

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Bitner, Phillip Tracey		Name of Joint Debtor (Spouse) (Last, First, Middle): Bitner, Michelle Lyn
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): fka Chaise Building Company; fka Defiant Custom Cycles; dba Awesome Roofing and Remodeling		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)/Complete EIN (if more than one, state all): xxx-xx-1400		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): xxx-xx-3037
Street Address of Debtor (No. and Street, City, and State): 8708A Lyndon Lane Austin, TX		Street Address of Joint Debtor (No. and Street, City, and State): 1406 Eastland Village Court Granbury, TX
ZIP CODE 78729		ZIP CODE 76048
County of Residence or of the Principal Place of Business: Williamson		County of Residence or of the Principal Place of Business: Hood
Mailing Address of Debtor (if different from street address): 8708A Lyndon Lane Austin, TX		Mailing Address of Joint Debtor (if different from street address): 1406 Eastland Village Court Granbury, TX
ZIP CODE 78729		ZIP CODE 76048
Location of Principal Assets of Business Debtor (if different from street address above):		
ZIP CODE		
Type of Debtor (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.)	Nature of Business (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 checked="" type="checkbox"/> Other Tax-Exempt Entity (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).	Chapter of Bankruptcy Code Under Which the Petition is Filed (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 Nature of Debts (Check one box.) <input 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 checked="" type="checkbox"/> Debts are primarily business debts.
Filing Fee (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.		Check one box: Chapter 11 Debtors <input type="checkbox"/> Debtor is a small business debtor as defined by 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 checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). 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).
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input checked="" type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000		
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

<p>Voluntary Petition (This page must be completed and filed in every case.)</p>		<p>Name of Debtor(s): Phillip Tracey Bitner Michelle Lyn Bitner</p>	
<p>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)</p>			
Location Where Filed:	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<p>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet.)</p>			
Name of Debtor:	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<p style="text-align: center;">Exhibit A</p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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 debtor the notice required by 11 U.S.C. § 342(b).</p> <p style="text-align: center;">X _____</p> <p style="text-align: right;">Date</p>		
<p>Exhibit C</p> <p>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?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.</p> <p><input checked="" type="checkbox"/> No.</p>			
<p>Exhibit D</p> <p>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)</p> <p><input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.</p> <p>If this is a joint petition:</p> <p><input checked="" type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.</p>			
<p>Information Regarding the Debtor - Venue (Check any applicable box.)</p> <p><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.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p> <p><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.</p>			
<p>Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)</p> <p><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">(Name of landlord that obtained judgment)</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">(Address of landlord)</p> <p><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</p> <p><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.</p> <p><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).</p>			

Voluntary Petition

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

Name of Debtor(s): **Phillip Tracey Bitner
Michelle Lyn Bitner**

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/ Phillip Tracey Bitner
Phillip Tracey Bitner

X /s/ Michelle Lyn Bitner
Michelle Lyn Bitner

Telephone Number (If not represented by attorney)
07/29/2010

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 11 U.S.C. § 1515 are attached.
- Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Attorney*

X /s/ Alexander B. Wathen
Alexander B. Wathen Bar No. **24005122**

Wathen & Associates
10333 Northwest Freeway
Suite 503
Houston, TX 77092

Phone No. **(281) 999-9025** Fax No. _____

07/29/2010
Date

*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.

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); 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.

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.)

Signature of Debtor (Corporation/Partnership)

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

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

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Address

X _____
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.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**In re: **Phillip Tracey Bitner
Michelle Lyn Bitner**Case No. _____
(if known)

Debtor(s)

**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.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re: **Phillip Tracey Bitner
Michelle Lyn Bitner**

Case No. _____
(if known)

Debtor(s)

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

Continuation Sheet No. 1

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/ Phillip Tracey Bitner**
Phillip Tracey Bitner

Date: **07/29/2010**

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**In re: **Phillip Tracey Bitner
Michelle Lyn Bitner**Case No. _____
(if known)

Debtor(s)

**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.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re: **Phillip Tracey Bitner
Michelle Lyn Bitner**

Case No. _____
(if known)

Debtor(s)

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

Continuation Sheet No. 1

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/ Michelle Lyn Bitner**
Michelle Lyn Bitner

Date: **07/29/2010**

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re **Phillip Tracey Bitner**
Michelle Lyn Bitner

Case No. _____
Chapter 11

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

Certification of the 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.

<u>Phillip Tracey Bitner</u>	X <u>/s/ Phillip Tracey Bitner</u>	<u>07/29/2010</u>
<u>Michelle Lyn Bitner</u>	Signature of Debtor	Date
Printed Name(s) of Debtor(s)	X <u>/s/ Michelle Lyn Bitner</u>	<u>07/29/2010</u>
Case No. (if known) _____	Signature of Joint Debtor (if any)	Date

Certificate of Compliance with § 342(b) of the Bankruptcy Code

I, Alexander B. Wathen, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice required by § 342(b) of the Bankruptcy Code.

/s/ Alexander B. Wathen
Alexander B. Wathen, Attorney for Debtor(s)
Bar No.: 24005122
Wathen & Associates
10333 Northwest Freeway
Suite 503
Houston, TX 77092
Phone: (281) 999-9025
E-Mail: wathenecf@juno.com

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

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

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

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.

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.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE: **Phillip Tracey Bitner**
Michelle Lyn Bitner

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)
Name of creditor and complete mailing address, including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured also state value of security]
Prosperity Bank 202 W Colorado Lagrange, TX 78945		Conventional Real Estate Mortgage		\$509,318.00 Value: \$0.00
James T. Louise 4446 Tropez Lisle, IL 60532		Business Debt		\$200,000.00
ACT Pipe & Supply P.O. Box 201810 Houston, TX 77216-1810		Business Debt		\$110,000.00
Indymac Bank Attn:Bankruptcy PO Box 4045 Kalamazoo, MI 49003		Conventional Real Estate Mortgage		\$97,506.00 Value: \$0.00
Ford Motor Credit Company LLC Dept 55953 P O Box 55000 Detroit MI 48255-0953		Deficiency Balance on Auto Loans	<i>Disputed</i>	\$70,000.00
Chase P.o. Box 15298 Wilmington, DE 19850		Credit Card		\$50,941.00

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE: **Phillip Tracey Bitner**
Michelle Lyn Bitner

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 1

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address, including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured also state value of security]
Wells Fargo PO Box 60510 Los Angeles, CA 90060		Check Credit or Line of Credit	<i>Disputed</i>	\$50,000.00
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114		Taxes		\$50,000.00
Wells Fargo PO Box 60510 Los Angeles, CA 90060		Check Credit or Line of Credit		\$43,219.00
Prosperity Bank 1415 Ranch Rd 620 South Austin, TX 78734		Business Debt		\$35,000.00
Citibank Sd, Na Attn: Centralized Bankruptcy PO Box 20507 Kansas City, MO 64195		Credit Card		\$32,952.00
GE Capital P.O. Box 536447 Atlanta, GA 30353-6447		Business Debt		\$30,000.00
Bank Of America Attn: Bankruptcy NC4-105-02-99 PO Box 26012 Greensboro, NC 27420		Recreational		\$24,917.00 Value: \$0.00

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE: **Phillip Tracey Bitner**
Michelle Lyn Bitner

Case No.

Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 2

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address, including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured also state value of security]
Neff Rental P.O. Box 99914 Chicago, IL 60696-7714		Business Debt		\$20,000.00
Gulf Eagle Supply P.O. Box 116466 Atlanta, GA 30368-6001		Business Debt		\$20,000.00
Sheffield Financial Co P O Box 1704 Clemmons, NC 27012		Secured Credit Card		\$19,482.00 Value: \$0.00
ABC Supply P.O. Box 7-D San Antonio, TX 78217-8114		Business Debt		\$18,087.42
Chase P.o. Box 15298 Wilmington, DE 19850		Credit Card		\$17,792.00
Chase Manhattan Attn: Bankruptcy Research Dept 3415 Vision Dr Columbus, OH 43219		Automobile		\$11,993.00 Value: \$0.00
McCoy's Building Supply 100 Leander Rd. Georgetown, TX 78626		Business Debt		\$10,000.00

**UNITED STATES BANKRUPTCY COURT
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IN RE: **Phillip Tracey Bitner
Michelle Lyn Bitner**

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Chapter **11**

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Continuation Sheet No. 3

I declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: **07/29/2010** _____

Signature: ***/s/ Phillip Tracey Bitner
Phillip Tracey Bitner*** _____

***/s/ Michelle Lyn Bitner
Michelle Lyn Bitner*** _____

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE: **Phillip Tracey Bitner**
Michelle Lyn Bitner

CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 07/29/2010

Signature */s/ Phillip Tracey Bitner*
Phillip Tracey Bitner

Date 07/29/2010

Signature */s/ Michelle Lyn Bitner*
Michelle Lyn Bitner

Debtor(s): **Phillip Tracey Bitner**
Michelle Lyn Bitner

Case No:
Chapter: 11

WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

A+ Federal Credit Unio
Po Box 14867
Austin, TX 78761

Bank Of America
Attn: Bankruptcy NC4-105-02-99
PO Box 26012
Greensboro, NC 27420

Chase
201 N. Central Ave Floor 11
Phoenix, AZ 85004

ABC Supply
P.O. Box 7-D
San Antonio, TX 78217-8114

Bank Of America
Po Box 17054
Wilmington, DE 19850

Chase Manhattan
Attn: Bankruptcy Research Dept
3415 Vision Dr
Columbus, OH 43219

ACT Pipe & Supply
P.O. Box 201810
Houston, TX 77216-1810

Bank One
201 N Walnut St # Del-10
Wilmington, DE 19801

Chrysler Financial
5225 Crooks Rd Ste 140
Troy, MI 48098

Aegis Mortgage Corp
Attn: Bankruptcy
3250 Briarpark Dr Ste 400
Houston, TX 77042

Brazos Forest Products
600 Industrial Blvd
Austin, TX 78745-1213

Citibank Sd, Na
Attn: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195

American Express
c/o Becket and Lee LLP
PO Box 3001
Malvern, PA 19355

Canyon Creek POA
2300 Club Drive
Granbury, TX 76048

CMC Cityscape II, LTD
Matthew McClinton-Attorney
801 Washington Ave. Ste. 300
Waco, TX 76701

American Home Mtg Svci
Po B 631730
Irving, TX 75063

Capital One, N.a.
C/O American Infosource
PO Box 54529
Oklahoma City, OK 73154

Deford's Lumber
P.O. Box 380580
Duncanville, TX 75138

Amex
c/o Beckett & Lee
PO Box 3001
Malvern, PA 19355

Cen Tex Door & Frame
13800 Turbine Dr.
Austin, TX 78728

DSRM National Bank/Diamond Sham
PO Box 300
Amarillo, TX 79105

Austin Independent School Distr
1111 W. 6th Street
Austin, TX 78703

Chase
P.o. Box 15298
Wilmington, DE 19850

Fashion Glass & Mirror
588 South IH35E
Desoto, TX 75115

Bac Home Loans Servici
450 American St
Simi Valley, CA 93065

Chase
Po Box 15298
Wilmington, DE 19850

Fidelity Bank
1500 N. Casaloma Drive
Appleton, WI 54913

Bac/fleet-bkcard
200 Tournament Dr
Horsham, PA 19044

Chase
Po Box 1093
Northridge, CA 91328

Fidelity Bank
1009 Perry Hwy.
Pittsburgh, PA 15237-21

Debtor(s): **Phillip Tracey Bitner**
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WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Fidelity National Bank
330 W Broadway St.
West Memphis, AR 72301

Gemb/walmart
Attn: Bankruptcy
PO Box 103104
Roswell, GA 30076

James T. Louise
4446 Tropez
Lisle, IL 60532

Fidelity National Bank
PO Box 105075
Atlanta, GA 30348-5075

Granbury ISD
600 W. Pearl Street
Granbury, Texas 76048

Linebarger Goggan Blair & Sampson
P.O. Box 3064
Houston, Tx. 77253-3064

FM 973 Pit Materials
7670 Nez Perce Trace
Manor, TX 78653-9600

Gulf Eagle Supply
P.O. Box 116466
Atlanta, GA 30368-6001

Linebarger Goggan Blair & Sampson
100 Thorckmorton, Suite 300
Fort Worth, TX 76102

Ford Motor Credit Company LLC
Dept 55953
P O Box 55000
Detroit MI 48255-0953

Heritage National Bank
9100 Benbrook Blvd
Benbrook, TX 76126

Linebarger Goggan Blair & Sampson
The Terrace II
2700 Via Fortuna Drive
Suite 400
Austin, TX 78746

Frost National Bank
Box 1600
San Antonio, TX 78296

Home Depot
P.O. Box 6026
The Lakes, NV 88901-6029

Lowes / MBGA
Attention: Bankruptcy Department
PO Box 103104
Roswell, GA 30076

G M A C
PO Box 130424
Roseville, MN 55113

Hon. Nelda Wells Spears
Travis County Tax Assessor-Coll.
5501 Airport Blvd.
Austin, Texas 78751

McCoy's Building Supply
100 Leander Rd.
Georgetown, TX 78626

GE Capital
P.O. Box 536447
Atlanta, GA 30353-6447

Hood County Tax Assessor-Collec
Hood County Annex I
1410 West Pearl Street
Granbury, TX 76048

McCreary, Veselka, Bragg & Allen
700 Jeffrey Way, Suite 100
Round Rock, TX 78665

GEMB / HH Gregg
Attention: Bankruptcy
PO Box 103106
Roswell, GA 30076

Hsbc/rs
90 Christiana Rd
New Castle, DE 19720

Mobile Mini
7420 S. Kynene Rd. Ste. 101
Tempe, TX 85283

GEMB / Old Navy
Attention: Bankruptcy
PO Box 103104
Roswell, GA 30076

Indymac Bank
Attn:Bankruptcy
PO Box 4045
Kalamazoo, MI 49003

National City
Attention: Bankruptcy Department
6750 Miller Rd
Brecksville, OH 44141

Gemb/gap
Po Box 981400
El Paso, TX 79998

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

Nco Fin /02
507 Prudential Rd
Horsham, PA 19044

Debtor(s): **Phillip Tracey Bitner**
Michelle Lyn Bitner

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WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Neff Rental
P.O. Box 99914
Chicago, IL 60696-7714

State Bank
202 W. Colorado
La Grange, TX 78945

Wfnmb/pacific Sunwear
995 W 122nd Ave
Westminster, CO 80234

Peoples Bk Credit Card Services
Attn: Bankruptcy
PO Box 7092 RCCB 0680
Bridgeport, CT 06601

Tex Con Oil
P.O. Box 18463
Austin, TX 78760

Williamson County ESD No. 8
103 West 9th Street
Georgetown, TX 78626

Portfolio Rc
Attn: Bankruptcy
PO Box 41067
Norfolk, VA 23541

Travis County Attorney
314 W 11th St #140
Austin, TX 78701

Williamson County Tax Assessor
County Courthouse
710 Main St
Georgetown, TX 78626

Prosperity Bank
202 W Colorado
Lagrange, TX 78945

United States Attorney General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

World Fin. Network Nat'l Bank/B
PO Box 182273
Columbus OH 43218-2273

Prosperity Bank
1415 Ranch Rd 620 South
Austin, TX 78734

United States Attorney Western
601 N. W. Loop 410, Suite 600
San Antonio, TX 78216

Publishers Clearing House
North Shore Agency, Inc.
P.O. Box 8901
Westbury, NY 11590-8901

Victoria's Secret
PO Box 182124
Columbus, OH 43218

Round Rock Independent School D
1311 Round Rock Ave.
Round Rock, Texas 78681

Volvo Rents
P.O. Box 1968
Pflugerville, TX 78691

Rshk/cbsd
Attn.: Centralized Bankruptcy
PO Box 20363
Kansas City, MO 64195

Wells Fargo
PO Box 60510
Los Angeles, CA 90060

Sheffield Financial Co
P O Box 1704
Clemmons, NC 27012

Wells Fargo Bank Texas
Po Box 94435
Albuquerque, NM 87199

Sprint PCS
P.O. Box 219554
Kansas City, MO 64121-9554

Westview Canyon HOA
Goodwin Management, Inc.
11149 Research Blvd. Ste. 100
Austin, TX 78759