

<b>United States Bankruptcy Court</b> <b>Eastern District of Virginia</b> <b>RICHMOND DIVISION</b>						<b>Voluntary Petition</b>			
Name of Debtor (if individual, enter Last, First, Middle): <b>Sullivan, Kraig, Scott</b>					Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Sullivan, Donna, Lynn</b>				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all): <b>1383</b>					Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all): <b>6115</b>				
Street Address of Debtor (No. & Street, City, and State): <b>98 Peacock Station Road</b> <b>Fredericksburg, VA</b>					Street Address of Joint Debtor (No. & Street, City, and State): <b>3115 Linden Avenue</b> <b>Fredericksburg, VA</b>				
ZIP CODE <b>22406-5138</b>					ZIP CODE <b>22401-0000</b>				
County of Residence or of the Principal Place of Business: <b>Stafford</b>					County of Residence or of the Principal Place of Business: <b>Fredericksburg</b>				
Mailing Address of Debtor (if different from street address):					Mailing Address of Joint Debtor (if different from street address):				
ZIP CODE					ZIP CODE				
Location of Principal Assets of Business Debtor (if different from street address above):									
ZIP CODE									
<b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> box.)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) _____			<b>Nature of Business</b> (Check <b>one</b> box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <hr/> <b>Tax-Exempt Entity</b> (Check box, if applicable)  <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code.)			<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> box)  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <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         </div> <div style="width: 45%;"> <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         </div> </div> <div style="margin-top: 10px;"> <b>Nature of Debts</b>          (Check one box)   <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <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.”         </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Debts are primarily business debts.         </div> </div> </div>			
<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.					<b>Chapter 11 Debtors</b>  <b>Check one box:</b>  <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ----- <b>Check all applicable boxes</b> <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).				
<b>Statistical/Administrative Information</b> <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.									<b>THIS SPACE IS FOR COURT USE ONLY</b>
Estimated Number of Creditors <div style="display: flex; justify-content: space-between;"> <div style="width: 10%;"> <input type="checkbox"/> 1-49         </div> <div style="width: 10%;"> <input checked="" type="checkbox"/> 50-99         </div> <div style="width: 10%;"> <input type="checkbox"/> 100-199         </div> <div style="width: 10%;"> <input type="checkbox"/> 200-999         </div> <div style="width: 10%;"> <input type="checkbox"/> 1,000-5,000         </div> <div style="width: 10%;"> <input type="checkbox"/> 5,001-10,000         </div> <div style="width: 10%;"> <input type="checkbox"/> 10,001-25,000         </div> <div style="width: 10%;"> <input type="checkbox"/> 25,001-50,000         </div> <div style="width: 10%;"> <input type="checkbox"/> 50,001-100,000         </div> <div style="width: 10%;"> <input type="checkbox"/> Over 100,000         </div> </div>									
Estimated Assets <div style="display: flex; justify-content: space-between;"> <div style="width: 10%;"> <input type="checkbox"/> \$0 to \$50,000         </div> <div style="width: 10%;"> <input type="checkbox"/> \$50,001 to \$100,000         </div> <div style="width: 10%;"> <input type="checkbox"/> \$100,001 to \$500,000         </div> <div style="width: 10%;"> <input type="checkbox"/> \$500,001 to \$1 million         </div> <div style="width: 10%;"> <input checked="" type="checkbox"/> \$1,000,001 to \$10 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$10,000,001 to \$50 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$50,000,001 to \$100 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$100,000,001 to \$500 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$500,000,001 to \$1 billion         </div> <div style="width: 10%;"> <input type="checkbox"/> More than \$1 billion         </div> </div>									
Estimated Liabilities <div style="display: flex; justify-content: space-between;"> <div style="width: 10%;"> <input type="checkbox"/> \$0 to \$50,000         </div> <div style="width: 10%;"> <input type="checkbox"/> \$50,001 to \$100,000         </div> <div style="width: 10%;"> <input type="checkbox"/> \$100,001 to \$500,000         </div> <div style="width: 10%;"> <input type="checkbox"/> \$500,001 to \$1 million         </div> <div style="width: 10%;"> <input checked="" type="checkbox"/> \$1,000,001 to \$10 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$10,000,001 to \$50 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$50,000,001 to \$100 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$100,000,001 to \$500 million         </div> <div style="width: 10%;"> <input type="checkbox"/> \$500,000,001 to \$1 billion         </div> <div style="width: 10%;"> <input type="checkbox"/> More than \$1 billion         </div> </div>									

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Kraig Scott Sullivan, Donna Lynn Sullivan</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet.)			
Location Where Filed: <b>NONE</b>	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor: <b>NONE</b>	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<p style="text-align: center;"><b>Exhibit A</b></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;"><b>Exhibit B</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><b>X Not Applicable</b></p> <div style="display: flex; justify-content: space-between;"> <div>Signature of Attorney for Debtor(s)</div> <div>Date</div> </div>	
<p style="text-align: center;"><b>Exhibit C</b></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 style="text-align: center;"><b>Exhibit D</b></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 style="text-align: center;"><b>Information Regarding the Debtor - Venue</b>          (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 style="text-align: center;"><b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b>          (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> <div style="margin-left: 400px;"> <div style="border-bottom: 1px solid black; width: 300px; margin-bottom: 5px;"></div> <div>(Name of landlord that obtained judgment)</div> <div style="border-bottom: 1px solid black; width: 300px; margin-bottom: 5px;"></div> <div>(Address of landlord)</div> </div> <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):

**Kraig Scott Sullivan, Donna Lynn Sullivan****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/ Kraig Scott Sullivan**Signature of Debtor **Kraig Scott Sullivan****X /s/ Donna Lynn Sullivan**Signature of Joint Debtor **Donna Lynn Sullivan**

Telephone Number (If not represented by attorney)

**10/23/2009**

Date

**Signature of a Foreign Representative**

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

(Check only **one** box.)

☐ I request relief in accordance with chapter 15 of Title 11, United States Code. Certified Copies of the documents required by § 1515 of title 11 are attached.

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

**X Not Applicable**

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

**Signature of Attorney****X /s/Robert B. Easterling**

Signature of Attorney for Debtor(s)

**Robert B. Easterling Bar No. 15552**

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

**Robert B. Easterling**

Firm Name

**2217 Princess Anne Street Suite 100-2 Fredericksburg, VA 22401-3359**

Address

**(540) 373-5030****(540) 373-5234**

Telephone Number

**10/23/2009**

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 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.

**Not Applicable**

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

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

Address

**X Not Applicable**

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

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

If more than one person prepared this document, attach 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.*

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

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

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

**X Not Applicable**

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

**Kraig Scott Sullivan**

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

**Donna Lynn Sullivan**

Chapter **11**

**Debtor(s)**

**DECLARATION OF DIVISIONAL VENUE**

The debtor's domicile, residence, principal place of business or principal assets were located for the greater part of the 180 days preceding the filing of the bankruptcy petition in the indicated city or county [check one box only]:

**ALEXANDRIA DIVISION**

**Cities:**

- ☐ Alexandria-510
- ☐ Fairfax-600
- ☐ Falls Church-610
- ☐ Manassas-683
- ☐ Manassas Park-685

**Counties:**

- ☐ Arlington-013
- ☐ Fairfax-059
- ☐ Fauquier-061
- ☐ Loudoun-107
- ☐ Prince William-153
- ☒ Stafford-179

**RICHMOND DIVISION**

**Cities:**

- ☐ Richmond (city)-760
- ☐ Colonial Heights-570
- ☐ Emporia-595
- ☐ Fredericksburg-630
- ☐ Hopewell-670
- ☐ Petersburg-730

**Counties:**

- ☐ Amelia-007
- ☐ Brunswick-025
- ☐ Caroline-033
- ☐ Charles City-036
- ☐ Chesterfield-041
- ☐ Dinwiddie-053
- ☐ Essex-057
- ☐ Goochland-075
- ☐ Greensville-081
- ☐ Hanover-085
- ☐ Henrico-087
- ☐ King and Queen-097
- ☐ King George-099
- ☐ King William-101
- ☐ Lancaster-103
- ☐ Lunenburg-111
- ☐ Mecklenburg-117
- ☐ Middlesex-119
- ☐ New Kent-127
- ☐ Northumberland-133
- ☐ Nottoway-135
- ☐ Powhatan-145
- ☐ Prince Edward-147
- ☐ Prince George-149
- ☐ Richmond (county) -159
- ☐ Spotsylvania-177
- ☐ Surry-181
- ☐ Sussex-183
- ☐ Westmoreland-193

**NORFOLK DIVISION**

**Cities:**

- ☐ Norfolk-710
- ☐ Cape Charles-535
- ☐ Chesapeake-550
- ☐ Franklin-620
- ☐ Portsmouth-740
- ☐ Suffolk-800
- ☐ Virginia Beach-810

**Counties:**

- ☐ Accomack-001
- ☐ Isle of Wight-093
- ☐ Northampton-131
- ☐ Southampton-175

**NEWPORT NEWS DIVISION**

**Cities:**

- ☐ Newport News-700
- ☐ Hampton-650
- ☐ Poquoson-735
- ☐ Williamsburg-830

**Counties:**

- ☐ Gloucester-073
- ☐ James City-095
- ☐ Mathews-115
- ☐ York-199

Date: **10/23/2009**

**/s/Robert B. Easterling**  
Signature of Attorney or *Pro Se Debtor*

- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this Division.

**UNITED STATES BANKRUPTCY COURT**  
**Eastern District of Virginia**  
**RICHMOND DIVISION**

In re **Kraig Scott Sullivan Donna Lynn Sullivan**  
Debtor(s)

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

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

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

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

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

☐ 2. Within the **180 days before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

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

**B 1D (Official Form 1, Exh. D) (12/08) – Cont.**

☐ 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/ Kraig Scott Sullivan  
**Kraig Scott Sullivan**

Date: 10/23/2009

Certificate Number: 11546-VAE-CC-008750578**CERTIFICATE OF COUNSELING**I CERTIFY that on October 21, 2009, at 12:34 o'clock PM CDT,Kraig Scott Sullivan received fromThe Mesquite Group, Inc.

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Eastern District of Virginia, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.This counseling session was conducted by telephone.Date: October 21, 2009By /s/Anthony McCauleyName Anthony McCauleyTitle Admin

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

**UNITED STATES BANKRUPTCY COURT**  
**Eastern District of Virginia**  
**RICHMOND DIVISION**

In re **Kraig Scott Sullivan Donna Lynn Sullivan**  
Debtor(s)

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

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

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

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

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

☐ 2. Within the **180 days before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

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



**B 1D (Official Form 1, Exh. D) (12/08) – Cont.**

☐ 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/ Donna Lynn Sullivan  
**Donna Lynn Sullivan**

Date: 10/23/2009

Certificate Number: 11546-VAE-CC-008741968

## **CERTIFICATE OF COUNSELING**

I CERTIFY that on October 20, 2009, at 5:35 o'clock PM CDT,

Donna Sullivan received from

The Mesquite Group, Inc.,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Eastern District of Virginia, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by telephone.

Date: October 20, 2009

By /s/Deborah Mitchell for Debra DeCastro

Name Debra DeCastro

Title Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

**United States Bankruptcy Court  
Eastern District of Virginia  
RICHMOND DIVISION**

In re **Kraig Scott Sullivan Donna Lynn Sullivan**, Case No. \_\_\_\_\_  
 Debtors Chapter **11**

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	(5) <i>Amount of claim [if secured also state value of security]</i>
<b>Bryant Heating &amp; Cooling 508 Deacon Road Falmouth, VA 22405-0000</b>	<b>Barbara 540-373-1766 Bryant Heating &amp; Cooling 508 Deacon Road Falmouth, VA 22405-0000</b>	<b>Open account</b>		<b>\$15,500.00</b>
<b>Chase P.O. Box 15298 Wilmington, DE 19850-5298</b>	<b>Recovery/Bankruptcy Dept 800-945-2000 Chase P.O. Box 15298 Wilmington, DE 19850-5298</b>	<b>Credit card</b>		<b>\$11,117.94</b>
<b>Citi Bankruptcy Dept. P.O. Box 140489 Irving, TX 75014-0489</b>	<b>Citibank Collections 800-666-7800 Citi Bankruptcy Dept. P.O. Box 140489 Irving, TX 75014-0489</b>	<b>Credit card</b>		<b>\$10,661.12</b>
<b>Chase P.O. Box 15298 Wilmington, DE 19850-5298</b>	<b>Recovery/Bankruptcy Dept 800-945-2000 Chase P.O. Box 15298 Wilmington, DE 19850-5298</b>	<b>Credit card</b>		<b>\$8,918.82</b>
<b>Target National Bank c/o Target Credit Services P.O. Box 1581 Minneapolis, MN 55440-1581</b>	<b>Target Department 866-224-0630 Target National Bank c/o Target Credit Services P.O. Box 1581 Minneapolis, MN 55440-1581</b>	<b>Credit card</b>		<b>\$7,022.83</b>
<b>Cox Communications 3080 Centreville Road Herndon, VA 20171-0000</b>	<b>Accounting 703-378-8422 Cox Communications 3080 Centreville Road Herndon, VA 20171-0000</b>	<b>Cable/Internet</b>		<b>\$7,006.35</b>

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Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285	Collections 888-567-2271 Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285	Credit card		\$4,876.97
The Twin State Inc HC 77 Box 166 Hinton, WV 25951-0000	Collections 304-466-3853 The Twin State Inc HC 77 Box 166 Hinton, WV 25951-0000	Open account		\$3,527.37
The Yellow Book 2201 Renaissance Blvd King of Prussia, PA 19406-2785	Accounting Dept 540-368-5055 The Yellow Book 2201 Renaissance Blvd King of Prussia, PA 19406-2785	Phone advertising		\$3,000.00
Dominion Virginia Power P.O. Box 26666 Richmond, VA 23261-6666	Bankruptcy Dept 888-667-3000 Dominion Virginia Power P.O. Box 26666 Richmond, VA 23261-6666	Electric service		\$2,793.35
Star Directory 605 William Street Fredericksburg, VA 22401-0000	Accounting Dept 548-368-5055 Star Directory 605 William Street Fredericksburg, VA 22401-0000	Phone advertising		\$2,500.00
Stafford Hospital Center 2300 Fall Hill #313 Fredericksburg, VA 22401-0000	Collections 540-744-3525 Stafford Hospital Center 2300 Fall Hill #313 Fredericksburg, VA 22401-0000	Medical		\$2,397.10

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Northern Leasing Systems Inc P.O. Box 7861 New York, NY 10116-0000	Collection Department 888-607-3607 Northern Leasing Systems Inc P.O. Box 7861 New York, NY 10116-0000	Rent	DISPUTED	\$2,312.00
American Express P.O. Box 981535 El Paso, TX 79998-1535	Accounting Services 800-528-4800 American Express P.O. Box 981535 El Paso, TX 79998-1535	Credit card		\$2,130.78
Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285	Collections 800-846-9966 Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285	Credit card		\$1,815.01
Brabant's Bkcp & Tax Svc Inc P.O. Box 132 King George, VA 22485-0000	Norman Brabant 540-775-3551 Brabant's Bkcp & Tax Svc Inc P.O. Box 132 King George, VA 22485-0000	Accounting services		\$1,800.00
American Express P.O. Box 981535 El Paso, TX 79998-1535	Accounting Services 800-528-4800 American Express P.O. Box 981535 El Paso, TX 79998-1535	Credit card		\$1,639.41
Your Community PhoneBook c/o McCarthy Burgess & Wolff 26000 Cannon Road Cleveland, OH 44146-0000	Collections Department 440-735-5100 Your Community PhoneBook c/o McCarthy Burgess & Wolff 26000 Cannon Road Cleveland, OH 44146-0000	Phone advertising		\$1,552.61

In re **Kraig Scott Sullivan    Donna Lynn Sullivan**,  
Debtors

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

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	(5) <i>Amount of claim [if secured also state value of security]</i>
<b>Quarles Petroleum Inc 1701 Fall Hill Avenue, Suite 300 Fredericksburg, VA 22401-0000</b>	<b>Collections Department 540-373-6933 Quarles Petroleum Inc 1701 Fall Hill Avenue, Suite 300 Fredericksburg, VA 22401-0000</b>	<b>Open account</b>		<b>\$1,500.00</b>
<b>Dominion Virginia Power P.O. Box 26666 Richmond, VA 23261-6666</b>	<b>Bankruptcy Department 888-667-3000 Dominion Virginia Power P.O. Box 26666 Richmond, VA 23261-6666</b>	<b>Electric service</b>		<b>\$1,464.15</b>

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

In re: Kraig Scott Sullivan  
Donna Lynn Sullivan

Case No: \_\_\_\_\_  
Chapter 11\_\_\_\_\_

We certify under penalty of perjury that the foregoing List of Creditors Holding 20 Largest Unsecured Claims is true and correct to the best of our knowledge, information and belief.

Dated: October 23, 2009

/s/ Kraig Scott Sullivan  
Kraig Scott Sullivan

/s/ Donna Lynn Sullivan  
Donna Lynn Sullivan

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

**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

**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)**

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

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

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

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

**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)**



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

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

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

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

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

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

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

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

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

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of the Debtor**

We, the debtors, affirm that we have received and read this notice.

<b>Kraig Scott Sullivan</b>	<b>X/s/ Kraig Scott Sullivan</b>	<b>10/23/2009</b>
<b>Donna Lynn Sullivan</b>	<b>Kraig Scott Sullivan</b>	
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
	<b>X/s/ Donna Lynn Sullivan</b>	<b>10/23/2009</b>
Case No. (if known) _____	<b>Donna Lynn Sullivan</b>	
	Signature of Joint Debtor	Date