

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

In re

Case No. 16-51205G

Javan Paul Smith

Case under Chapter 11

Debtor

JAVAN PAUL SMITH'S AMENDED DISCLOSURE STATEMENT, DATED 12/2/2016

I. INTRODUCTION

This is the amended disclosure statement (the "Disclosure Statement") in the chapter 11 case of Javan Paul Smith (the "Debtor"). This Disclosure Statement contains information about the Debtor and describes the First Amended Plan of Reorganization dated 12/2/16 (the "Plan") filed by the Debtor. A full copy of the Plan is attached to this Disclosure Statement as Exhibit A. ***Your rights may be affected. You should read the Plan and this Disclosure Statement carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult one.***

The proposed distributions under the Plan are discussed at pages 4-9 of this Disclosure Statement. General unsecured creditors are classified in Class 12, and will receive a distribution of 100% of their allowed claims, to be distributed as follows: in equal monthly installments over 60 months.

A. Purpose of This Document

This Disclosure Statement describes:

- The Debtor and significant events during the bankruptcy case,
- How the Plan proposes to treat claims or equity interests of the type you hold (i.e., what you will receive on your claim or equity interest if the plan is confirmed),
- Who can vote on or object to the Plan,
- What factors the Bankruptcy Court (the "Court") will consider when deciding whether to confirm the Plan,
- Why Javan Paul Smith believes the Plan is feasible, and how the treatment of your claim or equity interest under the Plan compares to what you would receive on your claim or equity interest in liquidation, and
- The effect of confirmation of the Plan.

Be sure to read the Plan as well as the Disclosure Statement. This Disclosure Statement describes the Plan, but it is the Plan itself that will, if confirmed, establish your rights.

B. Deadlines for Voting and Objecting; Date of Plan Confirmation Hearing

The Court has not yet confirmed the Plan described in this Disclosure Statement. This section describes the procedures pursuant to which the Plan will or will not be confirmed.

1. Time and Place of the Hearing to Confirm the Plan

The hearing at which the Court will determine whether to confirm the Plan will take place on January 17, 2017, at 10:30 a.m., in Courtroom 3 at the Hipolito F. Garcia Federal Building and United

States Courthouse, 615 East Houston Street, Room 597, San Antonio, TX 78202

2. *Deadline For Voting to Accept or Reject the Plan*

If you are entitled to vote to accept or reject the plan, vote on the enclosed ballot and return the ballot in the enclosed envelope to

Steven G. Cennamo
Malaise Law Firm
909 N.E. Loop 410, Suite 300
San Antonio, TX 78209. See section IV.A. below for a discussion of voting eligibility requirements.

Your ballot must be received by January 6, 2017 or it will not be counted.

3. *Deadline For Objecting to the Confirmation of the Plan*

Objections to the confirmation of the Plan must be filed with the Court and served upon Debtor and Debtor's attorney by January 6, 2017

4. *Identity of Person to Contact for More Information*

If you want additional information about the Plan, you should contact

Steven G. Cennamo
Malaise Law Firm
909 N.E. Loop 410, Suite 300
San Antonio, TX 78209.

C. **Disclaimer**

The Court has conditionally approved this Disclosure Statement as containing adequate information to enable parties affected by the Plan to make an informed judgment about its terms. The Court has not yet determined whether the Plan meets the legal requirements for confirmation, and the fact that the Court has approved this Disclosure Statement does not constitute an endorsement of the Plan by the Court, or a recommendation that it be accepted.

II. **BACKGROUND**

A. **Description and History of the Debtor**

The Debtor is an individual who is 100% service connected totally permanently disabled veteran. He receives VA benefits and Social Security Benefits. Debtor is able to work part time and in the past has driven a car for Uber, Lyft and Getme. Since 2006 Debtor has been searching for his now 18 year old autistic son who was kidnapped by persons on behalf of his mother and has incurred considerable debt trying to locate his son. In approximately January 2014 Debtor had attempted to start a business/partnership with others called Aurora Phoenix Enterprises to enter into government contracting for procurement of audio equipment. Many of the assets were intended to be used by the partnership in lieu of a bond. One of the planned partners became injured and the partnership has not yet generated any income and is not expected and the inventory will be liquidated and proceeds distributed to the partners.

B. **Insiders of the Debtor**

Dorothy A. Montgomery

C. Management of the Debtor Before and During the Bankruptcy

During the two years prior to the date on which the bankruptcy petition was filed, the officers, directors, managers or other persons in control of the Debtor (collectively the "Managers") were: Javan Smith

The Managers of the Debtor during the Debtor's chapter 11 case have been: Javan Smith

After the effective date of the order confirming the Plan, the directors, officers, and voting trustees of the Debtor, any affiliate of the Debtor participating in a joint Plan with the Debtor, or successor of the Debtor under the Plan (collectively the "Post Confirmation Managers"), will be: Javan Smith

D. Events Leading to Chapter 11 Filing

In 2011 Debtor purchased a house at 8806 Shoshoni Trail from Mirelez Enterprises where in Debtor put down \$13,000 paid over 4 months and made payments of \$2,150 of which \$499 was tax and insurance escrow. The seller was obligated to use part of the funds to bring the property up to VA standards so that Debtor could refinance with a VA loan. It was not until February 2012 that Debtor was told by Raymond Mirelez that there was a mortgage on the house and that it was in arrears and he needed \$9,500, which Debtor paid. In June 2012 Raymond Mirelez died and Debtor found out that Mirelez Enterprises is owned by John Mirelez and Lillian Mirelez. The Mirelezes cut off the utilities and did not respond to phone calls nor do they provide any way to make payments on the house. Debtor with much difficulty was finally able to reestablish utilities after an extended period of time of not having them. Unbeknownst to Debtor John Mirelez filed Chapter 13 bankruptcy in August 2012 and did not notify Debtor. Debtor did not find out about the bankruptcy until June 3, 2015 after he filed a DTPA suit against Mirelez Enterprises in February 2013. Debtor in February 2013 attempted to pay the alleged lien holder on the property which was refused. Wells Fargo despite the bankruptcy being filed, attempted on numerous occasions to foreclose its alleged lien. In June 2014 Wells Fargo in violation of the automatic stay, foreclosed its alleged lien on the house and allegedly sold it to DC Civil Construction which is aware of the filed lis pendes. DC Civil Construction attempted to evict Debtor in August 2014. They again attempted to evict Debtor in February 2015 and filed suit in JP Court. The judgment of possession was appealed to County Court and then appealed to the 4th Court of Appeals. That appeal was stayed by this Chapter 11 filing. After the bankruptcy case was filed, the stay was lifted by the Court to allow the appeal to proceed.

Amos Financial and Wells Fargo may in effect be duplicate claims and neither may be valid or owed. In addition DC Civil Construction claims to have bought the home at 8806 Shoshoni Trail at a foreclosure sale which it claims satisfied the Wells Fargo lien and/or wiped out the Amos Financial Lien. If in fact the foreclosure was not valid Debtor plans to pay the Class 1 and/or Class 11 creditors or their successors or assigns as set forth in the plan.

Since 2006 Debtor has been searching for his now 18 year old autistic son who was kidnapped by persons on behalf of his mother and has incurred considerable debt trying to locate his son. Debtor is entitled to an order for Cost, Fees and Expenses relating to searching for his son from Sarah Smith, David Atkinson, and Carteret County, North Carolina. Debtor expects the order to be at least \$3,800,000.00

E. Significant Events During the Bankruptcy Case

Motion to Lift Stay by DC Civil Construction was granted to allow the appeal in the 4th Court of Appeals to proceed

F. Projected Recovery of Avoidable Transfers

The Debtor has not yet completed its investigation with regard to prepetition transactions. If you received a payment or other transfer within 90 days of the bankruptcy, or other transfer avoidable under the Code, the Debtor may seek to avoid such transfer.

G. Claims Objections

Except to the extent that a claim is already allowed pursuant to a final non-appealable order, the Debtor reserves the right to object to claims. Therefore, even if your claim is allowed for voting purposes, you may not be entitled to a distribution if an objection to your claim is later upheld. The procedures for resolving disputed claims are set forth in Article V of the Plan.

H. Current and Historical Financial Conditions

The identity and fair market value of the estate's assets are listed in Exhibit B

The Debtor's most recent financial statements if any issued before bankruptcy, each of which was filed with the Court, are set forth in Exhibit C.

The most recent post-petition operating report filed since the commencement of the Debtor's bankruptcy case is set forth in Exhibit D.

A revised Schedule I and J is attached as Exhibit F.

III. SUMMARY OF THE PLAN OF REORGANIZATION AND TREATMENT OF CLAIMS AND EQUITY INTERESTS

A. What is the Purpose of the Plan of Reorganization?

As required by the Code, the Plan places claims and equity interests in various classes and describes the treatment each class will receive. The Plan also states whether each class of claims or equity interests is impaired or unimpaired. If the Plan is confirmed, your recovery will be limited to the amount provided by the Plan.

B. Unclassified Claims

Certain types of claims are automatically entitled to specific treatment under the Code. They are not considered impaired, and holders of such claims do not vote on the Plan. They may, however, object if, in their view, their treatment under the Plan does not comply with that required by the Code. As such, the Plan Proponent has *not* placed the following claims in any class:

1. Administrative Expenses

Administrative expenses are costs or expenses of administering the Debtor's chapter 11 case which are allowed under § 507(a)(2) of the Code. Administrative expenses also include the value of any goods sold to the Debtor in the ordinary course of business and received within 20 days before the date of the bankruptcy petition. The Code requires all administrative expenses be paid on the effective date of the Plan, unless a particular claimant agrees to a different treatment.

The following chart lists the Debtor's estimated administrative expenses, and their proposed treatment under the Plan:

Type	Estimated Amount Owed	Proposed Treatment
Malaise Law Firm	\$15,000.00	Paid upon confirmation

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2. *Priority Tax Claims*

Priority tax claims are unsecured income, employment, and other taxes described by § 507(a)(8) of the Code. Unless the holder of such a § 507(a)(8) priority tax claim agrees otherwise, it must receive the present value of such claim, in regular installments paid over a period not exceeding 5 years from the order of relief.

The following chart lists the Debtor's estimated § 507(a)(8) priority tax claims and their proposed treatment under the Plan:

Description (name and type of tax)	Estimated Amount Owed	Date of Assessment	Treatment
None			

C. *Classes of Claims and Equity Interests*

The following are the classes set forth in the Plan, and the proposed treatment that they will receive under the Plan:

1. *Classes of Secured Claims*

Allowed Secured Claims are claims secured by property of the Debtor's bankruptcy estate (or that are subject to setoff) to the extent allowed as secured claims under § 506 of the Code. If the value of the collateral or setoffs securing the creditor's claim is less than the amount of the creditor's allowed claim, the deficiency will [be classified as a general unsecured claim].

The following chart lists all classes containing Debtor's secured prepetition claims and their proposed treatment under the Plan:

Class #	Description	Insider? (Yes or No)	Impairment	Treatment
1	Secured claim of: Name = Amos Financial LLC Collateral Description = 8806 Shoshoni Trail, San Antonio, TX 78255 Alleged Secured Amount = \$287,027.65 Priority of Lien = 2 Total claim = \$287,027.65	No	Impaired	Creditor will be paid \$70,500 Monthly Pmt = \$483.48 Pmts Begin = 30 days after confirmation Pmts End = 15 years Interest rate % = 2.9% Treatment of Lien = Retained Conditioned upon Debtor having title to the property and creditor having a valid lien.
2	Secured claim of: Name = Diener Law Office Collateral Description = Claim against costs, fees and	No	Impaired	The creditor will be paid in full upon the receipt of funds from the Cost, Fees and Expenses order without interest

	<p>expenses against Car</p> <p>Allowed Secured Amount = \$12,000.00</p> <p>Priority of Lien = 1</p> <p>Total claim = \$12,000.00</p>			
3	<p>Secured claim of: Name = Go Financial</p> <p>Collateral Description = 2014 VW Golf (approx. 16000 miles)</p> <p>Allowed Secured Amount = \$13,850.00</p> <p>Priority of Lien = 1</p> <p>Total claim = \$19,142.00</p>	No	Impaired	<p>Monthly Pmt = \$272.95</p> <p>Pmts Begin = 30 days after confirmation</p> <p>Pmts End = 60 months</p> <p>Interest rate % = 6.5%</p> <p>Treatment of Lien = Retained</p>
4	<p>Secured claim of: Name = LBI Investigations</p> <p>Collateral Description = Claim against costs, fees and expenses against Car</p> <p>Allowed Secured Amount = \$479,000.00</p> <p>Priority of Lien = 2</p> <p>Total claim = \$479,000.00</p>	No	Impaired	The creditor will be paid in full upon the receipt of funds from the Cost, Fees and Expenses order without interest
5	<p>Secured claim of: Name = Patty Cherry</p> <p>Collateral Description = Claim against costs, fees and expenses against Car</p> <p>Allowed Secured Amount = \$200,000.00</p> <p>Priority of Lien = 3</p> <p>Total claim = \$200,000.00</p>	No	Impaired	The creditor will be paid in full upon the receipt of funds from the Cost, Fees and Expenses order without interest
6	<p>Secured claim of: Name = PJIS Group Ltd</p>	No	Impaired	The creditor will be paid in full upon the receipt of funds from the Cost,

	Collateral Description = Claim against costs, fees and expenses against Car Allowed Secured Amount = \$379,000.00 Priority of Lien = 4 Total claim = \$379,000.00			Fees and Expenses order without interest
7	Secured claim of: Name = Security Service FCU Collateral Description = 2015 VW Eos (approx. 4000 miles) Allowed Secured Amount = \$22,000.00 Priority of Lien = 1 Total claim = \$41,933.00	No	Impaired	Monthly Pmt = \$547.91 Pmts Begin = 30 days after confirmation Pmts End = 60 months Interest rate % = 6.5% Treatment of Lien = Retained Debt to be paid by Co-Debtor and Debtor will have no further liability
8	Secured claim of: Name = Security Service FCU Collateral Description = 2015 VW Golf (approx. 14000 miles) Allowed Secured Amount = \$28,000.00 Priority of Lien = 1 Total claim = \$37,251.00	No	Impaired	Monthly Pmt = \$430.85 Pmts Begin = 30 days after confirmation Pmts End = 60 months Interest rate % = 6.5% Treatment of Lien = Retained
9	Secured claim of: Name = Stephen Fuchs Collateral Description = Claim against costs, fees and expenses against Car Allowed Secured Amount = \$500,000.00 Priority of Lien = 5 Total claim = \$500,000.00	No	Impaired	The creditor will be paid in full upon the receipt of funds from the Cost, Fees and Expenses order without interest
10	Secured claim of: 	No	Impaired	Monthly Pmt = \$720.03

	Name = Volkswagen Credit, Inc Collateral Description = 2015 Volkswagen Touareg Allowed Secured Amount = \$36,800.00 Priority of Lien = 1 Total claim = \$61,152.00			Pmts Begin = 30 days after confirmation Pmts End = 60 month Interest rate % = 6.5% Treatment of Lien = Retained
11	Secured claim of: Name = Wells Fargo Home Mortgage, Inc Collateral Description = 8806 Shoshoni Trail, San Antonio, TX 78255 Allowed Secured Amount = \$70,500 Priority of Lien = 2 Total claim = \$80,000.00	No	Impaired	Creditor will be paid \$70,500 Monthly Pmt = \$483.48 Pmts Begin = 30 days after confirmation Pmts End = 15 years Interest rate % = 2.9% Treatment of Lien = Retained Conditioned upon Debtor having title to the property and creditor having a valid lien.

2. Classes of Priority Unsecured Claims

Certain priority claims that are referred to in §§ 507(a)(1), (4), (5), (6), and (7) of the Code are required to be placed in classes. The Code requires that each holder of such a claim receive cash on the effective date of the Plan equal to the allowed amount of such claim. However, a class of holders of such claims may vote to accept a different treatment.

The following chart lists all classes containing claims under §§ 507(a)(1), (4), (5), (6), and (a)(7) of the Code and their proposed treatment under the Plan:

Class #	Description	Impairment	Treatment
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3. Class of General Unsecured Claims

General unsecured claims are not secured by property of the estate and are not entitled to priority under § 507(a) of the Code.

The following chart identifies the Plan's proposed treatment of Class 12 which contains general unsecured claims against the Debtor:

Class #	Description	Impairment	Treatment
12	General Unsecured Class	Impaired	The class will be paid in full over 60 months with no interest in equal monthly installments beginning 30 days after confirmation of the plan

4. *Class of Equity Interest Holders*

Equity interest holders are parties who hold an ownership interest (i.e., equity interest) in the Debtor. In a corporation, entities holding preferred or common stock are equity interest holders. In a partnership, equity interest holders include both general and limited partners. In a limited liability company ("LLC"), the equity interest holders are the members. Finally, with respect to an individual who is a debtor, the Debtor is the equity interest holder.

The following chart sets forth the Plan's proposed treatment of the class of equity interest holders:

Class #	Description	Impairment	Treatment
13	Equity Interest Holders	Unimpaired	Will retain interest

D. **Means of Implementing the Plan**

1. *Source of Payments*

Payments and distributions under the Plan will be funded by the following:

VA and Social Security Income and working UBER and Lyft and GetMe. Debtor has on hand as of the date of this disclosure statement \$1,103.63. Debtor will also liquidating the assets in Aurora Phoenix Enterprises which could result in about \$50,000 to \$80,000. Debtor also expects to recover under an Order of Cost, Fees and Expenses of \$2.8 - \$3.5 million relating to the disappearance of his son, JWS.

In 2007 Javan Smith filed a Original Petition for Custody of his minor son, JWS. Debtor was given full custody, \$500 a month child support and a permanent restraining order against the mother, Sarah A. Smith, preventing her from having custody of or contact with JWS but permitting limited supervised visits. The court also issued a writ of attachment to have him picked up in Norfolk Virginia and brought back to Texas. But JWS was moved from Norfolk to Carteret County, NC to avoid the writ. Carteret County through David Atkinson attempted to exercise control over JWS based upon a false report made by his mother, Sarah A. Smith. All in violation of the Writ of Attachment from Bexar County. Carteret County through David Atkinson refused to deliver JWS to Debtor despite being served with the writ of attachment and order

Debtor has spent the last 9 years trying to locate his son and regain custody of him.

Chapter 152 of the Family Code codifies the uniform child custody jurisdiction and enforcement act. Texas Family Code 152.312 authorizes the "prevailing party" to recover "necessary and reasonable expenses incurred by or on behalf of the party, including costs, communication expenses, attorney's fees, investigative fees, expenses for witnesses, travel expenses, and child care during the course of the proceedings"

28 U.S.C. 1738A requires a state to give full faith and credit to an order of another state and "shall enforce according to its terms" the orders of another state. 28 U.S.C. Section 1738A(a).

Debtor has incurred over 10 years 3.8 million in expenses and rewards to try to locate JWS. These are recoverable by Debtor as the "prevailing party" against any person or entity that fails to abide by the Custody Order after being served with the order. The determination of the cost fees and expenses are recoverable cannot be made until the JWS is recovered and returned to Texas. Debtor still has not recovered JWS.

The potential parties from whom costs fees and expenses could be recovered are Sarah A. Smith, Carteret County, N.C., and David Atkinson, interim director of social services, Carteret County, N.C.

Various creditors may be paid if and only if JWS is recovered and that if not, they may not receive anything. Even if the costs fees and expenses are awarded, recovery of those funds may depend upon the solvency of the respondent and their ability and willingness to pay. The issuance of an Order for Cost Fees & Expenses and of recovery of that award is unknown

Debtor believes an award against Sara Smith would be uncollectible. Debtor believes an award against Carteret County, N.C. and David Atkinson would be collectable

Debtor believes that since Carteret County responded to the Complaint for Child Custody that the District Court in Bexar County has jurisdiction over Carteret County. In issuing a Writ of Habeas Corpus, the Honorable Gloria Saldana found that North Carolina "issued an illegal Emergency Temporary Order under the UCCJEA" and that "David Adkinson filed a general appearance" in the case, "on behalf of North Carolina Carteret County Department of Social Service and that Carteret County, Department of Social Service has submitted to the jurisdiction . . ." of 166th Judicial District Court, Bexar County.

Debtor's regular source of monthly income is from driving for 4 ride share companies in Austin and San Antonio. He expects to gross \$1,000 from those operations. Debtor uses the 2014 Gulf and the 2015 Touareg for these businesses. He also receives social security and VA disability. In the past Debtor has not had to file tax returns since his income from social security and VA disability. Debtor expects to still qualify for social security due to his limited income from driving for the ride share companies. But he may have to file tax returns in the future for the ride share income.

The confirmation of the plan will depend upon certain creditors voting for the plan so as to satisfy the absolute priority rule of Section 1129(b)(2) of the Bankruptcy Code. If creditor do not agree with the plan they will have to vote against the plan and object to confirmation.

There is a possibility if there is no recovery of the Cost, Fees & Expenses that the case will be dismissed or converted to Chapter 7.

2. Post-confirmation Management

The Post-Confirmation Managers of the Debtor, and their compensation, shall be as follows:

Name	Affiliations	Insider (yes or no)?	Position	Compensation
Javan Smith	Debtor	Yes	Debtor	\$2,000/month

E. Risk Factors

The proposed Plan has the following risks:

1. Social Security could reduce the monthly benefit
2. The assets of Aurora Phoenix Enterprises could be less than expected
3. The ability to collect the Order for Cost, Fees and Expenses.

F. Executory Contracts and Unexpired Leases

The Plan, in Article VI, lists all executory contracts and unexpired leases that the Debtor will assume under the Plan. Assumption means that the Debtor has elected to continue to perform the obligations under such contracts and unexpired leases, and to cure defaults of the type that must be cured under the Code, if any. Article VI also lists how the Debtor will cure and compensate the other party to such contract or lease for any such defaults.

If you object to the assumption of your unexpired lease or executory contract, the proposed cure of any defaults, or the adequacy of assurance of performance, you must file and serve your objection to the Plan within the deadline for objecting to the confirmation of the Plan, unless the Court has set an earlier time.

All executory contracts and unexpired leases that are not listed in Article VI will be rejected under the Plan. Consult your advisor or attorney for more specific information about particular contracts or leases.

If you object to the rejection of your contract or lease, you must file and serve your objection to the Plan within the deadline for objecting to the confirmation of the Plan.

The Deadline for Filing a Proof of Claim Based on a Claim Arising from the Rejection of a Lease or Contract is February 1, 2017. Any claim based on the rejection of a contract or lease will be barred if the proof of claim is not timely filed, unless the Court orders otherwise.

G. Tax Consequences of Plan

Creditors and Equity Interest Holders Concerned with How the Plan May Affect Their Tax Liability Should Consult with Their Own Accountants, Attorneys, And/Or Advisors.

The following are the anticipated tax consequences of the Plan: None

IV. CONFIRMATION REQUIREMENTS AND PROCEDURES

To be confirmable, the Plan must meet the requirements listed in §§ 1129(a) or (b) of the Code. These include the requirements that: the Plan must be proposed in good faith; at least one impaired class of claims must accept the plan, without counting votes of insiders; the Plan must distribute to each creditor and equity interest holder at least as much as the creditor or equity interest holder would receive in a chapter 7 liquidation case, unless the creditor or equity interest holder votes to accept the Plan; and the Plan must be feasible. These requirements are not the only requirements listed in § 1129, and they are not the only requirements for confirmation.

A. Who May Vote or Object

Any party in interest may object to the confirmation of the Plan if the party believes that the requirements for confirmation are not met.

Many parties in interest, however, are not entitled to vote to accept or reject the Plan. A creditor or equity interest holder has a right to vote for or against the Plan only if that creditor or equity interest holder has a claim or equity interest that is both (1) allowed or allowed for voting purposes and (2) impaired.

In this case, the Plan Proponent believes that classes 1-12 are impaired and that holders of claims in each of these classes are therefore entitled to vote to accept or reject the Plan. The Plan Proponent believes that classes 13 are unimpaired and that holders of claims in each of these classes, therefore, do not have the right to vote to accept or reject the Plan.

1. *What Is an Allowed Claim or an Allowed Equity Interest?*

Only a creditor or equity interest holder with an allowed claim or an allowed equity interest has the right to vote on the Plan. Generally, a claim or equity interest is allowed if either (1) the Debtor has scheduled the claim on the Debtor's schedules, unless the claim has been scheduled as disputed, contingent or unliquidated, or (2) the creditor has filed a proof of claim or equity interest, unless an objection has been filed to such proof of claim or equity interest. When a claim or equity interest is not allowed, the creditor or equity interest holder holding the claim or equity interest cannot vote unless the Court, after notice and hearing, either overrules the objection or allows the claim or equity interest for voting purposes pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure.

The deadline for filing a proof of claim in this case was [@@@insert date].

2. *What Is an Impaired Claim or Impaired Equity Interest?*

As noted above, the holder of an allowed claim or equity interest has the right to vote only if it is in a class that is *impaired* under the Plan. As provided in § 1124 of the Code, a class is considered impaired if the Plan alters the legal, equitable, or contractual rights of the members of that class.

3. *Who is Not Entitled to Vote*

The holders of the following five types of claims and equity interests are *not* entitled to vote:

- holders of claims and equity interests that have been disallowed by an order of the Court;
- holders of other claims or equity interests that are not "allowed claims" or "allowed equity interests" (as discussed above), unless they have been "allowed" for voting purposes.
- holders of claims or equity interests in unimpaired classes;
- holders of claims entitled to priority pursuant to §§ 507(a)(2), (a)(3), and (a)(8) of the Code; and
- holders of claims or equity interest in classes that do not receive or retain any value under the Plan;
- administrative expenses.

Even If You Are Not Entitled to Vote on the Plan, You Have a Right to Object to the Confirmation of the Plan.

4. *Who Can Vote in More Than One Class*

A creditor whose claim has been allowed in part as a secured claim and in part as an unsecured claim, or who otherwise hold claims in multiple classes, is entitled to accept or reject a Plan in each capacity, and should cast one ballot for each claim.

B. Votes Necessary to Confirm the Plan

If impaired classes exist, the Court cannot confirm the Plan unless (1) at least one impaired class of creditors has accepted the Plan without counting the votes of any insiders within that class, and (2) all impaired classes have voted to accept the Plan, unless the Plan is eligible to be confirmed by "cram down" on non-accepting classes, as discussed later in Section [B.2].

1. *Votes Necessary for a Class to Accept the Plan*

A class of claims accepts the Plan if both of the following occur: (1) the holders of more than one-half (1/2) of the allowed claims in the class, who vote, cast their votes to accept the Plan, and (2) the holders of at least two-thirds (2/3) in dollar amount of the allowed claims in the class, who vote, cast their votes to accept the Plan.

A class of equity interests accepts the Plan if the holders of at least two-thirds (2/3) in amount of the allowed equity interests in the class, who vote, cast their votes to accept the Plan.

2. *Treatment of Nonaccepting Classes*

Even if one or more impaired classes reject the Plan, the Court may nonetheless confirm the Plan if the nonaccepting classes are treated in the manner prescribed by § 1129(b) of the Code. A plan that binds nonaccepting classes is commonly referred to as a "cram down" plan. The Code allows the Plan to bind nonaccepting classes of claims or equity interests if it meets all the requirements for consensual confirmation except the voting requirements of § 1129(a)(8) of the Code, does not "discriminate unfairly," and is "fair and equitable" toward each impaired class that has not voted to accept the Plan.

You should consult your own attorney if a "cramdown" confirmation will affect your claim or equity interest, as the variations on this general rule are numerous and complex.

C. **Liquidation Analysis**

To confirm the Plan, the Court must find that all creditors and equity interest holders who do not accept the Plan will receive at least as much under the Plan as such claim and equity interest holders would receive in a chapter 7 liquidation. A liquidation analysis is attached to this Disclosure Statement as Exhibit E.

D. **Feasibility**

The Court must find that confirmation of the Plan is not likely to be followed by the liquidation, or the need for further financial reorganization, of the Debtor or any successor to the Debtor, unless such liquidation or reorganization is proposed in the Plan.

1. *Ability to Initially Fund Plan*

The Plan Proponent believes that the Debtor will have enough cash on hand on the effective date of the Plan to pay all the claims and expenses that are entitled to be paid on that date.

2. *Ability to Make Future Plan Payments and Operate Without Further Reorganization*

The Plan Proponent must also show that it will have enough cash over the life of the Plan to make the required Plan payments.

V. **EFFECT OF CONFIRMATION OF PLAN**

A. **DISCHARGE OF DEBTOR**

Discharge. Confirmation of the Plan does not discharge any debt provided for in the Plan until the court grants a discharge on completion of all payments under the Plan, or as otherwise provided in § 1141(d)(5) of the Code. Debtor will not be discharged from any debt excepted from discharge under

§ 523 of the Code, except as provided in Rule 4007(c) of the Federal Rules of Bankruptcy Procedure.

B. Modification of Plan

The Plan Proponent may modify the Plan at any time before confirmation of the Plan. However, the Court may require a new disclosure statement and/or revoting on the Plan.

Upon request of the Debtor, the United States trustee, or the holder of an allowed unsecured claim, the Plan may be modified at any time after confirmation of the Plan but before completion of payments under the Plan, to (1) increase or reduce the amount of payments under the Plan on claims of a particular class, (2) extend or reduce the time period for such payments, or (3) alter the amount of distribution to a creditor whose claim is provided for by the Plan to the extent necessary to take account of any payment of the claim made other than under the Plan.

C. Final Decree

Once the estate has been fully administered, as provided in Rule 3022 of the Federal Rules of Bankruptcy Procedure, the Plan Proponent, or such other party as the Court shall designate in the Plan Confirmation Order, shall file a motion with the Court to obtain a final decree to close the case. Alternatively, the Court may enter such a final decree on its own motion.

VI. OTHER PLAN PROVISIONS

PRESERVED LITIGATION CLAIMS

In accordance with Fifth Circuit case law, the Debtor is required to preserve all litigation claims by specifically and unequivocally identifying all claims and causes of action. The Debtor preserves the following claims:

(a) Claims against those entities listed in response to Statement of Financial Affairs question (3b) under 11 U.S.C. §§ 547 and 548 shall be preserved. Pursuant to section 547 of the Bankruptcy Code, a debtor may recover certain preferential transfers of property, including cash, made while insolvent during the ninety days immediately prior to the filing of its bankruptcy petition with respect to preexisting debts a debtor owes a transferee to the extent the transferee received more than it would have if the transfer had not been made and the debtor been liquidated under chapter 7 of the Bankruptcy Code. In the case of "insiders," the Bankruptcy Code provides for a one-year preference period. Transfers made in the ordinary course of the debtor's and the transferee's business and transfers made according to ordinary business terms are generally not recoverable. Furthermore, if the transferee extended credit subsequent to the transfer (and prior to the commencement of the bankruptcy case), such extension may constitute a defense to a preference lawsuit. If a preferential transfer were recovered by the debtor, the transferee would have a general unsecured claim against the debtor to the extent of the debtor's recovery. Further, the Debtor has not analyzed whether the recipients of such payments would have a defense to a preference action. **Under the Plan, all Avoidance Actions of the Debtor against any potential preference defendant shall be preserved and Debtor will have the authority as a representative of the Estate to investigate and prosecute all such Avoidance Actions in accordance with section 1123(b)(3) of the Bankruptcy Code.**

Under section 548 of the Bankruptcy Code and various state laws, a debtor may recover certain prepetition transfers of property, including the grant of a security interest in property, made while insolvent to the extent the debtor receives less than fair value for such property. In addition, Avoidance Actions exist under sections 544, 545, 549 and 553(b) of the Bankruptcy Code that allow a debtor to avoid and/or

recover certain property. As of the date hereof, the Debtor has not yet estimated the potential recovery from the prosecution of Avoidance Actions. Under the Plan, all such Avoidance Actions shall be preserved the Debtor will have the authority as a representative of the Estate to investigate and prosecute all such Avoidance Actions in accordance with section 1123(b)(3) of the Bankruptcy Code. The Debtor will pursue¹ all Avoidance Actions, to the extent they do not constitute Released Estate Causes of Action.

HOLDERS OF UNSECURED CLAIMS SHOULD REALIZE THAT, PURSUANT TO SECTION 502(D) OF THE BANKRUPTCY CODE, THE DEBTOR MAY WITHHOLD DISTRIBUTION ON THEIR CLAIMS TO THE EXTENT THE HOLDERS OF SUCH CLAIMS RECEIVED PAYMENTS FROM THE DEBTOR DURING THE 90 DAY PERIOD (OR 1 YEAR IN THE CASE OF INSIDERS) PRIOR TO MAY 31, 2016, THE PETITION DATE.

(c) The claims, causes of action and litigation that are listed in response to Statement of Financial Affairs question 4.

(d) Any lawsuits for, or in any way involving, the collection of accounts receivable or any matter related to the Plan.

(e) Any and all Causes of Action against any customer or vendor who has improperly asserted or taken action through setoff or recoupment.

(f) Any and all actions, whether legal, equitable, or statutory in nature, arising out of, or in connection with, the Debtor's business operations.

(g) Any lien avoidance actions relating to any lien on 8806 Shoshoni Trail, San Antonio, Texas.

(h) Any action concerning the validity and extent of any alleged lien on 8806 Shoshoni Trail, San Antonio, Texas.

(i) Any action concerning title to or possession of 8806 Shoshoni Trail, San Antonio, Texas.

(j) Any claim or cause action related to the Forcible Entry and Detainer Action and any appeals relating to that action, including, but not limited to the appeal pending in the 4th Court of Appeals relating to 8806 Shoshoni Trail, San Antonio, Texas.

In addition, there may be numerous other causes of action which currently exist or may subsequently arise that are not set forth in the Plan or Disclosure Statement because the facts upon which such causes of action are based are not fully or currently known by the Debtor and, as a result, cannot be raised during the pendency of the Case (collectively, "Unknown Causes of Action"). The failure to list any such Unknown Cause of Action in the Plan or the Disclosure Statement is not intended to limit the rights of the Liquidating Trust to pursue any Unknown Cause of Action to the extent the facts

¹Pursuit of an Avoidance Action may include, but not be limited to, service of a demand letter, settlement negotiation, pursuit of litigation, and any other means available to the Liquidating Trustee to obtain a resolution of such Avoidance Action.

underlying such Unknown Cause of Action become fully known to the Debtor. The Debtor will pursue² Unknown Causes of Action to the extent they become known.

The Debtor has attempted to disclose herein certain material causes of action to include Avoidance Actions and other actions that it may hold against third parties. However, the Debtor has not concluded the investigation and analysis of all potential claims and causes of action against third parties. Under the Plan, such investigation and analysis will continue post-Confirmation by the Debtor.

YOU SHOULD NOT RELY ON THE OMISSION OF THE DISCLOSURE OF A CLAIM OR CAUSE OF ACTION TO ASSUME THAT THE DEBTOR HOLDS NO CLAIM OR CAUSE OF ACTION AGAINST ANY THIRD-PARTY, INCLUDING ANY CREDITOR THAT MAY BE READING THIS DISCLOSURE STATEMENT AND/OR CASTING A BALLOT.



JAVAN PAUL SMITH

²Pursuit of such claim or cause of action may include, but not be limited to, service of a demand letter, settlement negotiation, pursuit of litigation, and any other means available to obtain a resolution of such claim or cause of action.

Fill in this information to identify your case and this filing:

Debtor 1	<u>Javan</u>	<u>Paul</u>	<u>Smith</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>16-51205</u>		

Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- No. Go to Part 2.
 Yes. Where is the property?

<p>1.1. 8806 Shoshoni Trail 8806 Shoshoni Trail, San Antonio, TX 78255 Value per BCAD Bexar County</p>	<p>What is the property? Check all that apply.</p> <p><input checked="" type="checkbox"/> Single-family home <input type="checkbox"/> Duplex or multi-unit building <input type="checkbox"/> Condominium or cooperative <input type="checkbox"/> Manufactured or mobile home <input type="checkbox"/> Land <input type="checkbox"/> Investment property <input type="checkbox"/> Timeshare <input type="checkbox"/> Other</p> <p>Who has an interest in the property? Check one.</p> <p><input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another</p> <p>Other information you wish to add about this item, such as local property identification number: _____</p>	<p>Do not deduct secured claims or exemptions. Put the amount of any secured claims on <i>Schedule D: Creditors Who Have Claims Secured by Property</i>.</p> <table border="0"> <tr> <td>Current value of the entire property?</td> <td>Current value of the portion you own?</td> </tr> <tr> <td style="text-align: center;"><u>\$292,800.00</u></td> <td style="text-align: center;"><u>\$292,800.00</u></td> </tr> </table> <p>Describe the nature of your ownership interest (such as fee simple, tenancy by the entirety, or a life estate), if known.</p> <p><u>Homestead</u></p> <p><input type="checkbox"/> Check if this is community property (see instructions)</p>	Current value of the entire property?	Current value of the portion you own?	<u>\$292,800.00</u>	<u>\$292,800.00</u>
Current value of the entire property?	Current value of the portion you own?					
<u>\$292,800.00</u>	<u>\$292,800.00</u>					

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here. \$292,800.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Exemptory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- No
 Yes

EXHIBIT # B

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
First Name Middle Name Last Name

3.1. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: Volkswagen Check one. Current value of the entire property? \$40,512.00 Current value of the portion you own? \$40,512.00

Model: Touareg Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Year: 2015
 Approximate mileage: 14,000
 Other information:
2015 Volkswagen Touareg contributed to partnership

Check if this is community property (see instructions)

3.2. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: Volkswagen Check one. Current value of the entire property? \$32,850.00 Current value of the portion you own? \$32,850.00

Model: Golf Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Year: 2015
 Approximate mileage: 14,000
 Other information:
2015 Volkswagen Golf

Check if this is community property (see instructions)

3.3. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: Volkswagen Check one. Current value of the entire property? \$15,369.00 Current value of the portion you own? \$15,369.00

Model: Golf Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Year: 2014
 Approximate mileage: 16,000
 Other information:
2014 Volkswagen Golf

Check if this is community property (see instructions)

3.4. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: Volkswagen Check one. Current value of the entire property? \$26,306.00 Current value of the portion you own? \$26,306.00

Model: Eos Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Year: 2015
 Approximate mileage: 4,000
 Other information:
2015 Volkswagen Eos

Check if this is community property (see instructions)

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**
Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

No
 Yes

4.1. **Who has an interest in the property?** Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Make: Falcon Check one. Current value of the entire property? \$2,000.00 Current value of the portion you own? \$2,000.00

Model: Car Trailer Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Year: 2015
 Other information:
2015 Falcon Car Trailer

Check if this is community property (see instructions)

Debtor 1 Javan Pau Smith Case number (if known) 16-51205
 First Name Middle Name Last Name

4.2. Who has an interest in the property? Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Make: Cargo Craft Check one. Current value of the entire property? Current value of the portion you own?

Model: Enclosed trailer Debtor 1 only \$2,000.00 \$2,000.00

Year: 2015 Debtor 2 only

Other information: Debtor 1 and Debtor 2 only

2015 Cargo Craft Enclosed trailer At least one of the debtors and another

Check if this is community property (see instructions)

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here. → **\$119,037.00**

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items? Current value of the portion you own? Do not deduct secured claims or exemptions.

6. Household goods and furnishings
 Examples: Major appliances, furniture, linens, china, kitchenware
 No
 Yes. Describe.... See continuation page(s). \$7,000.00

7. Electronics
 Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games
 No
 Yes. Describe.... Electronics \$2,000.00

8. Collectibles of value
 Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles
 No
 Yes. Describe....

9. Equipment for sports and hobbies
 Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments
 No
 Yes. Describe....

10. Firearms
 Examples: Pistols, rifles, shotguns, ammunition, and related equipment
 No
 Yes. Describe....

11. Clothes
 Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories
 No
 Yes. Describe.... Clothing \$1,000.00

12. Jewelry
 Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver
 No
 Yes. Describe....

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
 First Name Middle Name Last Name

13. **Non-farm animals**
 Examples: Dogs, cats, birds, horses
 No
 Yes. Describe..... 1 Dog; 2 Cats \$0.00
14. **Any other personal and household items you did not already list, including any health aids you did not list**
 No
 Yes. Give specific information.....
15. **Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write the number here.** \$10,800.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following? Current value of the portion you own? Do not deduct secured claims or exemptions.

16. **Cash**
 Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition
 No
 Yes..... Cash: \$10.00

17. **Deposits of money**
 Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.
- | | | |
|--|---|-------------|
| <input type="checkbox"/> No | | |
| <input checked="" type="checkbox"/> Yes..... | Institution name: | |
| 17.1. Checking account: | <u>Chase</u> | \$0.00 |
| 17.2. Checking account: | <u>Security Service FCU</u> | \$0.00 |
| 17.3. Checking account: | <u>Navy FCU</u> | \$114.00 |
| 17.4. Checking account: | <u>GoBank</u> | \$0.00 |
| 17.5. Savings account: | <u>Security Service FCU</u> | \$0.00 |
| 17.6. Savings account: | <u>Navy FCU</u> | \$0.00 |
| 17.7. Other financial account: | <u>\$10,000 deposited for supersedes bond</u> | \$11,200.00 |

18. **Bonds, mutual funds, or publicly traded stocks**
 Examples: Bond funds, investment accounts with brokerage firms, money market accounts
 No
 Yes..... Institution or issuer name:

19. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**
 No
 Yes. Give specific information about them..... Name of entity: % of ownership:

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
First Name Middle Name Last Name

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders. Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

- No
- Yes. Give specific information about them..... Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

- No
- Yes. List each account separately. Type of account: Institution name:

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company. Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

- No
- Yes..... Institution name or individual:

23. Annuities (A contract for a specific periodic payment of money to you, either for life or for a number of years)

- No
- Yes..... Issuer name and description:

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

- No
- Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c)

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

- No
- Yes. Give specific information about them _____

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property:

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

- No
- Yes. Give specific information about them The Unforgotten Pentalogy Unknown
Debtor has 90% interest in this musical

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

- No
- Yes. Give specific information about them _____

Money or property owed to you?

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

28. Tax refunds owed to you

- No
- Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

Federal: \$0.00
 State: \$0.00
 Local: \$0.00

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
First Name Middle Name Last Name

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

No

Yes. Give specific information

Support: Back child support. Amt: \$54,000.00

Alimony: \$0.00

Maintenance: \$0.00

Support: \$54,000.00

Divorce settlement: \$0.00

Property settlement: \$0.00

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

No

Yes. Give specific information **See continuation page(s).**

\$150,000.00

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

No

Yes. Name the insurance company of each policy and list its value.....

Company name:

Beneficiary:

Surrender or refund value:

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died

No

Yes. Give specific information

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

No

Yes. Describe each claim..... **See continuation page(s).**

\$3,800,000.00

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

No

Yes. Describe each claim.....

35. Any financial assets you did not already list

No

Yes. Give specific information

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$4,015,324.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

No. Go to Part 6.

Yes. Go to line 38.

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
 First Name Middle Name Last Name

Current value of the portion you own? Do not deduct secured claims or exemptions.

38. Accounts receivable or commissions you already earned

- No
 Yes. Describe..

39. Office equipment, furnishings, and supplies

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

- No
 Yes. Describe.. Desk and chairs

\$100.00

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade

- No
 Yes. Describe..

41. Inventory

- No
 Yes. Describe..

42. Interests in partnerships or joint ventures

- No
 Yes. Describe..... Name of entity:

% of ownership:

Aurora Phoenix Enterprises

33.33%

\$63,333.00

43. Customer lists, mailing lists, or other compilations

- No
 Yes. Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?
 No
 Yes. Describe.....

44. Any business-related property you did not already list

- No
 Yes. Give specific information.

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here.....

\$63,433.00

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
 If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- No. Go to Part 7.
 Yes. Go to line 47.

Current value of the portion you own? Do not deduct secured claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

- No
 Yes.....

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
First Name Middle Name Last Name

48. Crops—either growing or harvested

- No
- Yes. Give specific information.....

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade

- No
- Yes....

50. Farm and fishing supplies, chemicals, and feed

- No
- Yes....

51. Any farm- and commercial fishing-related property you did not already list

- No
- Yes. Give specific information.....

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have attached for Part 6. Write that number here..... → \$0.00

Part 7: Describe All Property You Own or Have an Interest In That You Did Not List Above

53. Do you have other property of any kind you did not already list?
Examples: Season tickets, country club membership

- No
- Yes. Give specific information.

54. Add the dollar value of all of your entries from Part 7. Write that number here..... → \$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2.....		→ \$292,800.00
56. Part 2: Total vehicles, line 5	\$119,037.00	
57. Part 3: Total personal and household items, line 15	\$10,000.00	
58. Part 4: Total financial assets, line 36	\$4,015,324.00	
59. Part 5: Total business-related property, line 45	\$63,433.00	
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00	
61. Part 7: Total other property not listed, line 54	+ \$0.00	
62. Total personal property. Add lines 56 through 61.....	\$4,207,794.00	Copy personal property total → + \$4,207,794.00
63. Total of all property on Schedule A/B. Add line 55 + line 62.....		\$4,500,594.00

Debtor 1 Javan Paul Smith Case number (if known) 16-51205
First Name Middle Name Last Name

6. Household goods and furnishings (details):

Household goods	<u>\$5,000.00</u>
Musical instruments	<u>\$2,000.00</u>

30. Other amounts someone owes you (details):

Possible claim for son's unaccounted Social Security funds	<u>\$150,000.00</u>
Debtor's Social Security benefits = \$905	<u>\$0.00</u>
Debtor's VA benefits = \$3187.60	<u>\$0.00</u>

33. Claims against third parties (details):

Lawsuit against John Rau; Mirelez	<u>Unknown</u>
Counter claim against DC Civil Construction LLC	<u>Unknown</u>
Claim against costs, fees and expenses against Carteret County, N.C. and Sarah A. Smith	<u>\$3,800,000.00</u>

UNITED STATES BANKRUPTCY COURT
SOUTHERN AND WESTERN DISTRICTS OF TEXAS
SAN ANTONIO DIVISION

CASE NAME: In Re: Javan Paul Smith

Petition Date: 05/31/2016

CASE NUMBER: 16-512295

THIS REPORT IS FOR THE MONTH/YEAR (example: MAY/1995) OF September-2016

All Individual Debtor-In-Possession Checking, Savings, Brokerage Accounts:

All Non-Debtor-In-Possession Accounts:

BANK NAME:	ACCOUNT NO.:	BANK NAME:	ACCOUNT NO.:
1		1 Security Service Federal Credit Union	XXXXXXXX5071
2		2 Security Service Federal Credit Union	XXXXXXXX5000
3		3 GoBank	XXXXXXXXXX4038

A copy of a reconciled statement should be attached for each and all accounts.

Total Disbursements from MOR-7 **\$ 4,648.98** + Total Disbursements from MFR-2 **\$ 4,648.98**
 Or Small Business Exhibit B-1 (When the debtor is a sole proprietorship)
 (When the debtor is an individual)

Are all post-petition liabilities, including taxes, being paid within terms? Yes No

Have any pre-petition liabilities been paid? Yes No If so, explain

Are all U. S. Trustee Quarterly Fee Payments current? Yes No

What is the status of your Plan of Reorganization?

The original of this document must be filed with the United States Bankruptcy Court and a copy must be sent to the United States Trustee

Attorney Name: Steven G. Christians
Firm: Astalosa Law Firm
Address: 306 ME Loop 410
Address: San Antonio
City State, Zip: San Antonio, TX 78209
Telephone:

MFR-1

I certify under penalty of perjury that the following complete Monthly Financial Report (MFR), consisting of MFR-1 through MFR-3 plus attachments, is true and correct.

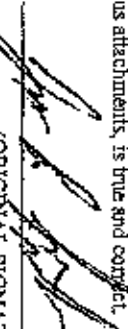
SIGNED: 
 (ORIGINAL SIGNATURE)

EXHIBIT "D"

This FORM is for INDIVIDUALS ONLY

Petition Date: 05/31/2016

CASE NAME: In Re: Jayvan Paul Smith

CASE NUMBER: 16-512205

CASH RECEIPTS AND DISBURSEMENTS	SCHEDULE 1 & f	MONTH				
		June	July	August	September	MONTH
1. CASH - BEGINNING OF MONTH	\$ 10.00	\$ 1,596.36	\$ 1,589.36	\$ 64.91		
RECEIPTS						
2. Wages, Salary, Commissions, Incent	1,011.40	\$78.80	267.07	\$21.28		
3. Rents, Royalties, Dividends, Interest	0.00	9.51	3.95	0.04		
4. Social Security, Pension, etc.	\$28.00	\$28.00	4,092.60	4,092.60		
5. Other (attach list)	\$187.60	\$187.11				
TOTAL RECEIPTS	\$5,104.00	\$4,636.42	\$4,363.80	\$4,413.92	\$0.00	\$0.00
Draw from (Contribution to) Operation of Business MOR-7 or Small Business Exhibit E-1						
DISBURSEMENTS						
6. Rent or Home Mortgage Payment	0.00	0.00	0.00	0.00		
7. Utilities (electricity, water, telephone)	675.00	784.06	\$65.67	1,289.70		
8. Home Maintenance (repairs and upkeep)		704.28	1,299.97	1,125.67		
9. Rent, Clothing, Laundry, and Dry Cleaning	262.00	708.67	\$32.03	\$47.80		
10. Medical and Dental		0.00	0.00	0.00		
11. Transportation (not including car payment)	290.00	395.21	262.24	210.76		
12. Recreation, Clubs, and Entertainment	42.00	36.86	122.62	160.86		
13. Insurance (not including insurance on home mortgage)	480.00	476.40	476.40	500.00		
14. Taxes (not included in wages or home mortgage)	0.00	0.00	83.25	0.00		
15. Auto Payment	3,934.00	0.00	0.00	0.00		
16. Credit Cards		0.00	0.00	0.00		
17. Other (attach list)		0.00	369.21	314.98		
SUB-TOTAL DISBURSEMENTS (for Individual)	\$5,106.00	\$3,043.06	\$4,294.79	\$4,648.99	\$0.00	\$0.00
18. PROFESSIONAL FEES						
19. U.S. TRUSTEE FEES						
TOTAL DISBURSEMENTS	\$5,104.00	\$3,026.06	\$4,284.79	\$4,648.99	\$0.00	\$0.00
20. NET CASH FLOW	0.00	1,598.36	169.01	(230.06)	0.00	0.00
21. CASH - END OF MONTH	\$ 10.00	\$ 1,598.72	\$ 1,592.17	\$ 1,962.25	\$ 2.00	\$ 0.00

MFR-2

Revised 10/2014

THIS FORM IS FOR INDIVIDUALS ONLY

CASE NAME: In Re: Javan Paul Smith

CASE NUMBER:

16-51205

POST-PETITION LIABILITIES		MONTH	MONTH	MONTH	MONTH	MONTH	MONTH
		June	July	August	September		
SECURED:							
UNSECURED:							
TOTAL SECURED		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL UNSECURED		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL POST-PETITION LIABILITIES (for Individual)		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL TAXES		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL POST-PETITION LIABILITIES (for Individual)		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

MFR-3

Revised 11/1/2014



16211 La Cantera Parkway, San Antonio, TX 78256

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STATEMENT PERIOD
 07/23/16 to 08/22/16

██████████75000
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900-13890



JAVAN SMITH
 8806 SHO-SHONI TRL
 SAN ANTONIO TX 78255-2091

INCREDIBLE SAVINGS MAKE IT EASIER THAN EVER TO PURCHASE YOUR DREAM HOME.
 WITH POWER MORTGAGE, PAY NO CLOSING COSTS UP TO \$5,000 AND NO ORIENTATION
 FEE. FOR MORE DETAILS, VISIT SSFCU.ORG/MORTGAGE OR CALL 1-800-662-4466.

SAVE TIME AND SKIP THE LINE! DEPOSIT CASH AND CHECKS WHEN IT'S CONVENIENT
 FOR YOU WITH A DEPOSIT TAKING ATM. FIND ONE NEAR YOU: SSFCU.ORG/LOCATIONS

SAVINGS ACCOUNT 6086175000

PREVIOUS BALANCE	0.59	SERVICE CHARGES	0.00
0 DEBITS	0.00	CURRENT DIVIDEND	0.00
0 CREDITS	0.00	YTD DIVIDEND	0.00
NEW BALANCE	0.59		

*** TOTAL OVERDRAFT FEES ***			
CURRENT PERIOD OD	YTD OD	CURRENT PERIOD NSF	YTD NSF
.00	.00	.00	.00

SECURITY SERVICE POWER CENTER CHECKING 6086175071

PREVIOUS BALANCE	166.82	SERVICE CHARGES	0.00
76 DEBITS	4,585.21	CURRENT DIVIDEND	0.04
10 CREDITS	4,420.32	YTD DIVIDEND	0.23
NEW BALANCE	1.93	DAYS IN PERIOD	31
		ANNUAL PERCENTAGE YIELD EARNED	0.05 %

*** TOTAL OVERDRAFT FEES ***			
CURRENT PERIOD OD	YTD OD	CURRENT PERIOD NSF	YTD NSF
.00	.00	.00	55.00

DATE	AMOUNT	DEPOSITS/CREDITS	TRANSACTION	OTHER DESCRIPTION
07/26	3,187.60		VACU TREAS 310	KAVA BENEF
			REP*48*VA COMPENSATION	*07/01/
07/27	19.75		Lyft.com	TRANSFER
07/28	64.05		MC P2P CREDIT	Lyft.com, Lyft.com
07/30	6.40		CASH BACK CR	JUL REWARDS 0000
08/03	305.00		SSA TREAS 310	XXSOC SEC
08/03	42.11		RAISER, LLC	EDI PAYMNT
			REP*TN*0089210899A	
08/04	108.55		Get me	TRANSFER
08/10	5.00		RAISER, LLC	EDI PAYMNT
			REP*TN*0091672545A	
08/18	81.82		Get me	TRANSFER
08/22	0.04		DIVIDEND PAID	

DATE	AMOUNT	ATM WITHDRAWALS/DEBIT PURCHASES	TRANSACTION	OTHER DESCRIPTION
07/23	20.43		SIGNATURE DEBIT CD DB	TEXAS HAMBURGER SAN ANTONIO TX 170919



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STATEMENT PERIOD
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JAVAN SMITH

SECURITY SERVICE POWER MERIT CHECKING 6086175071

DATE	AMOUNT	TRANSACTION	OTHER DESCRIPTION		
07/25	12.17	POS TRANSACTION DB	BIG'S 350	SAN ANTONIO TX	153663
07/25	12.17	POS TRANSACTION DB	BIG'S 350	SAN ANTONIO TX	203309
07/25	6.89	POS TRANSACTION DB	BIG'S 350	SAN ANTONIO TX	071119
07/25	4.38	POS TRANSACTION DB	STRIPES 1545	SPRING BRANCH TX	161538
07/26	15.54	POS TRANSACTION DB	HEB #480	SAN ANTONIO TX	002595
07/26	11.52	POS TRANSACTION DB	HEB #719	SAN ANTONIO TX	123082
07/26	3.50	POS TRANSACTION DB	MCDONALD'S #1267	SAN ANTONIO TX	194094
07/26	1.07	POS TRANSACTION DB	CORNER STORE 105	SAN ANTONIO TX	201395
07/27	37.83	POS TRANSACTION DB	BATTERIES PLUS 8	SAN ANTONIO TX	171673
07/27	6.12	POS TRANSACTION DB	MCDONALD'S #3479	SAN ANTONIO TX	220016
07/28	30.52	POS TRANSACTION DB	SEAN'S ROEBUCK	SAN ANTONIO TX	184984
07/28	12.04	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	010590
07/29	200.00	ATM WITHDRAWAL	SECURITY SERVICE#17300	ISCHERTZ TX	140510
07/29	34.99	SIGNATURE DEBIT CD DB	THE WASH PUB TE	SAN ANTONIO TX	050267
07/29	23.78	SIGNATURE DEBIT CD DB	FURR'S WASH DB	SAN ANTONIO TX	172683
07/29	22.03	POS TRANSACTION DB	SHELL Service S	SAN ANTONIO TX	194980
07/29	18.53	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	020612
07/29	8.70	SIGNATURE DEBIT CD DB	WHATABURGER 924	SAN ANTONIO TX	173505
07/30	210.00	POS TRANSACTION DB	COSTCO WARE #068	SAN ANTONIO TX	182468
07/30	21.34	SIGNATURE DEBIT CD DB	GOOGLE *King	g.co/payhelp#CA	153384
08/01	500.00	SIGNATURE DEBIT CD DB	CPS ENERGY * F	866-552-3015 TX	112891
08/01	337.24	SIGNATURE DEBIT CD DB	AT&T *BILL PAYME	08002882020 TX	152866
08/01	200.00	SIGNATURE DEBIT CD DB	TWO-TIME MANNER	888-7763416 TX	113909
08/01	152.76	SIGNATURE DEBIT CD DB	REPUBLIC SERVIC	08665765548 AZ	114412
08/01	54.96	POS TRANSACTION DB	USPS #879540249	SAN ANTONIO TX	025689
08/01	44.44	POS TRANSACTION DB	HEB #556	SAN ANTONIO TX	232898
08/01	43.88	SIGNATURE DEBIT CD DB	SWAC DIAMOND	866-6547932 TX	113764
08/01	43.30	SIGNATURE DEBIT CD DB	AT&T TIPP 7345	SAN ANTONIO TX	153663
08/01	38.71	POS TRANSACTION DB	HEB GAS /CARMAS	SAN ANTONIO TX	191074
08/01	36.74	POS TRANSACTION DB	LOWE'S #2480	SAN ANTONIO TX	144812
08/01	19.95	SIGNATURE DEBIT CD DB	TU *TRANSUNION	800-433-3292 CA	021963
08/01	18.87	POS TRANSACTION DB	HEB #566	SAN ANTONIO TX	230815
08/01	17.06	SIGNATURE DEBIT CD DB	FRONTIER BURGER	SAN ANTONIO TX	145504
08/01	14.17	SIGNATURE DEBIT CD DB	GREENFOREST#21069	HELOTES TX	113173
08/01	12.17	POS TRANSACTION DB	BIG'S 350	SAN ANTONIO TX	135417
08/01	5.32	POS TRANSACTION DB	CORNER STORE 108	SAN ANTONIO TX	114279
08/01	4.94	POS TRANSACTION DB	THE HOME DEPOT #	SAN ANTONIO TX	193468
08/01	2.35	SIGNATURE DEBIT CD DB	CPS ENERGY * C	866-330-7329 NY	112891
08/02	160.00	ATM WITHDRAWAL	SAN ANTONIO#103	PH 10 SAN ANTONIO TX	114103
08/02	27.34	SIGNATURE DEBIT CD DB	BLACK-EYED PEA	SAN ANTONIO TX	124778
08/02	27.00	POS TRANSACTION DB	MURPHY#66902WAL	NEW BRUNSWELLSTX	125072
08/02	21.62	POS TRANSACTION DB	LOWE'S #2480	SAN ANTONIO TX	073073
08/02	7.78	POS TRANSACTION DB	BIG'S 350	SAN ANTONIO TX	065475
08/03	111.48	POS TRANSACTION DB	LOWE'S #2480	SAN ANTONIO TX	150571
08/03	62.76	POS TRANSACTION DB	COSTCO WARE #068	SAN ANTONIO TX	185077



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STATEMENT PERIOD
07/23/16 to 08/22/16

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JAVAN SMITH

SECURITY SER/IGB POWER MERIT CHECKING 6086175074

DATE	AMOUNT	TRANSACTION	OTHER DESCRIPTION		
* * * AVM WITHDRAWALS/DEBIT PURCHASES * * *					
08/03	58.08	SIGNATURE DEBIT CD DB	GOODWILLINENBRAU	NEW BRAUNFELSTX	133795
08/03	15.14	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	075766
08/03	15.56	POS TRANSACTION DB	SIG'S 350	SAN ANTONIO TX	130171
08/05	138.28	POS TRANSACTION DB	LOWE'S #2480	SAN ANTONIO TX	194476
08/05	6.86	POS TRANSACTION DB	7-ELEVEX	SHAVANO PARK TX	181309
08/06	589.36	POS TRANSACTION DB	LOWE'S #7480	SAN ANTONIO TX	205427
08/06	47.61	POS TRANSACTION DB	LOWE'S #2480	SAN ANTONIO TX	215278
08/08	7.78	POS TRANSACTION DB	SIG'S 350	SAN ANTONIO TX	071772
08/08	87.36	POS TRANSACTION DB	WM SUPERCENTER	SAN ANTONIO TX	233693
08/08	64.81	POS TRANSACTION DB	THE HOME DEPOT #	SAN ANTONIO TX	210813
08/08	11.90	POS TRANSACTION DB	CORNER STORE 108	SAN ANTONIO TX	226706
08/08	10.00	POS TRANSACTION DB	CORNER STORE 108	SAN ANTONIO TX	215890
08/08	7.78	POS TRANSACTION DB	SIG'S 350	SAN ANTONIO TX	094793
08/08	6.89	POS TRANSACTION DB	SIG'S 350	SAN ANTONIO TX	082503
08/08	6.78	POS TRANSACTION DB	LOWE'S #2480	SAN ANTONIO TX	091064
08/09	15.14	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	045680
08/10	35.15	SIGNATURE DEBIT CD DB	BDS RESTAURANTS	SAN ANTONIO TX	804695
08/10	35.56	POS TRANSACTION DB	Wal-Mart Super C	SAN ANTONIO TX	005071
08/10	8.87	POS TRANSACTION DB	SIG'S 350	SAN ANTONIO TX	130792
08/11	100.00	AVM WITHDRAWAL	SAN ANTONIO18103 (H 10	SAN ANTONIO TX	224368
08/11	81.08	SIGNATURE DEBIT CD DB	JBSA-SAM MS	FT JN HOUSTON TX	162474
08/15	34.99	SIGNATURE DEBIT CD DB	THE WARE TUN TB	SAN ANTONIO TX	050076
08/16	9.60	SIGNATURE DEBIT CD DB	NETFLIX.COM	NETFLIX.COM CA	104516
08/18	12.97	POS TRANSACTION DB	SIG'S 350	SAN ANTONIO TX	182500
08/18	12.04	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	048375
08/20	48.00	AVM WITHDRAWAL	SECURITY SERVICE17300	ISCHERTZ TX	160105
08/20	16.89	POS TRANSACTION DB	WM SUPERCENTER	SAN ANTONIO TX	231670
08/20	12.04	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	225500
08/22	12.04	POS TRANSACTION DB	LEON CREEK COUNT	SAN ANTONIO TX	081099

DATE	AMOUNT	TRANSACTION	OTHER DESCRIPTION
08/02	500.00	USA.COM PAY EXT	P&C
* * * REWARDS: CASH BACK * * *			
	\$ 42.80	TOTAL REBATES EARNED AS OF 08/22/16	



Statement Period
7/10/2016 – 8/9/2016

Account Number
[REDACTED] 84308

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TRANSACTIONS

Date	Description	Type	Amount	Available
07/28	HEB GAS /CARWASH #719 SAN ANTONIO, TX	Purchase	-\$22.47	\$104.24
07/27	UBER INSTANT-PAY	Deposit	+\$42.90	\$126.71
07/26	UBER INSTANT-PAY	Deposit	+\$49.37	\$83.75
07/22	HEB #719 SAN ANTONIO, TX	Purchase	-\$1.40	\$44.38
07/22	BIG'S 350 SAN ANTONIO, TX	Purchase	-\$6.89	\$45.78
07/22	BIG'S 350 SAN ANTONIO, TX	Purchase	-\$13.77	\$52.67
07/21	BIG'S 350 SAN ANTONIO, TX	Purchase	-\$9.01	\$66.44
07/21	HEB GAS /CARWASH #719 SAN ANTONIO, TX	Purchase	-\$25.21	\$75.45
07/20	UBER INSTANT-PAY	Deposit	+\$35.97	\$100.66
07/18	CORNER STORE 1054 SAN ANTONIO, TX	Purchase	-\$3.55	\$64.69
07/18	HEB GAS /CARWASH #719 SAN ANTONIO, TX	Purchase	-\$23.24	\$68.24
07/18	CORNER STORE 1054 SAN ANTONIO, TX	Purchase	-\$26.17	\$91.48
07/18	UBER INSTANT-PAY	Deposit	+\$31.64	\$117.65
07/18	UBER INSTANT-PAY	Deposit	+\$46.77	\$86.01
07/15	UBER INSTANT-PAY	Deposit	+\$33.45	\$37.24
07/11	Monthly Membership Fee	Fee	-\$0.00	\$3.38

Javan Smith

8806 Shoshoni Trl
San Antonio, TX 78255-2091

CHECKING ACCOUNT

Beginning Balance:	\$3.38
Credits (0)	+\$222.57
Debits (10)	-\$131.71
Ending Balance:	\$104.24

MONEY VAULT

Beginning Balance:	\$0.00
Credits (0)	-\$0.00
Debits (0)	-\$0.00
Ending Balance:	\$0.00

CONTACT US

email help@gobank.com
 phone 1-888-280-8200
 web GoBank.com/Contact



Statement Period
7/10/2016 - 8/9/2016

Account Number
[REDACTED] 4306

Page 2 of 4

MONEY VAULT TRANSACTIONS

Date	Description	Type	Amount	Available
------	-------------	------	--------	-----------

No transactions during this period

Javan Smith

8806 Shoshoni Trl
San Antonio, TX 78255-2091

CHECKING ACCOUNT

Beginning Balance:	\$3.38
Credits (8)	\$232.57
Debits (10)	-\$131.71
Ending Balance:	\$104.24

MONEY VAULT

Beginning Balance:	\$0.00
Credits (0)	\$0.00
Debits (0)	-\$0.00
Ending Balance:	\$0.00

CONTACT US

email help@gobank.com
 phone 1-888-260-8269
 web GoBank.com/Contact



Statement Period
7/10/2016 - 8/07/2016

Account Number
[REDACTED] 4308

Page 3 of 4

CHECKS PAID

You can view your pre-authorized checks in your transaction history

Date Paid	Check Number	Amount
-----------	--------------	--------

No checks paid this statement period

Javan Smith

8805 Shoshoni Trl
San Antonio, TX 78255-2091

CHECKING ACCOUNT

Beginning Balance:	\$3.38
Credits (8)	-\$232.57
Debits (10)	-\$131.71
Ending Balance:	\$104.24

MONEY VAULT

Beginning Balance:	\$0.00
Credits (0)	-\$0.00
Debits (0)	-\$0.00
Ending Balance:	\$0.00

CONTACT US

email help@goibank.com
 phone 1-800-280-6286
 web GoBank.com/Contact



P.O. Box 1188 Monrovia, CA 91017

Statement Period
7/10/2016 - 8/9/2016

Account Number
[REDACTED] 4303

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QUESTIONS OR CONCERNS

We understand the importance of knowing what's going on with your money. See something that doesn't look right? We're here to help! If you see an error or have a question about your account, give us a call at (888) 280-8260 or write us at GoBank Member Care, P.O. Box 1188, Monrovia, California, 91017. You can also shoot us a fax at (626) 739-2060. Contact us as soon as you see something wrong. We must allow you to report an error until 60 days after the earlier of the date you electronically access your account, if the error could be viewed in your electronic history, or the date we sent the FIRST written history on which the error appeared. We're always able to provide you with a written history of your transactions upon request. Just call or write us at the number or address listed above.

Help us, help you! When notifying us, be sure to have the following info on hand:

- Your name and account number.
- Why you believe there is an error, and the dollar amount involved.
- Approximately when the error took place.

You can also mail or fax us a Transaction Dispute Form. If you call us, we may require you to send us your complaint or question via fax or mail within 10 business days. After we hear from you, we'll take a look at your account and promptly correct any error found. If it's a toughie, however, it could honestly take up to 45 days to investigate the issue. Since that's such a pain, we'll credit your card with the amount you think is an error within 10 business days. If we ask you to mail or fax us your question or complaint, and we don't receive it within 10 business days, we may not be able to give you that provisional credit. FYI, if you give your GoBank debit card or GoBank debit card info or account info to another person to use, such as a friend or relative, you are responsible for that person's transactions with your debit card or account. The same goes for if you give your debit card or account info to a merchant for a transaction. You've given authority to that merchant to debit the debit card or account for that transaction. We'll let you know the results of our investigation within 3 business days of completing it. If we decide that there wasn't an error, we'll send you an explanation. You can ask to see copies of the documents used in our investigation. Thanks for reading, and as always, thanks for GoBanking.

Official Form 25B (12/03)--Cont.

Exhibit E -- Liquidation Analysis

Plan Proponent's Estimated Liquidation Value of Assets

Assets

a.	Cash on hand	\$1,600.00
b.	Bank Accounts	\$11,314.00
c.	Household goods	\$10,000.00
d.	Back Child Support	\$54,000.00
e.	Machinery & equipment	\$100.00
f.	Automobiles	\$119,037.00
g.	Building & Land	\$292,800.00
h.	Aurora Phoenix Enterprises (1/3 interest)	\$63,333.00
i.	Order for Cost Fees & Expenses	\$3,800,000.00
j.	Back Social Security	<u>\$150,000.00</u>

Total Assets at Liquidation Value \$4,502,184.00

Less:		\$2,096,505.65
Secured creditors' recoveries		
Less:		\$70,000.00
Chapter 7 trustee fees and expenses		
Less:		\$15,000.00
Chapter 11 administrative expenses		
Less:		<u>\$522,269.00</u>
Debtor's claimed exemptions		

(1) Balance for unsecured claims \$1,798,408.35

(2) Total dollar amount of unsecured claims \$47,669.00

Percentage of Claims Which Unsecured Creditors Would Receive or Retain in a Chapter 7 Liquidation: 100%

Percentage of Claims Which Unsecured Creditors Will Receive or Retain under the Plan: 100%

Fill in this information to identify your case:

Debtor 1	<u>Javan</u>	<u>Paul</u>	<u>Smith</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>16-51205G</u>		

Check if this is:

- An amended filing
- A supplement showing postpetition chapter 13 income as of the following date:

MM / DD / YYYY

Official Form 1061

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

1. Fill in your employment information.

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies.

	Debtor 1	Debtor 2 or non-filing spouse
Employment status	<input checked="" type="checkbox"/> Employed <input type="checkbox"/> Not employed	<input type="checkbox"/> Employed <input checked="" type="checkbox"/> Not employed
Occupation	<u>Ride Share Driver</u>	
Employer's name		
Employer's address	Number Street	Number Street
	City State Zip Code	City State Zip Code

How long employed there? 2 months

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

	For Debtor 1	For Debtor 2 or non-filing spouse
2. List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.	<u>\$1,000.00</u>	<u>\$0.00</u>
3. Estimate and list monthly overtime pay.	<u>\$0.00</u>	<u>\$0.00</u>
4. Calculate gross income. Add line 2 + line 3.	<u>\$1,000.00</u>	<u>\$0.00</u>

EXHIBIT " F "

Debtor 1 Javan Paul Smith Case number (if known) 16-51205G
 First Name Middle Name Last Name

		For Debtor 1	For Debtor 2 or non-filing spouse
Copy line 4 here →	4.	\$1,000.00	\$0.00
5. List all payroll deductions:			
5a. Tax, Medicare, and Social Security deductions	5a.	\$0.00	\$0.00
5b. Mandatory contributions for retirement plans	5b.	\$0.00	\$0.00
5c. Voluntary contributions for retirement plans	5c.	\$0.00	\$0.00
5d. Required repayments of retirement fund loans	5d.	\$0.00	\$0.00
5e. Insurance	5e.	\$0.00	\$0.00
5f. Domestic support obligations	5f.	\$0.00	\$0.00
5g. Union dues	5g.	\$0.00	\$0.00
5h. Other deductions. Specify: _____	5h. +	\$0.00	\$0.00
6. Add the payroll deductions. Add lines 5a + 5b + 5c + 5d + 5e + 5f + 5g + 5h.	6.	\$0.00	\$0.00
7. Calculate total monthly take-home pay. Subtract line 6 from line 4.	7.	\$1,000.00	\$0.00
8. List all other income regularly received:			
8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a.	\$0.00	\$0.00
8b. Interest and dividends	8b.	\$0.00	\$0.00
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c.	\$0.00	\$0.00
8d. Unemployment compensation	8d.	\$0.00	\$0.00
8e. Social Security	8e.	\$905.00	\$0.00
8f. Other government assistance that you regularly receive include cash assistance and the value (if known) or any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: <u>VA Disability</u>	8f.	\$3,187.60	\$0.00
8g. Pension or retirement income	8g.	\$0.00	\$0.00
8h. Other monthly income. Specify: _____	8h. +	\$0.00	\$0.00
9. Add all other income. Add lines 8a + 8b + 8c + 8d + 8e + 8f + 8g + 8h.	9.	\$4,092.60	\$0.00
10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10.	\$5,092.60	\$0.00
11. State all other regular contributions to the expenses that you list in Schedule J. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J. Specify: _____	11. +	\$0.00	
12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the Summary of Your Assets and Liabilities and Certain Statistical Information, if it applies.	12.	\$5,092.60	\$5,092.60
13. Do you expect an increase or decrease within the year after you file this form? <input checked="" type="checkbox"/> No. <u>None.</u> <input type="checkbox"/> Yes. Explain: _____			Combined monthly income

Fill in this information to identify your case:

Debtor 1	<u>Javan</u>	<u>Paul</u>	<u>Smith</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	_____	_____	_____
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>16-51205G</u>		

Check if this is:

- An amended filing
- A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Is this a joint case?

- No. Go to line 2.
- Yes. Does Debtor 2 live in a separate household?
 - No
 - Yes. Debtor 2 must file Official Form 106J-2, Expenses for Separate Household of Debtor 2.

2. Do you have dependents?

Do not list Debtor 1 and Debtor 2.

Do not state the dependents' names.

<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes. Fill out this information for each dependent.....	Dependent's relationship to Debtor 1 or Debtor 2	Dependent's age	Does dependent live with you?
		<u>Son</u>	<u>17</u>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
		_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
		_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
		_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
		_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes

3. Do your expenses include expenses of people other than yourself and your dependents?

- No
- Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental Schedule J, check the box at the top of the form and fill in the applicable date.

include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on Schedule I: Your Income (Official Form 106I.)

4. The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.

Your expenses _____

4. \$483.48

If not included in line 4:

- 4a. Real estate taxes 4a. _____
- 4b. Property, homeowner's, or renter's insurance 4b. _____
- 4c. Home maintenance, repair, and upkeep expenses 4c. _____
- 4d. Homeowner's association or condominium dues 4d. _____

Debtor 1 Javan Paul Smith Case number (if known) 16-51205G
First Name Middle Name Last Name

Your expenses

5. Additional mortgage payments for your residence, such as home equity loans	5.	_____
6. Utilities:		
6a. Electricity, heat, natural gas	6a.	<u>\$250.00</u>
6b. Water, sewer, garbage collection	6b.	<u>\$60.00</u>
6c. Telephone, cell phone, internet, satellite, and cable services	6c.	<u>\$140.00</u>
6d. Other. Specify: <u>Cell Phone</u>	6d.	<u>\$225.00</u>
7. Food and housekeeping supplies	7.	<u>\$303.00</u>
8. Childcare and children's education costs	8.	_____
9. Clothing, laundry, and dry cleaning	9.	_____
10. Personal care products and services	10.	<u>\$50.00</u>
11. Medical and dental expenses	11.	_____
12. Transportation. Include gas, maintenance, bus or train fare. Do not include car payments.	12.	<u>\$250.00</u>
13. Entertainment, clubs, recreation, newspapers, magazines, and books	13.	<u>\$42.00</u>
14. Charitable contributions and religious donations	14.	_____
15. Insurance. Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a. Life insurance	15a.	_____
15b. Health insurance	15b.	_____
15c. Vehicle insurance	15c.	<u>\$450.00</u>
15d. Other insurance. Specify: _____	15d.	_____
16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20. Specify: _____	16.	_____
17. Installment or lease payments:		
17a. Car payments for Vehicle 1 <u>Payment to VW Credit</u>	17a.	<u>\$720.03</u>
17b. Car payments for Vehicle 2	17b.	_____
17c. Other. Specify: <u>Payment to Security Service FCU</u>	17c.	<u>\$430.85</u>
17d. Other. Specify: <u>Payment to Go-Financial</u>	17d.	<u>\$272.95</u>
18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, Schedule J, Your Income (Official Form 106I).	18.	_____
19. Other payments you make to support others who do not live with you. Specify: _____	19.	_____

Debtor 1 Javan Paul Smith Case number (if known) 16-51205G
First Name Middle Name Last Name

20. Other real property expenses not included in lines 4 or 5 of this form or on Schedule I: Your income.

- 20a. Mortgages on other property 20a. _____
- 20b. Real estate taxes 20b. _____
- 20c. Property, homeowner's, or renter's insurance 20c. _____
- 20d. Maintenance, repair, and upkeep expenses 20d. _____
- 20e. Homeowner's association or condominium dues 20e. _____

21. Other. Specify: _____ 21. + _____

22. Calculate your monthly expenses.

- 22a. Add lines 4 through 21. 22a.

\$3,677.31

- 22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2. 22b. _____
- 22c. Add line 22a and 22b. The result is your monthly expenses. 22c.

\$3,677.31

23. Calculate your monthly net income.

- 23a. Copy line 12 (your combined monthly income) from Schedule I. 23a.

\$5,092.60

- 23b. Copy your monthly expenses from line 22c above. 23b.

\$3,677.31

- 23c. Subtract your monthly expenses from your monthly income. The result is your monthly net income. 23c.

\$1,415.29

24. Do you expect an increase or decrease in your expenses within the year after you file this form?

For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

- No.
- Yes.

Explain here:
None.