United States Bankruptcy Court Northern District of Texas Dallas Division				Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Mid	Name of Joint I	Name of Joint Debtor (Spouse) (Last, First, Middle):				
Lax, Stephen  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./Complete EIN or other Tax I.D. No. (if more than one, state all): #5230		Last four digits state all):	Last four digits of Soc. Sec./Complete EIN or other Tax I.D. No. (if more than one, state all):			
Street Address of Debtor (No. & Street, City, and Sta 4308 Wintercreek Way Dallas, TX	ate):	Street Address	of Joint Debtor (No. &	t Street, City, and S	State):	
	ZIP CODE 75287	Ī			ZIP CODE	
County of Residence or of the Principal Place of Business:  DALLAS		ļ	County of Residence or of the Principal Place of Business:			
Mailing Address of Debtor (if different from street a	ddress):	Mailing Address of Joint Debtor (if different from street address):				
	ZIP CODE				ZIP CODE	
Location of Principal Assets of Business Debtor (if di	fferent from street address above)	):		1	ZIP CODE	
Type of Debtor (Form of Organization)	Nature of Bu (Check one box)	ısiness		r of Bankruptcy Petition is Filed	Code Under Which	
(Check one box.)  ✓ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  Corporation (includes LLC and LLP)  Partnership  Other (If debtor is not one of the above entitie check this box and state type of entity below.)  Filing Fee (Check one  ✓ Full Filing Fee attached  Filing Fee to be paid in installments (applicable signed application for the court's consideration cunable to pay fee except in installments. Rule 10  Filing Fee waiver requested (applicable to chapt attach signed application for the court's consider	Health Care Business Single Asset Real Est 11 U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker Clearing Bank Other  Tax-Exempt (Check box, if ap Debtor is a tax-exem under Title 26 of the Code (the Internal Re box)  to individuals only). Must attach ertifying that the debtor is 06(b) See Official Form 3A.  er 7 individuals only). Must	Entity pplicable) pt organization United States evenue Code.)  Check one Debton Check if: Debton insider Check all A plan Accep	Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13 Debts are printed by 101(8) as "in individual printer personal, family hold purpose."  box: is a small business deris not a small	Nature of (Check one narily consumer in 11 U.S.C. neutred by an marily for a ally, or house. Chapter 11 Debto ebtor as defined in as debtor as defined in the state of the sta	Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  Debts box) Debts are primarily business debts.	
Statistical/Administrative Information  ✓ Debtor estimates that funds will be available for Debtor estimates that, after any exempt property expenses paid, there will be no funds available to Estimated Number of Creditors  1- 50- 100- 200- 1,000 49 99 199 999 5,000	r is excluded and administrative for distribution to unsecured cred 0- 5,001- 10,001- 25		Over 100,000	THIS SPA	CE IS FOR COURT USE ONLY	
Estimated Assets \$\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	\$100,000 to \$1 mil	llion to	More than \$100 mil	llion		
\$10,000 \$100,000  Estimated Liabilities \$50,000 to \$50,000 \$100,000	\$1 million \$100 r \$100,000 to \$1 million \$100 r	llion to	More than \$100 mil	llion		

Official Form 1 (10/06) FORM B1, Page 2

Voluntary Pe	tition	Name of Debtor(s):		
(This page must be completed and filed in every case)		Stephen Lax		
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)				
Location		Case Number:	Date Filed:	
Where Filed: Location	NONE	Case Number:	Date Filed:	
Where Filed:				
N CD L	Pending Bankruptcy Case Filed by any Spouse, Partner o	, , , , , , , , , , , , , , , , , , , ,	<u> </u>	
Name of Debtor: NONE		Case Number:	Date Filed:	
District:		Relationship:	Judge:	
Exhibit A  (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.)		Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts)  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 have delivered to the		
D Eubibit A in	s attached and made a part of this natition	debtor the notice required by 11 U.S.C. § 342(b).		
Exhibit A is	s attached and made a part of this petition.	X /s/David L. Woods Signature of Attorney for Debtor(s)	12/4/2006 Date	
		David L. Woods	24004167	
Does the debtor or	wn or have possession of any property that poses or is alleged to pose a	hibit C threat of imminent and identifiable harm to public heal	th or safety?	
Yes, and Ex	hibit C is attached and made a part of this petition.			
	Ext	nibit D		
(To be completed	by every individual debtor. If a joint petition is filed, each spouse mus	t complete and attach a separate Exhibit D.)		
<b>√</b> Exhibit	D completed and signed by the debtor is attached and made a part of t	his petition.		
If this is a joint pe		•		
	D also completed and signed by the joint debtor is attached and made	a part of this petition		
		ding the Debtor - Venue		
_	(Check any	applicable box)		
<b>4</b>	Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
	There is a bankruptcy case concerning debtor's affiliate. general partner, or partnership pending in this District.			
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District. or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.				
Statement by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)				
Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following).				
(Name of landlord that obtained judgment)				
		(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and			
٥	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.			

Official Form 1 (10/06)

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

Name of Debtor(s):
Stephen Lax

Signatures

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

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

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

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

#### X s/ Stephen Lax

Signature of Debtor Stephen Lax

#### X Not Applicable

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

#### 12/4/2006

Date

#### Signature of Attorney

# X /s/David L. Woods

Signature of Attorney for Debtor(s)

#### David L. Woods, 24004167

Printed Name of Attorney for Debtor(s) / Bar No.

#### McGuire Craddock & Strother, P.C.

Firm Name

#### 500 N. Akard Suite 3550

Address

Dallas, Texas 75201

#### 214/954-6800

214/954-6868

Telephone Number

#### 12/4/2006

Date

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

# X Not Applicable

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

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

(Check only one box.)

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

#### X Not Applicable

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

#### Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) 1 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 prepares, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

#### Not Applicable

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

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

Address

#### X Not Applicable

Date

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

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

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

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

through the Internet.);

☐ Active military duty in a military combat zone.

#### UNITED STATES BANKRUPTCY COURT

# **Northern District of Texas Dallas Division**

In re:	Stephen Lax	Case No.	
	Debtor	_	(if known)

### 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 15 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 five 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. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.] If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed. 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

Official Form 1, Exh	n. D (10/06) – Cont.
	United States trustee or bankruptcy administrator has determined that the credit counseling S.C. ' 109(h) does not apply in this district.
I certify und	der penalty of perjury that the information provided above is true and correct.
Signature of Debtor:	· · · · · · · · · · · · · · · · · · ·
Date: <u>12/4/2006</u>	Stephen Lax

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (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.

### 1. Services Available from Credit Counseling Agencies

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

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.

#### 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)

- 1. 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, 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.
- 2. 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.
- 3. 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.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

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

- 1. 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.
- 2. 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.
- 3. 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.

B 201 Page 2

#### 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.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

David L. Woods	/s/David L. Woods	12/4/2006
Printed Name of Attorney	Signature of Attorney	Date
Address:		
McGuire Craddock & Strother, P.C. 500 N. Akard Suite 3550 Dallas, Texas 75201		
214/954-6800		
	Certificate of the Debtor	
I, the debtor, affirm that I have received and read	d this notice.	
Stephen Lax	Xs/ Stephen Lax	12/4/2006
Printed Name of Debtor	Stephen Lax	
Cons No. (# Impour)	Signature of Debtor	Date
Case No. (if known)	<del>_</del>	

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

In Re:	Stephen La	ax	§ §	Case No. :
		Debtor(s)	& & & & & & & & & & & & & & & & & & &	
		VERIFICA <sup>*</sup>	TION OF M	AILING LIST
	The Debtor(	s) certifies that the attached mailing lis	st (only one op	otion may be selected per form):
		is the first mail matrix in this case.		
adds entities not listed on previously filed			filed mailing lis	st(s).
☐ changes or corrects name(s) and address			ress(es) on p	reviously filed mailing list(s).
		deletes name(s) and address(es) on previously filed mailing list(s).		
of credit	In accordand tors is true ar		ove named De	ebtor(s) hereby verifies that the attached list
<b>12/4/20</b> Date	06			/s/David L. Woods Signature of Attorney (if applicable)
o, otopilon Eax			Stephen Lax,#5230  Debtor's Social Security (last four digits only) /Tax ID No.	

Dallas County Tax Office Dallas ISD City of Dallas - Tax
Records Building Attn: Tax Office - Bankruptcy 1500 Marilla Street
500 Elm Street 3700 Ross Avenue Dallas, TX 75201
Dallas, TX 75202-3504 Dallas TX 75204

City of Dallas - Tax Office

Internal Revenue Service

Hughes Watters Askanese
Select Portfolio Servicing, Ir.
Special Procedures-Insolvency
P. O. Box 21126
Philadelphia, PA 19114
Salt Lake City, UT 84165-0250
Houston, TX 77002

Select Portfolio Servicing, Ir.
P. O. Box 65250
Salt Lake City, UT 84165-0250