature /s/ Barclay Emery Smith, Jr.  
**Barclay Emery Smith, Jr.**  
Debtor

Date February 12, 2010

Signature /s/ Gail Rochelle Smith  
**Gail Rochelle Smith**  
Joint Debtor

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

**United States Bankruptcy Court  
District of Nevada**

In re **Barclay Emery Smith, Jr.  
Gail Rochelle Smith**

Debtor(s)

Case No.

Chapter **11**

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

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept .....	\$	<u><b>+/- 15,000.00</b></u>
Prior to the filing of this statement I have received .....	\$	<u><b>15,000.00</b></u>
Balance Due .....	\$	<u><b>TBD</b></u>

2. The source of the compensation paid to me was:

Debtor       Other (specify):

3. The source of compensation to be paid to me is:

Debtor       Other (specify):

4.  I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

**Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.**

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**Representation of the debtors in any adversary proceeding.**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: **January 12, 2010**

**Charles T. Wright NV No.10285  
Piet & Wright  
3130 S. Rainbow Blvd., Suite 304  
Las Vegas, NV 89146  
(702) 566-1212 Fax: (702) 566-4833  
todd@pietwright.com, tiffany@pietwright.com,  
stephanie@pietwright.com**

**United States Bankruptcy Court  
District of Nevada**

In re **Barclay Emery Smith, Jr.  
Gail Rochelle Smith** \_\_\_\_\_  
Debtor(s)

Case No. \_\_\_\_\_  
Chapter **11** \_\_\_\_\_

**VERIFICATION OF CREDITOR MATRIX**

The above-named Debtors hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: **February 12, 2010** \_\_\_\_\_

**/s/ Barclay Emery Smith, Jr.** \_\_\_\_\_  
**Barclay Emery Smith, Jr.**  
Signature of Debtor

Date: **February 12, 2010** \_\_\_\_\_

**/s/ Gail Rochelle Smith** \_\_\_\_\_  
**Gail Rochelle Smith**  
Signature of Debtor



Barclay Emery Smith, Jr.  
Gail Rochelle Smith  
1534 Ice Box Canyon  
Mesquite, NV 89034

Charles T. Wright NV  
Piet & Wright  
3130 S. Rainbow Blvd., Suite 304  
Las Vegas, NV 89146

America First Credit U  
Acct No xxxxxxxxxxxxxxxxxxxxxxx1217  
Po Box 9199  
Ogden, UT 84409

Amex  
Acct No -xxxxxxxxxxxx9523  
Po Box 297871  
Fort Lauderdale, FL 33329

Aurora Loan Services I  
Acct No xxxxxxxxx3720  
10350 Park Meadows Dr St  
Littleton, CO 80124

Babcock Scott & Babcock  
c/o C&C Landscapes, Inc.  
Washington Federal Plaza  
505 East 200 South, Suite 300  
Salt Lake City, UT 84102

Bac Home Loans Servici  
Acct No xxx1073  
450 American St  
Simi Valley, CA 93065

Bank Of The West  
Acct No xxxxx9417  
1450 Treat Blvd  
Walnut Creek, CA 94597

Callister Nebeker & McCullough  
Acct No xxxxxxxx1181  
c/o Zion First National Bank  
10 E Zion Temple  
Salt Lake City, UT 84133

Chase  
Acct No xxxxxxxxxxx3804  
201 N Walnut St # De1-10  
Wilmington, DE 19801

Chase Manhattan Mtge  
Acct No xxxxxx3091  
3415 Vision Dr  
Columbus, OH 43219

Chase-Pier  
Acct No xxx2486  
Po Box 15298  
Wilmington, DE 19850

Chrysler Financial  
Acct No xxxxxx1722  
5225 Crooks Rd Ste 140  
Troy, MI 48098

Citimortgage Inc  
Acct No xxxxxxxxxxx1201  
Po Box 9438  
Gaithersburg, MD 20898

Gemb/Mens W  
Acct No xxxxxxxx5729  
Po Box 981400  
El Paso, TX 79998

Gmac  
Acct No xxxxxxxx6143  
Po Box 12699  
Glendale, AZ 85318

Hirschi Christensen  
Acct No xxxxx9399  
c/o Stewert Title Guaranty Company  
136 East Temple, Suite 1400  
Salt Lake City, UT 84111

Ihc Health Services In  
Acct No xxxx0604  
3930 W Parkway Blvd  
Salt Lake City, UT 84130

Internal Revenue Services  
P.O. Box 21126  
Philadelphia, PA 19114

Lester A. Perry  
c/o Ray C. Unrath  
4276 South Highland Drive  
Salt Lake City, UT 84124-2634

Macys/Fdsb  
Acct No xxxxxxxxxxx1420  
P.O. Box 8122  
Mason, OH 45040

Mel S. Martin PC  
Acct No xxxxx9399  
5282 South Commerce Drive, #D-292  
Salt Lake City, UT 84107

Mellon 1st Business Ba  
Acct No xxxxxxxxxx0001  
601 W 5th St  
Los Angeles, CA 90071

Nelnet Lns  
Acct No xxxxxxx7401  
Po Box 1649  
Denver, CO 80201

Provident Funding Asso  
Acct No xxxxxx0129  
1235 N Dutton Ave Ste E  
Santa Rosa, CA 95401

Sears/Cbsd  
Acct No xxxxx1847  
Po Box 6189  
Sioux Falls, SD 57117

Sherman C. Young  
c/o Armen Khachatryan and Emily Tyler  
226 West 2230 North  
POB 657  
Provo, UT 84603

State of California  
Acct No xxx-xx-6474  
PO Box 1328  
Rancho Cordova, CA 95741-1328

State of California  
P.O. Box 942840  
Sacramento, CA 94240

Us Bank  
Acct No xxxxxxxx0139  
Cb Disputes Po Box 108  
Saint Louis, MO 63166

Us Bank/Na Nd  
Acct No xxxxxxxxxxxxxx7964  
4325 17th Ave S  
Fargo, ND 58125

VanCott Bagley, Cornwall  
c/o Bank of the West  
36 South State Street, Suite 1900  
Salt Lake City, UT 84111-1478

Verizon California Inc  
Acct No 8545  
500 Technology Dr  
Weldon Spring, MO 63304

Wachovia Dealer Services, Inc.  
Acct No xxxxxx9792  
P.O. Box 25341  
Santa Ana, CA 92799-5341

Zions Bank/Dovenmuehle  
Acct No xxxxxxxxx1518  
1 Corporate Dr Ste 360  
Lake Zurich, IL 60047