

**United States Bankruptcy Court  
Northern District of West Virginia**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Dirting, Douglas B.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Dirting, Vickie L.</b>
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-6369</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-2527</b>
Street Address of Debtor (No. and Street, City, and State): <b>1720 Hammonds Mill Road Hedgesville, WV</b> ZIP Code <b>25427</b>	Street Address of Joint Debtor (No. and Street, City, and State): <b>1720 Hammonds Mill Road Hedgesville, WV</b> ZIP Code <b>25427</b>
County of Residence or of the Principal Place of Business: <b>Berkeley</b>	County of Residence or of the Principal Place of Business: <b>Berkeley</b>
Mailing Address of Debtor (if different from street address): <b>Post Office Box 380 Hedgesville, WV</b> ZIP Code <b>25427</b>	Mailing Address of Joint Debtor (if different from street address): <b>Post Office Box 380 Hedgesville, WV</b> ZIP Code <b>25427</b>

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

<b>Type of Debtor</b> (Form of Organization) (Check one box) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <hr/> <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding <hr/> <b>Nature of Debts</b> (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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**Statistical/Administrative Information**

Debtor estimates that funds will be available for distribution to unsecured creditors.  
 Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

**Estimated Number of Creditors**

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

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

<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input checked="" type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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THIS SPACE IS FOR COURT USE ONLY

<p><b>Voluntary Petition</b></p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s):  <b>Dirting, Douglas B.</b>  <b>Dirting, Vickie L.</b></p>
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (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 delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><b>X</b> _____                  Signature of Attorney for Debtor(s) (Date)</p>
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**Exhibit C**

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?

Yes, and Exhibit C is attached and made a part of this petition.  
 No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:  
 Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

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

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
 (Name of landlord that obtained judgment)

\_\_\_\_\_  
 (Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

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.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition**

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

Name of Debtor(s):

**Dirting, Douglas B.**

**Dirting, Vickie L.**

**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/ Douglas B. Dirting** \_\_\_\_\_

Signature of Debtor **Douglas B. Dirting**

**X /s/ Vickie L. Dirting** \_\_\_\_\_

Signature of Joint Debtor **Vickie L. Dirting**

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

**December 1, 2009** \_\_\_\_\_

Date

**Signature of Attorney\***

**X /s/ A. Carter Magee, Jr.** \_\_\_\_\_

Signature of Attorney for Debtor(s)

**A. Carter Magee, Jr. 20284** \_\_\_\_\_

Printed Name of Attorney for Debtor(s)

**Magee Goldstein Lasky & Sayers, P.C.** \_\_\_\_\_

Firm Name

**Post Office Box 404  
Roanoke, VA 24003-0404**

\_\_\_\_\_  
Address

**540-343-9800 Fax: 540-343-9898** \_\_\_\_\_

Telephone Number

**December 1, 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 Debtor (Corporation/Partnership)**

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

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

**X** \_\_\_\_\_

Signature of Authorized Individual

\_\_\_\_\_  
Printed Name of Authorized Individual

\_\_\_\_\_  
Title of Authorized Individual

\_\_\_\_\_  
Date

**Signature of a Foreign Representative**

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

(Check only one box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

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

**X** \_\_\_\_\_

Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

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

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

\_\_\_\_\_  
Address

**X** \_\_\_\_\_

\_\_\_\_\_  
Date

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

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

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

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

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>Douglas B. Dirting</b> <b>Vickie L. Dirting</b>
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**Signatures**

<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.          [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.</p> <p>[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>/s/ Douglas B. Dirting</u>          Signature of Debtor <b>Douglas B. Dirting</b></p> <p>X <u>/s/ Vickie L. Dirting</u>          Signature of Joint Debtor <b>Vickie L. Dirting</b></p> <p>_____          Telephone Number (If not represented by attorney)  <b>December 1, 2009</b>          Date</p>	<p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____          Signature of Foreign Representative</p> <p>_____          Printed Name of Foreign Representative</p> <p>_____          Date</p>
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<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p>X <u>/s/ Robert W. Trumble</u>          Signature of Attorney for Debtor(s)  <b>Robert W. Trumble</b>          Printed Name of Attorney for Debtor(s)  <b>McNeer, Highland, McMunn and Varner, L.C.</b>          Firm Name  <b>275 Aikens Center</b>  <b>P.O. Box 2509</b>  <b>Martinsburg, WV 25402</b>          Address  <b>304-264-4621 Fax: 304-264-8623</b>          Telephone Number  <b>December 4, 2009</b>          Date</p> <p><small>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p style="text-align: center;"><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b></p> <p>I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official form 19 is attached.</p> <p>_____          Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____          Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)</p> <p>_____          Address</p> <p>X _____          Date</p> <p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><small>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.</small></p>
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<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.          The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____          Signature of Authorized Individual</p> <p>_____          Printed Name of Authorized Individual</p> <p>_____          Title of Authorized Individual</p> <p>_____          Date</p>	<p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><small>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.</small></p>
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United States Bankruptcy Court  
Northern District of West Virginia

In re Douglas B. Dirting  
Vickie L. Dirting

Debtor(s)

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

11

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

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

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

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

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

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/ Douglas B. Dirting  
Douglas B. Dirting

Date:  December 1, 2009

United States Bankruptcy Court  
Northern District of West Virginia

In re Douglas B. Dirting  
Vickie L. Dirting \_\_\_\_\_  
Debtor(s)

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

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

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*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.**

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/ Vickie L. Dirting  
Vickie L. Dirting

Date:  December 1, 2009



**United States Bankruptcy Court**  
**Northern District of West Virginia**

In re Douglas B. Dirting  
Vickie L. Dirting

Debtor(s)

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

Chapter 11

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

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

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
AAA Financial Services P.O. Box 15019 Wilmington, DE 19886-5019	AAA Financial Services P.O. Box 15019 Wilmington, DE 19886-5019	Credit Card		2,392.36
AARP Chase Card Services P.O. Box 15153 Wilmington, DE 19886-5153	AARP Chase Card Services P.O. Box 15153 Wilmington, DE 19886-5153	Credit Card		28,784.70
Advanta Bank Corp. P.O. Box 8088 Philadelphia, PA 19101-8088	Advanta Bank Corp. P.O. Box 8088 Philadelphia, PA 19101-8088	Credit Card- Business Federal Hill Properties, Inc.		35,349.34
Bank of America P.O. Box 15027 Wilmington, DE 19886-5027	Bank of America P.O. Box 15027 Wilmington, DE 19886-5027	Credit Line Student Loan (J. Eric Higginbotham, son-in-law)		57,743.50
Blue Ridge Cancer Care 5900 Lake Wright Drive Norfolk, VA 23502-1871	Blue Ridge Cancer Care 5900 Lake Wright Drive Norfolk, VA 23502-1871	Medical Services		261.61
Branch Banking and Trust Company P.O. Box 580302 Charlotte, NC 28258-0302	Branch Banking and Trust Company P.O. Box 580302 Charlotte, NC 28258-0302	Constant Credit		5,265.77
Branch Banking and Trust Company Financial FSB P.O. Box 580340 Charlotte, NC 28258-0340	Branch Banking and Trust Company Financial FSB P.O. Box 580340 Charlotte, NC 28258-0340	Credit Card- Business Federal Hill Properties, Inc.		10,953.74
Capital One P.O. Box 6492 Carol Stream, IL 60197-6492	Capital One P.O. Box 6492 Carol Stream, IL 60197-6492	Credit Card		23,781.39
Carilion Clinic P.O. Box 50021 Roanoke, VA 24022-5021	Carilion Clinic P.O. Box 50021 Roanoke, VA 24022-5021	Medical Services		1,479.43
Carilion Clinic P.O. Box 50021 Roanoke, VA 24022-5021	Carilion Clinic P.O. Box 50021 Roanoke, VA 24022-5021	Medical Services		324.30

Douglas B. Dirting

In re Vickie L. Dirting

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

Debtor(s)

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

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Carilion Medical Center Physician P.O. Box 40026 Roanoke, VA 24022-0026	Carilion Medical Center Physician P.O. Box 40026 Roanoke, VA 24022-0026	Medical Services		500.00
Chase Card Services P.O. Box 15153 Wilmington, DE 19886-5153	Chase Card Services P.O. Box 15153 Wilmington, DE 19886-5153	Credit Card		27,774.59
Chrysler Financial Corp. P.O. Box 9001921 Louisville, KY 40290-1921	Chrysler Financial Corp. P.O. Box 9001921 Louisville, KY 40290-1921	2008 Jeep Commander		35,231.68 (15,575.00 secured)
Citi Mastercard P.O. Box 6077 Sioux Falls, SD 57117-6077	Citi Mastercard P.O. Box 6077 Sioux Falls, SD 57117-6077	Credit Card		28,376.46
Discover P.O. Box 30943 Salt Lake City, UT 84130	Discover P.O. Box 30943 Salt Lake City, UT 84130	Credit Card		2,088.44
Donald L. Dirting c/o Susan R. Snowden, Esq. P.O. Box 1286 1453 Winchester Avenue Martinsburg, WV 25402	Donald L. Dirting c/o Susan R. Snowden, Esq. P.O. Box 1286 Martinsburg, WV 25402	Federal Hill Partnership Dissolution Civil Complaint	Disputed	58,860.00
Lowe's GE Money Bank, Bankruptcy Dept. P.O. Box 103104 Roswell, GA 30076	Lowe's GE Money Bank, Bankruptcy Dept. P.O. Box 103104 Roswell, GA 30076	Credit Card 50% Business, 50% Consumer		2,052.22
MidAtlantic Farm Credit, ACA 158 Crimson Circle Martinsburg, WV 25403	MidAtlantic Farm Credit, ACA 158 Crimson Circle Martinsburg, WV 25403	Guaranty of Daughter's Student Loan		47,154.84
Physicians Care of Virginia, P.C. Valley Nephrology Associates- Roanoke P.O. Box 1331 Roanoke, VA 24007	Physicians Care of Virginia, P.C. Valley Nephrology Associates- Roanoke P.O. Box 1331 Roanoke, VA 24007	Medical Services		450.00
Steptoe & Johnson PLLC P.O. Box 1732 Clarksburg, WV 26302-1732	Steptoe & Johnson PLLC P.O. Box 1732 Clarksburg, WV 26302-1732	Legal Services		3,700.00

In re **Douglas B. Dirting**  
**Vickie L. Dirting**

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

Debtor(s)

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

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

We, **Douglas B. Dirting** and **Vickie L. Dirting**, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date December 1, 2009

Signature /s/ Douglas B. Dirting  
**Douglas B. Dirting**  
Debtor

Date December 1, 2009

Signature /s/ Vickie L. Dirting  
**Vickie L. Dirting**  
Joint Debtor

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

**United States Bankruptcy Court  
Northern District of West Virginia**

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

Chapter 11

**SUMMARY OF SCHEDULES**

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

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	4,980,000.00		
B - Personal Property	Yes	4	215,637.07		
C - Property Claimed as Exempt	Yes	2			
D - Creditors Holding Secured Claims	Yes	2		2,245,534.70	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		3.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	5		337,292.69	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			2,709.33
J - Current Expenditures of Individual Debtor(s)	Yes	2			17,964.39
Total Number of Sheets of ALL Schedules		21			
			Total Assets	5,195,637.07	
			Total Liabilities	2,582,830.39	

**United States Bankruptcy Court  
Northern District of West Virginia**

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

Chapter 11

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

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

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

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

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

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

**State the following:**

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

**State the following:**

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

In re **Douglas B. Dirting**  
**Vickie L. Dirting**

Debtor(s)

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

**SCHEDULE A - REAL PROPERTY**

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

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

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "none" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
1718, 1720 Hammonds Mill Road Hedgesville, West Virginia 25427 Tax Map H-22-3, containing 120.62 +/- acres Ellis Farm with house, cottage, garage and barn Debtors' Personal Residence	TEWROS	J	\$2,400,000.00*	\$1,206,376.00
Tax Map H-22-10, containing 17.49 +/- acres Canby Property	TEWROS	J	Unknown**	\$0.00
Tax Maps H-22-7 (76.25 +/- acres), H-22-8 (84.25 +/- acres) and H-22-9 (14.5 +/- acres) Speck Farm	TEWROS	J	\$2,580,000.00*	\$998,010.18

Total: **\$4,980,000.00**  
(Report also on Summary of Schedules)

\*Extrapolated from June 2009 appraisal by the Cornerstone Appraisal Group. Land appraised at \$15,300.00 per acre.

\*\* 2009 TAV= \$1,080.00. The Debtors believe it is worth at least \$100,000.00.

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

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

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

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

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand		Cash; On person	J	1,067.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking account; Citizens National Bank, Inc. (Hedgesville, West Virginia)	J	1,685.75
		Checking account; Franklin Community Bank (Franklin County, Virginia)	J	21,554.57
3. Security deposits with public utilities, telephone companies, landlords, and others.		Security Deposit; Triad Properties, Inc.	J	2,500.00
4. Household goods and furnishings, including audio, video, and computer equipment.		Household goods and furnishings, including: sofa, loveseat, chair, coffee table, 2 end tables, television, rug, dining room table with six chairs, rug, kitchen table with six chairs, bed, 2 night stands, dresser, chest, 2 chairs, rug, bed, 2 night stands, dresser, chest, desk, filing cabinet, typewriter stand, sofa, light, 2 televisions, 2 VCRs, computer with deskjet printer/scanner/copier, table, secretary, rug, dining table with six chairs and corner cupboard; Debtors' personal residence	J	10,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		2 General Robert E. Lee prints (\$500.00) and a Kunsler print (\$500); Debtors' personal residence	J	1,000.00
6. Wearing apparel.		Wearing apparel; Debtors' personal residence	J	1,000.00
7. Furs and jewelry.		Wedding band, engagement ring and anniversary band; On person	W	2,000.00
		Wedding band; On person	H	100.00
		Miscellaneous jewelry; Debtors' personal residence	W	750.00

Sub-Total > **41,657.32**

(Total of this page)

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3 continuation sheets attached to the Schedule of Personal Property

Page 15 of 64

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
8. Firearms and sports, photographic, and other hobby equipment.		<b>Golf clubs (\$200.00), camera (\$100.00), 30-30 Marlin lever action rifle (\$300.00), .22 semi-automatic rifle (\$200.00) and 12 gauge single shot H&amp;R shotgun (\$100.00); Debtors' personal residence</b>	<b>J</b>	<b>900.00</b>
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Term life insurance policy; Farm Family Life Insurance Company</b>	<b>H</b>	<b>1.00</b>
		<b>Term life insurance policy; Farm Family Life Insurance Company</b>	<b>W</b>	<b>1.00</b>
10. Annuities. Itemize and name each issuer.	<b>X</b>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	<b>X</b>			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.		<b>State tax refund, 5-year loss carryback due within 90 days; West Virginia Department of Taxation</b>	<b>J</b>	<b>6,300.00</b>

Sub-Total > **7,202.00**  
(Total of this page)



In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
		<b>Non-transferrable Knouse Foods Cooperative (Peach Glenn, PA) certificates, payable yearly September 2010- September 2013: Certificate No. 04695, face value \$16,150.27 Certificate No. 005196, face value \$33,737.26 Certificate No. 006297, face value \$31,686.19 Certificate No. 004998, face value \$21,887.03</b>	<b>J</b>	<b>103,460.75</b>
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		<b>Half-interest (with brother) in a \$25,000 life insurance policy on Debtor's mother</b>	<b>H</b>	<b>1.00</b>
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		<b>Tax refund(s), Economic Stimulus payment(s), inheritance(s) and lottery ticket(s)</b>	<b>J</b>	<b>1.00</b>
		<b>Counter-claim against Donald L. Dirting for construction costs, improvements to real estate (plus interest)</b>	<b>J</b>	<b>24,240.00</b>
		<b>Civil Action (09-C-216), Breach of Contract; Douglas B. Dirting and Vickie L. Dirting v. S &amp; A Custom Built Homes, Inc.; Circuit Court of Berkeley County, West Virginia*</b>	<b>J</b>	<b>Unknown</b>
		<b>*Value dependent on outcome of litigation and defendant's ability to pay judgment. Amount sought is \$9,500,000.00 minus the fair market value of the real estate S &amp; A contracted to buy plus interests, costs, and other fees, charges, and damages to be proven at trial.</b>		
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			

Sub-Total > **127,702.75**  
(Total of this page)

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2008 Jeep Commander (45,000 miles); Debtors' personal residence</b>	<b>J</b>	<b>15,575.00</b>
		<b>1986 Ford F-150 (100,000+ miles); Debtors' personal residence</b>	<b>J</b>	<b>500.00</b>
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.		<b>5105 John Deere Tractor; Debtors' personal residence</b>	<b>J</b>	<b>18,000.00</b>
		<b>451 New Holland Mower; Debtors' personal residence</b>	<b>J</b>	<b>2,000.00</b>
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.		<b>Miscellaneous hand tools; Debtors' personal residence</b>	<b>J</b>	<b>3,000.00</b>

Sub-Total > **39,075.00**  
(Total of this page)

Total > **215,637.07**

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

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(Report also on Summary of Schedules)

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)

- 11 U.S.C. §522(b)(2)  
 11 U.S.C. §522(b)(3)

 Check if debtor claims a homestead exemption that exceeds \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b>Real Property</b>			
1718, 1720 Hammonds Mill Road Hedgesville, West Virginia 25427 Tax Map H-22-3, containing 120.62 +/- acres Ellis Farm with house, cottage, garage and barn Debtors' Personal Residence	W. Va. Code § 38-10-4(a)	7,051.52	2,400,000.00
Tax Map H-22-10, containing 17.49 +/- acres Canby Property	W. Va. Code § 38-10-4(e)	1.00	Unknown
Tax Maps H-22-7 (76.25 +/- acres), H-22-8 (84.25 +/- acres) and H-22-9 (14.5 +/- acres) Speck Farm	W. Va. Code § 38-10-4(e)	1.00	2,580,000.00
<b>Cash on Hand</b>			
Cash; On person	W. Va. Code § 38-10-4(e)	1,067.00	1,067.00
<b>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</b>			
Checking account; Citizens National Bank, Inc. (Hedgesville, West Virginia)	W. Va. Code § 38-10-4(e)	1,685.75	1,685.75
Checking account; Franklin Community Bank (Franklin County, Virginia)	W. Va. Code § 38-10-4(e)	21,554.57	21,554.57
<b>Household Goods and Furnishings</b>			
Household goods and furnishings, including: sofa, loveseat, chair, coffee table, 2 end tables, television, rug, dining room table with six chairs, rug, kitchen table with six chairs, bed, 2 night stands, dresser, chest, 2 chairs, rug, bed, 2 night stands, dresser, chest, desk, filing cabinet, typewriter stand, sofa, light, 2 televisions, 2 VCRs, computer with deskjet printer/scanner/copier, table, secretary, rug, dining table with six chairs and corner cupboard; Debtors' personal residence	W. Va. Code § 38-10-4(c)	10,000.00	10,000.00
<b>Books, Pictures and Other Art Objects; Collectibles</b>			
2 General Robert E. Lee prints (\$500.00) and a Kunsler print (\$500); Debtors' personal residence	W. Va. Code § 38-10-4(e) W. Va. Code § 38-10-4(c)	200.00 800.00	1,000.00
<b>Wearing Apparel</b>			
Wearing apparel; Debtors' personal residence	W. Va. Code § 38-10-4(c)	1,000.00	1,000.00
<b>Furs and Jewelry</b>			
Wedding band, engagement ring and anniversary band; On person	W. Va. Code § 38-10-4(d) W. Va. Code § 38-10-4(e)	1,000.00 1,000.00	2,000.00
Wedding band; On person	W. Va. Code § 38-10-4(d)	100.00	100.00

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1 continuation sheets attached to Schedule of Property Claimed as Exempt

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**  
(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Miscellaneous jewelry; Debtors' personal residence	W. Va. Code § 38-10-4(e)	750.00	750.00
<b>Firearms and Sports, Photographic and Other Hobby Equipment</b>			
Golf clubs (\$200.00), camera (\$100.00), 30-30 Marlin lever action rifle (\$300.00), .22 semi-automatic rifle (\$200.00) and 12 gauge single shot H&R shotgun (\$100.00); Debtors' personal residence	W. Va. Code § 38-10-4(e)	900.00	900.00
<b>Interests in Insurance Policies</b>			
Term life insurance policy; Farm Family Life Insurance Company	W. Va. Code §§ 33-6-27, 48-3-23 W. Va. Code § 38-10-4(e)	1.00 1.00	1.00
Term life insurance policy; Farm Family Life Insurance Company	W. Va. Code §§ 33-6-27, 48-3-23 W. Va. Code § 38-10-4(e)	1.00 1.00	1.00
<b>Other Liquidated Debts Owning Debtor Including Tax Refund</b>			
State tax refund, 5-year loss carryback due within 90 days; West Virginia Department of Taxation	W. Va. Code § 38-10-4(e)	6,300.00	6,300.00
Non-transferrable Knouse Foods Cooperative (Peach Glenn, PA) certificates, payable yearly September 2010- September 2013: Certificate No. 04695, face value \$16,150.27 Certificate No. 005196, face value \$33,737.26 Certificate No. 006297, face value \$31,686.19 Certificate No. 004998, face value \$21,887.03	7 U.S.C.A. § 1509 W. Va. Code § 38-10-4(e)	103,460.75 1.00	103,460.75
<b>Contingent and Non-contingent Interests in Estate of a Decedent</b>			
Half-interest (with brother) in a \$25,000 life insurance policy on Debtor's mother	W. Va. Code §§ 33-6-27, 48-3-23 W. Va. Code § 38-10-4(e)	1.00 1.00	1.00
<b>Other Contingent and Unliquidated Claims of Every Nature</b>			
Tax refund(s), Economic Stimulus payment(s), inheritance(s) and lottery ticket(s)	W. Va. Code § 38-10-4(e)	1.00	1.00
<b>Automobiles, Trucks, Trailers, and Other Vehicles</b>			
1986 Ford F-150 (100,000+ miles); Debtors' personal residence	W. Va. Code § 38-10-4(b)	500.00	500.00
<b>Farming Equipment and Implements</b>			
5105 John Deere Tractor; Debtors' personal residence	W. Va. Code § 38-10-4(e)	18,000.00	18,000.00
451 New Holland Mower; Debtors' personal residence	W. Va. Code § 38-10-4(e)	2,000.00	2,000.00
<b>Other Personal Property of Any Kind Not Already Listed</b>			
Miscellaneous hand tools; Debtors' personal residence	W. Va. Code § 38-10-4(f) W. Va. Code § 38-10-4(e)	3,000.00 1.00	3,000.00

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Document Page 20 of 64 Total: 180,380.59 5,153,322.07

Sheet 1 of 1 continuation sheets attached to the Schedule of Property Claimed as Exempt

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

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

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

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

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

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

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

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R H W J C	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN						
Account No.  <b>Berkeley County Sheriff's Tax Office 400 Stephen Street, Suite 209 Martinsburg, WV 25401</b>	J	2009	Real Estate Taxes Tax Maps H-22-3, H-22-7, H-22-8, H-22-9, H-22-10 Disability Waiver Pending	X	X		1.00	0.00
Account No. 6921624466  <b>Branch Banking and Trust Company P.O. Box 580302 Charlotte, NC 28258-0302</b>	J	February 2006	Deed of Trust 1718, 1720 Hammonds Mill Road Hedgesville, West Virginia 25427 Tax Map H-22-3, containing 120.62 +/- acres Ellis Farm with house, cottage, garage and barn				1,206,375.00	0.00
Account No. 9570764931  <b>Branch Banking and Trust Company P.O. Box 580302 Charlotte, NC 28258-0302</b>	J	May 2007	Deed of Trust Tax Maps H-22-7 (76.25 +/- acres), H-22-8 (84.25 +/- acres) and H-22-9 (14.5 +/- acres) Speck Farm property				998,010.18	0.00
Account No. 1025562670  <b>Chrysler Financial Corp. P.O. Box 9001921 Louisville, KY 40290-1921</b>	J	January 2008	Title Lien 2008 Jeep Commander				35,231.68	19,656.68
Subtotal							<b>2,239,617.86</b>	<b>19,656.68</b>
(Total of this page)								

1 continuation sheets attached

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B E R O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. <b>5-10000651-23</b>			<b>May 2004</b>					
<b>John Deere Credit Company P.O. Box 5307 Madison, WI 53791-9044</b>		<b>H</b>	<b>Security Interest  5105 John Deere Tractor</b>					
			Value \$ <b>18,000.00</b>				<b>5,916.84</b>	<b>0.00</b>
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Subtotal (Total of this page)							<b>5,916.84</b>	<b>0.00</b>
Subtotal (Repeat Summary of Schedules)							<b>2,245,534.66</b>	<b>19,656.68</b>

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

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In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

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

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

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

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

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

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

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

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

**Domestic support obligations**

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

**Extensions of credit in an involuntary case**

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

**Wages, salaries, and commissions**

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

**Contributions to employee benefit plans**

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

**Certain farmers and fishermen**

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

**Deposits by individuals**

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

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

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

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

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

**Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

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

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

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B T O R	H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY	
								AMOUNT ENTITLED TO PRIORITY	
Account No.  <b>Berkeley County Sheriff's Tax Office 400 Stephen Street, Suite 209 Martinsburg, WV 25401</b>		J	2009  Accrued but unpaid personal property taxes (not yet due)	X	X		1.00	0.00	
Account No.  <b>Internal Revenue Service Insolvency Stop 334-D, Room 400 401 W. Peachtree Street, NW Atlanta, GA 30308</b>		J	2009  Potential federal income taxes	X	X		1.00	0.00	
Account No.  <b>West Virginia State Tax Department Legal Division Bankruptcy Unit P.O. Box 766 Charleston, WV 25323</b>		J	2009  Potential state income taxes	X	X		1.00	0.00	
Account No.									
Account No.									
Subtotal (Total of this page)							3.00	0.00	3.00
Total (Report on Summary of Schedules)							3.00	0.00	3.00

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

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In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

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

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

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

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

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	H W J C C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. 4264-2967-4655-8987  AAA Financial Services P.O. Box 15019 Wilmington, DE 19886-5019	H	2004- 2008 Credit Card				2,392.36
Account No. 4408-0410-1575-0296  AARP Chase Card Services P.O. Box 15153 Wilmington, DE 19886-5153	H	2004- 2008 Credit Card				28,784.70
Account No. 5584-1897-0424-5988  Advanta Bank Corp. P.O. Box 8088 Philadelphia, PA 19101-8088	H	2004- 2008 Credit Card- Business Federal Hill Properties, Inc.				35,349.34
Account No. 749-75976-622740  Bank of America P.O. Box 15027 Wilmington, DE 19886-5027	H	2005 Credit Line Student Loan (J. Eric Higginbotham, son-in-law)				57,743.50
Subtotal (Total of this page)						124,269.90

4 continuation sheets attached

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community  H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. <b>M00193231</b>  <b>Blue Ridge Cancer Care</b> <b>5900 Lake Wright Drive</b> <b>Norfolk, VA 23502-1871</b>		<b>W</b>	<b>2009</b> <b>Medical Services</b>				<b>261.61</b>
Account No. <b>4616-4610-0006-2002</b>  <b>Branch Banking and Trust Company</b> <b>Financial FSB</b> <b>P.O. Box 580340</b> <b>Charlotte, NC 28258-0340</b>		<b>H</b>	<b>2004- 2008</b> <b>Credit Card- Business</b> <b>Federal Hill Properties, Inc.</b>				<b>10,953.74</b>
Account No. <b>MM-0005271351153</b>  <b>Branch Banking and Trust Company</b> <b>P.O. Box 580302</b> <b>Charlotte, NC 28258-0302</b>		<b>J</b>	<b>2000</b> <b>Constant Credit</b>				<b>5,265.77</b>
Account No.  <b>Branch Banking and Trust Company</b> <b>3967 Hedgesville Road</b> <b>Hedgesville, WV 25427</b>		<b>J</b>	<b>For Notice Purposes Only</b>				<b>0.00</b>
Account No. <b>4003-4470-1257-8722</b>  <b>Capital One</b> <b>P.O. Box 6492</b> <b>Carol Stream, IL 60197-6492</b>		<b>H</b>	<b>2004- 2008</b> <b>Credit Card</b>				<b>23,781.39</b>
Subtotal (Total of this page)							<b>40,262.51</b>

Sheet no. 1 of 4 sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>G100787897</b>  <b>Carilion Clinic</b> <b>P.O. Box 50021</b> <b>Roanoke, VA 24022-5021</b>		<b>W</b>					<b>1,479.43</b>
Account No. <b>2176317</b>  <b>Carilion Clinic</b> <b>P.O. Box 50021</b> <b>Roanoke, VA 24022-5021</b>		<b>W</b>					<b>324.30</b>
Account No. <b>1001536300</b>  <b>Carilion Medical Center Physician</b> <b>P.O. Box 40026</b> <b>Roanoke, VA 24022-0026</b>		<b>W</b>					<b>500.00</b>
Account No. <b>4266-8411-5987-0193</b>  <b>Chase Card Services</b> <b>P.O. Box 15153</b> <b>Wilmington, DE 19886-5153</b>		<b>W</b>					<b>27,774.59</b>
Account No. <b>5424-1805-9356-1043</b>  <b>Citi Mastercard</b> <b>P.O. Box 6077</b> <b>Sioux Falls, SD 57117-6077</b>		<b>H</b>					<b>28,376.46</b>
Subtotal (Total of this page)							<b>58,454.78</b>

Sheet no. 2 of 4 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C					
Account No. <b>6011-2089-8595-6005</b>  <b>Discover</b> <b>P.O. Box 30943</b> <b>Salt Lake City, UT 84130</b>		<b>H</b>					<b>2,088.44</b>
Account No.  <b>Donald L. Dirting</b> <b>c/o Susan R. Snowden, Esq.</b> <b>P.O. Box 1286</b> <b>1453 Winchester Avenue</b> <b>Martinsburg, WV 25402</b>		<b>J</b>				<b>X</b>	<b>58,860.00</b>
Account No. <b>81924491859914</b>  <b>Lowe's</b> <b>GE Money Bank, Bankruptcy Dept.</b> <b>P.O. Box 103104</b> <b>Roswell, GA 30076</b>		<b>H</b>					<b>2,052.22</b>
Account No. <b>031 040 591982-10</b>  <b>MidAtlantic Farm Credit, ACA</b> <b>158 Crimson Circle</b> <b>Martinsburg, WV 25403</b>		<b>X J</b>					<b>47,154.84</b>
Account No. <b>148579</b>  <b>Physicians Care of Virginia, P.C.</b> <b>Valley Nephrology Associates-</b> <b>Roanoke</b> <b>P.O. Box 1331</b> <b>Roanoke, VA 24007</b>		<b>W</b>					<b>450.00</b>
Subtotal (Total of this page)							<b>110,605.50</b>

Sheet no. 3 of 4 sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B I T O R	H W J C	Husband, Wife, Joint, or Community	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. <b>234260.00009</b>  <b>Steptoe &amp; Johnson PLLC</b> <b>P.O. Box 1732</b> <b>Clarksburg, WV 26302-1732</b>				<b>2009</b> <b>Legal Services</b>				<b>3,700.00</b>
Account No.								
Account No.								
Account No.								
Account No.								

Sheet no. **4** of **4** sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal  
(Total of this page) **3,700.00**

Total  
(Report on Summary of Schedules) **337,292.69**

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In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

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

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

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

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
<b>Janet Bishop Freeland 1718 Hammonds Mill Road Hedgesville, WV 25427</b>	<b>Farm Cottage Lease Agreement</b>
<b>Triad Properties Inc. 1842 Chalk Level Road Chatham, VA 24531</b>	<b>Residential Lease</b>

In re **Douglas B. Dirting,  
Vickie L. Dirting**

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

Debtors

**SCHEDULE H - CODEBTORS**

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

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
<b>Jennifer L. Dirting-Higginbotham P.O. Box 1468 Hedgesville, WV 25427</b>	<b>MidAtlantic Farm Credit, ACA 158 Crimson Circle Martinsburg, WV 25403</b>

In re **Douglas B. Dirting**  
**Vickie L. Dirting**

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

Debtor(s)

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

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

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

	DEBTOR	SPOUSE
INCOME: (Estimate of average or projected monthly income at time case filed)		
1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)	\$ <u>0.00</u>	\$ <u>0.00</u>
2. Estimate monthly overtime	\$ <u>0.00</u>	\$ <u>0.00</u>
3. SUBTOTAL	\$ <u>0.00</u>	\$ <u>0.00</u>
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ <u>0.00</u>	\$ <u>0.00</u>
b. Insurance	\$ <u>0.00</u>	\$ <u>0.00</u>
c. Union dues	\$ <u>0.00</u>	\$ <u>0.00</u>
d. Other (Specify): _____	\$ <u>0.00</u>	\$ <u>0.00</u>
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <u>0.00</u>	\$ <u>0.00</u>
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ <u>0.00</u>	\$ <u>0.00</u>
7. Regular income from operation of business or profession or farm (Attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
8. Income from real property	\$ <u>583.33</u>	\$ <u>0.00</u>
9. Interest and dividends	\$ <u>0.00</u>	\$ <u>0.00</u>
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$ <u>0.00</u>	\$ <u>0.00</u>
11. Social security or government assistance (Specify): <u>Social Security Disability</u>	\$ <u>1,626.00</u>	\$ <u>0.00</u>
	\$ <u>0.00</u>	\$ <u>0.00</u>
12. Pension or retirement income	\$ <u>0.00</u>	\$ <u>0.00</u>
13. Other monthly income (Specify): <u>Cottage rental</u>	\$ <u>500.00</u>	\$ <u>0.00</u>
	\$ <u>0.00</u>	\$ <u>0.00</u>
14. SUBTOTAL OF LINES 7 THROUGH 13	\$ <u>2,709.33</u>	\$ <u>0.00</u>
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ <u>2,709.33</u>	\$ <u>0.00</u>
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)	\$ <u>2,709.33</u>	

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

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:  
**Debtors will receive \$16,150.27 in September 2010 and a \$6,300.00 state tax refund by Spring 2010. They will also receive distributions from the Knouse Food certificates September 2011- 2013 totalling \$87,310.48.**



In re Douglas B. Dirting  
Vickie L. Dirting Debtor(s) Case No. \_\_\_\_\_

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

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

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

1. Rent or home mortgage payment (include lot rented for mobile home)		\$	<u>10,102.00</u>
a. Are real estate taxes included?	Yes ___ No <u>X</u>		
b. Is property insurance included?	Yes ___ No <u>X</u>		
2. Utilities:		\$	<u>304.62</u>
a. Electricity and heating fuel		\$	<u>0.00</u>
b. Water and sewer		\$	<u>109.43</u>
c. Telephone		\$	<u>330.52</u>
d. Other <u>See Detailed Expense Attachment</u>		\$	<u>305.00</u>
3. Home maintenance (repairs and upkeep)		\$	<u>750.00</u>
4. Food		\$	<u>145.00</u>
5. Clothing		\$	<u>0.00</u>
6. Laundry and dry cleaning		\$	<u>325.00</u>
7. Medical and dental expenses		\$	<u>400.00</u>
8. Transportation (not including car payments)		\$	<u>150.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.		\$	<u>318.58</u>
10. Charitable contributions		\$	
11. Insurance (not deducted from wages or included in home mortgage payments)		\$	<u>202.35</u>
a. Homeowner's or renter's		\$	<u>388.80</u>
b. Life		\$	<u>972.67</u>
c. Health		\$	<u>156.87</u>
d. Auto		\$	<u>0.00</u>
e. Other _____		\$	
12. Taxes (not deducted from wages or included in home mortgage payments)		\$	<u>335.00</u>
(Specify) <u>Personal property and real estate taxes</u>			
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)			
a. Auto		\$	<u>739.26</u>
b. Other <u>Tractor</u>		\$	<u>679.29</u>
c. Other _____		\$	<u>0.00</u>
14. Alimony, maintenance, and support paid to others		\$	<u>0.00</u>
15. Payments for support of additional dependents not living at your home		\$	<u>0.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)		\$	<u>0.00</u>
17. Other <u>Rent; Franklin County, Virginia</u>		\$	<u>1,250.00</u>
Other _____		\$	<u>0.00</u>

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 17,964.39

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

20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I	\$	<u>2,709.33</u>
b. Average monthly expenses from Line 18 above	\$	<u>17,964.39</u>
c. Monthly net income (a. minus b.)	\$	<u>-15,255.06</u>

In re **Douglas B. Dirting**  
**Vickie L. Dirting**

Debtor(s)

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

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

**Other Utility Expenditures:**

<u>Trash Removal</u>	\$	<u>270.45</u>
<u>Internet Service</u>	\$	<u>60.07</u>
<u>Total Other Utility Expenditures</u>	\$	<u>330.52</u>

**United States Bankruptcy Court  
Northern District of West Virginia**

In re Douglas B. Dirting  
Vickie L. Dirting  
Debtor(s)

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

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

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

Date December 1, 2009

Signature /s/ Douglas B. Dirting  
Douglas B. Dirting  
Debtor

Date December 1, 2009

Signature /s/ Vickie L. Dirting  
Vickie L. Dirting  
Joint Debtor

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

**United States Bankruptcy Court  
Northern District of West Virginia**

In re Douglas B. Dirting  
Vickie L. Dirting

Debtor(s)

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

Chapter 11

**STATEMENT OF FINANCIAL AFFAIRS**

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

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

*DEFINITIONS*

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

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

**1. Income from employment or operation of business**

None  State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
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**2. Income other than from employment or operation of business**

None  State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>\$16,250.00</b>	<b>2009 YTD (H): Social Security benefits</b>
<b>\$3,000.00</b>	<b>2009 YTD (J): Farm Cottage Lease Agreement (Freeland)</b>

AMOUNT	SOURCE
\$122,816.83	2009 (J): Sold Franklin County, Virginia property
\$9,606.50	2009 (J): Sale/auction of furniture
\$3,000.00	2009 (J): Farm Land Lease Agreement (Folk)
\$4,000.00	2009 (J): Lease Agreement (Johnson)
\$12,650.00	2009 (H): Sale of boat, jet ski, truck
\$1,084.56	2009 (H): Southern States Martinsburg Cooperative, Inc.
\$6,148.00	2008 (H): Social Security benefits
\$4,724.39	2008 (J): Investment income, Edward Jones
\$3,000.00	2008 (J): Farm Land Lease Agreement (Folk)
\$4,000.00	2008 (J): Lease Agreement (Johnson)
\$3,000.00	2007 (J): Farm Land Lease Agreement (Folk)

3. Payments to creditors

None  Complete a. or b., as appropriate, and c.

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

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

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
Branch Banking and Trust Company P.O. Box 580302 Charlotte, NC 28258-0302	August, September 2009	\$12,750.00	\$1,206,375.00
Branch Banking and Trust Company P.O. Box 580302 Charlotte, NC 28258-0302	August, September 2009	\$8,000.00	\$998,010.18

None  c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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#### 4. Suits and administrative proceedings, executions, garnishments and attachments

- None  a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Erica Stoller v. Douglas B. Dirting; 08C-3107	Civil Complaint	Magistrate Court; Cabell County, West Virginia	Settled July 2009
Douglas B. Dirting and Vickie L. Dirting v. S & A Custom Built Homes, Inc.; 09-C-216	Civil Complaint for Breach of Contract	Circuit Court; Berkeley County, West Virginia	Pending
Donald Dirting v. Douglas Dirting and Vicki Dirting; 09-C-937	Civil Complaint	Circuit Court; Berkeley County, West Virginia	Pending

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

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

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

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

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

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

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

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

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
Junior Civic League Hedgesville, WV	None (Coats for Kids program)	October 2008	\$100.00
Mt. Zion Episcopal Church Hedgesville, WV	None	2008 Tithing	\$1,823.00

### 8. Losses

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

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

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

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Magee Goldstein Lasky & Sayers, P.C. Post Office Box 404 Roanoke, VA 24003-0404	10/20/09	\$25,000.00
McNeer, Highland, McMunn & Varner, LC 275 Aikens Center P.O. Box 2509 Martinsburg, WV 25401	11/5/09	\$10,000.00

### 10. Other transfers

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

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
J. Eric Higginbotham P.O. Box 1468 Hedgesville, WV 25427 Son-in-Law	January 2009	2001 Ford Truck; \$2,500.00
Mark Kramer 627 Clearview Circle Rustburg, VA 24588 None	April 2009	2005 Sea Doo; \$3,680.00

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
Bayside Marina & Yacht Club, Inc. 500 Shoreline Circle Moneta, VA 24121 None	May 2009	2002 Pontoon Boat; \$6,470.42
Gilbert W. and Anne M. McGeorge 8250 Scruggs Road Moneta, VA 24121 None	May 2009	8250 Scruggs Road, Moneta, Virginia; \$1,225,000.00
Craig Jamison Auction Company 10885 Virgil Goode Highway Rocky Mount, VA 24151 None	June 2009	Furniture (see attached Exhibit SOFA-10b) totalling \$2,516.50
Michael Clowser 2281 Chestnut Grove Road Winchester, VA 22603 None	June 2009	5105 John Deere tractor; \$12,900.00
Gilbert W. and Anne M. McGeorge 8250 Scruggs Road Moneta, VA 24121 None	July 1, 2009	Furniture (see attached Exhibit SOFA-10a) totalling \$7,090.00

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

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

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

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
Branch Banking and Trust Company Martinsburg, WV	(Joint) checking account, Interest Reserve -2381	\$19,194.91; January 2009
Branch Banking and Trust Company Martinsburg, WV	(Joint) checking account	\$14.00; September 2009
Edward Jones Roanoke, VA	(Joint) Investment Account, -85-1-3	\$4,724.39; February 2009



FURNITURE SOLD - JULY 1, 2009

TO: GILBERT W. & ANNE M. MCGEORGE  
8250 SCRUGGS RD., MONETA, VA 24121

Breakfast nook table (will include bar stools)	\$ 400
Dining room table w/9 chairs @\$100	\$ 700 900
2 Living room sofa's 1 Living room chair	1,200 300
Foyer Table (green)	100
Mirror above foyer table	50
Vase w/flowers (on foyer table)	20
Fish/candlesticks (on foyer table)	35
Artificial plant on floor near table	35
Large TV room downstairs: 2 Leather sofas 1 Leather chair w/ottoman	 1,300.00 800.00
Bed, nightstands, 2 chest of Drawers	 1,200.00
Glass bowls on table in hall	50.00
Total Price =	\$ 7,090.00

Check will be issued at closing, purchase separate from home purchase)



# Craig Jamison Auction Company

10885 Virgil Goode Hwy  
 Rocky Mount, Virginia 24151  
 540-484-1559  
 craigjamisonauction@netzero.com  
 www.craigjamisonauction.com

## Consignor Information # 4

Douglas & Vickie Dirting 9  
 250 Scruggs Road  
 Moneta, Virginia 24121

## Auction Information

SML Estate  
 Friday, June 19, 2009  
 Commission Rate:0.30

#	Description	Category	Buyer #	Price	Quantity	Total
	Victorian chair		10	\$60.00	1	\$60.00
	Train station bench		10	\$225.00	1	\$225.00
	Blanket chest		10	\$100.00	1	\$100.00
	Victorian chair		10	\$60.00	1	\$60.00
	Runner rug		10	\$100.00	1	\$100.00
	Bachelor's chest		10	\$50.00	1	\$50.00
	Persian rug		10	\$200.00	1	\$200.00
	Coffee table with beveled glass top		498	\$45.00	1	\$45.00
	Windsor chairs		498	\$20.00	2	\$40.00
	Rug		481	\$100.00	1	\$100.00
	Rug		481	\$100.00	1	\$100.00
	Marble top washstand		481	\$130.00	1	\$130.00
	Bokara rug		481	\$70.00	1	\$70.00
	Bokara rug		481	\$225.00	1	\$225.00
	3 pc. wrought iron slate-top set		481	\$125.00	1	\$125.00
	Runner		481	\$60.00	1	\$60.00
	Runner rug		481	\$100.00	1	\$100.00
	5 pc. bedroom set		481	\$850.00	1	\$850.00
	Bar and bar stools		481	\$70.00	1	\$70.00
	Table and 4 chairs		481	\$100.00	1	\$100.00
	Bowl and pitcher		143	\$20.00	1	\$20.00
	Washstand		143	\$60.00	1	\$60.00
	Victorian hanging mirror		494	\$25.00	1	\$25.00
	3 pc. pine set with leather		494	\$160.00	1	\$160.00
	3 pc. table set		396	\$100.00	1	\$100.00
	Runner		443	\$125.00	1	\$125.00
	Runner rug		467	\$80.00	1	\$80.00
	Marble top small table		482	\$120.00	1	\$120.00
	Bench		81	\$45.00	1	\$45.00
	Entertainment center		43	\$50.00	1	\$50.00



#	Description	Category	Buyer #	Price	Quantity	Total
						Sub Total: \$3,595.00
						Total Commission: -\$1,078.50
						Flat Fee: \$0.00
						Misc. Expenses: \$0.00
						Grand Total: \$2,516.50

- Pick up 150

**Thank you for consigning with us!**

2,366.50

12. Safe deposit boxes

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

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
Citizens National Bank P.O. Box 130 Berkeley Springs, WV 25411	Vickie L. Dirting, P.O. Box 380, Hedgesville, WV 25427	Personal Documents	N/A
	J. Eric Higginbotham, P.O. Box 1468, Hedgesville, WV 25427		

13. Setoffs

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

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

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

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

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

ADDRESS	NAME USED	DATES OF OCCUPANCY
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16. Spouses and Former Spouses

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

NAME

17. Environmental Information.

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

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

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

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

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

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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None  b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

None  c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------

**18 . Nature, location and name of business**

None  a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Spring Hill Orchards, Inc.	55-0704572	P.O. Box 380 Hedgesville, WV 25427	Apple Harvesting	January 1991 -2008
Blue Ridge View Orchard, Inc.	55-0379026	P.O. Box 380 Hedgesville, WV 25427	Apple Harvesting	May 1990 -2008
Federal Hill Properties, Inc.	55-0734330	P.O. Box 380 Hedgesville, WV 25427	Land Development	May 1994 -April 2009
Grapevine Corporation	55-0379026	P.O. Box 380 Hedgesville, WV 25427	Housing Facility	June 1953- 2006

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

NAME	ADDRESS
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or

owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

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

### 19. Books, records and financial statements

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

NAME AND ADDRESS  
**Frederick M. Hollida**  
**Cox Hollida Price LLP**  
**201 E. Burke Street**  
**Martinsburg, WV 25401**

DATES SERVICES RENDERED  
**1980s- Present**

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

NAME ADDRESS DATES SERVICES RENDERED

- None  c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME  
**Debtors**

ADDRESS  
**P.O. Box 380**  
**Hedgesville, WV 25427**

**Frederick M. Hollida**

**Cox Hollida Price LLP**  
**201 E. Burke Street**  
**Martinsburg, WV 25401**

- None  d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS  
**Branch Banking & Trust Company**  
**P.O. Box 580302**  
**Charlotte, NC 28258-0302**

DATE ISSUED  
**December 2008, April 2009**

### 20. Inventories

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

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

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

DATE OF INVENTORY NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY  
RECORDS

### 21. Current Partners, Officers, Directors and Shareholders

- None  a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST

Case 3:09-bk-02767 Doc 1 Filed 12/04/09 Entered 12/04/09 17:03:10 Desc Main

None  b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS	TITLE	NATURE AND PERCENTAGE OF STOCK OWNERSHIP
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**22 . Former partners, officers, directors and shareholders**

None  a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME	ADDRESS	DATE OF WITHDRAWAL
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None  b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS	TITLE	DATE OF TERMINATION
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**23 . Withdrawals from a partnership or distributions by a corporation**

None  If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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**24. Tax Consolidation Group.**

None  If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION	TAXPAYER IDENTIFICATION NUMBER (EIN)
----------------------------	--------------------------------------

**25. Pension Funds.**

None  If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER (EIN)
----------------------	--------------------------------------

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

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

Date <u>December 1, 2009</u>	Signature <u>/s/ Douglas B. Dirting</u> Douglas B. Dirting Debtor
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Date <u>December 1, 2009</u>	Signature <u>/s/ Vickie L. Dirting</u> Vickie L. Dirting Joint Debtor
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*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571*

**United States Bankruptcy Court  
Northern District of West Virginia**

In re Douglas B. Dirting  
Vickie L. Dirting

Debtor(s)

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

Chapter 11

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

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

For legal services, I have agreed to accept	\$ <u>25,000.00</u>
Prior to the filing of this statement I have received	\$ <u>25,000.00</u>
Balance Due	\$ <u>0.00*</u>

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

Debtor       Other (specify):

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

Debtor       Other (specify):

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

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

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

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

\*See Bankruptcy Case Engagement Agreement attached hereto and incorporated herein.

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

\*See Bankruptcy Case Engagement Agreement attached hereto and incorporated herein.

**CERTIFICATION**

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

Dated: December 1, 2009

/s/ A. Carter Magee, Jr.

A. Carter Magee, Jr.  
Magee Goldstein Lasky & Sayers, P.C.  
Post Office Box 404  
Roanoke, VA 24003-0404  
540-343-9800 Fax: 540-343-9898



**MAGEE GOLDSTEIN LASKY & SAYERS, P.C.**  
**BANKRUPTCY CASE ENGAGEMENT AGREEMENT**

THIS BANKRUPTCY CASE ENGAGEMENT AGREEMENT (the "Agreement") is made by and between DOUGLAS B. DIRTING AND VICKIE L. DIRTING (the "Clients") and MAGEE GOLDSTEIN LASKY & SAYERS, P.C. ("MGLS"), this 1st day of December, 2009.

1. Retainer. For and in consideration of a TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) retainer (the "Retainer"), the Clients agree to retain MGLS for legal representation in all matters arising out of or relating to institution and pursuit to completion of chapter 11 bankruptcy proceedings, including confirmation of a plan of liquidation or reorganization, entry of a final decree, and a final order closing the case (the "Case"). The Retainer is not a flat fee; rather, it is an advance retainer and after it is used to pay MGLS's fees and expenses, you will continue to be liable for MGLS's attorneys' fees and expenses for the remainder of this Case. MGLS's representation is limited to representation of the Clients in a chapter 11 proceeding. MGLS will not represent the Clients if the Case is dismissed or converted to another chapter under the United States Bankruptcy Code (the "Bankruptcy Code"). MGLS attorneys' fees and expenses are subject to approval by the United States Bankruptcy Court (the "Bankruptcy Court") upon applications duly filed (the "Fee Applications"). Attorneys' fees and expenses incurred by MGLS in this Case prior to confirmation of the Clients' plan of liquidation or reorganization shall be paid by the Clients, as approved by an order of the Bankruptcy Court ("Fee Order(s)"), upon receipt of Fee Order(s). Attorneys' fees and expenses incurred by MGLS after confirmation of the

Clients' plan shall be paid by Clients, or its assignee or designee in accordance with an applicable Bankruptcy Court order, upon receipt of MGLS invoices sent to the Clients.

2. Approval by Bankruptcy Court. MGLS shall promptly request approval of this Agreement from the Bankruptcy Court pursuant to the applicable sections of the Bankruptcy Code and applicable bankruptcy and local rules. The parties agree that the Retainer is reasonable under the circumstances of this Case. Attorneys' fees and expenses are expected to be more than the Retainer because the nature, extent and complexity of the legal and business issues and business circumstances that are expected to arise in this Case.

3. Fees. Clients shall pay MGLS for legal services at the hourly rates set forth in Exhibit 1 for the time expended by MGLS and its professional staff for and on behalf of Clients. Attorneys' fees incurred for travel, preparation of MGLS fee applications, orders regarding fee applications, notices and hearings on fee applications, and defending fee and expense applications will be charged at seventy-five per cent (75%) of MGLS's full hourly rates. MGLS represents to Clients and Clients accept the representation that the fees and expenses set forth on Exhibit 1 are the fees and expenses that have been charged by MGLS to its bankruptcy and non-bankruptcy Clients since January 1, 2009.

4. Ordinary Costs and Expenses. All expenses incurred by MGLS on behalf of the Clients including, but not limited to, document production and reproduction costs (\$.15 per page in-house), charges for long distance telephone calls, conference telephone calls, expedited delivery services, facsimile transmissions (\$.25 per page), messenger services, travel at the then current IRS rate for automobile travel), lodging, postage, telegram, and other ordinary and necessary expenses will be billed to the Clients at the actual cost and will

be subject to allowance and approval by the Bankruptcy Court. Allowance and approval of MGLS's expenses will be requested simultaneously with MGLS's request for allowance and approval of attorneys' fees in Fee Applications submitted to the Bankruptcy Court.

5. Extraordinary Third Party Expenses. In addition to prompt and timely payment of attorneys' fees and ordinary costs and expenses allowed by the Bankruptcy Court, the Clients shall pay for extraordinary expenses incurred by MGLS on its behalf. Extraordinary expenses include, but are not limited to, outside copying costs, deposition expenses, witness fees and costs, subpoena fees, service of process fees, court reporter and transcription costs, word processing contractors, and similar expenses. All such expenses incurred are the Clients' responsibility, including any fees and expenses incurred by accountants, actuaries, appraisers, public relations consultants, special accountants for limited purposes, special counsel, title examiners, and other professional persons that may be employed subject to the Bankruptcy Court's approval. Such service providers' fees and expenses must be approved by the Bankruptcy Court. The Clients are responsible for the payment of all such fees and expenses and shall pay such invoices after approval by the Bankruptcy Court. MGLS shall have no liability for such third party fees and expenses.

6. Bankruptcy Court Approval and Allowance of Fees and Costs. All attorneys' fees and expenses incurred prior to the confirmation of the Clients' plan must be approved by the Bankruptcy Court. Assuming the Bankruptcy Court approves a request for interim compensation procedures, at least every thirty (30) days after the commencement of the Clients' bankruptcy case, MGLS will submit Fee Applications according to a process approved by the Bankruptcy Court seeking the allowance and payment of fees and expenses

incurred for legal services rendered to the Clients. MGLS Fee Applications will contain an itemized description of all of the services performed by date, time incurred, timekeeper, amount(s) requested, and actual expenses incurred. Upon filing Fee Applications, MGLS shall simultaneously send an invoice to the Clients. The Clients shall pay the Bankruptcy Court-approved fees and expenses immediately upon entry of the Fee Order approving such Fee Application.

7. Retainer as Trust Fund. The parties agree that the Retainer is deemed to be held in trust to secure payment of MGLS's attorneys' fees and expenses. Any interest accruing on the Retainer will be added to the Retainer. The Clients will receive a 1099-INT from MGLS after the end of each fiscal year and shall be responsible for taxes, if any, incurred on the accrued interest. If the Clients or MGLS notify the other in writing of a decision to terminate MGLS's representation, the balance of the Retainer may be applied to all accrued but unpaid fees and expenses incurred up to the date of termination, subject to Bankruptcy Court approval, and the balance of the Retainer, if any, shall be distributed as the Bankruptcy Court directs.

8. Identity of Clients. For the purposes set forth in this Agreement, and the Case contemplated herein, MGLS shall represent the Clients only and no other party. All duties and responsibilities of MGLS created and imposed by this Agreement shall be owed only to the Clients, and not to any agent, or employee of the Clients, or any other party to these proceedings.

9. Duties of the Clients. The Clients shall fully and faithfully cooperate with MGLS at all times and shall use best efforts to provide MGLS with such assistance as

requested by MGLS and shall promptly and accurately provide MGLS all information requested by MGLS. Upon MGLS's request, the Clients shall timely execute all necessary and appropriate documents that may be required in the course of the Case. Clients shall promptly meet with MGLS representatives upon request. A designated representative or representatives of the Clients shall appear in person at all conferences, depositions, examinations, hearings, and other meetings, as requested by MGLS. The Clients shall fully and conscientiously perform all of the statutory duties of debtor and debtor-in-possession under the United States Bankruptcy Code, and shall timely comply with all reasonable requests for information or reports requested by the Bankruptcy Judge, the Office of United States Trustee, the Clerk of the Bankruptcy Court, MGLS, or any other creditor or party in interest. The Clients shall maintain accurate financial records and shall file all monthly and quarterly operating reports when due and shall pay all quarterly fees when due.

10. Scope of Representation. With the assistance of the Clients' officers, directors and employees, MGLS shall use reasonable efforts to prepare and file with the Bankruptcy Court all necessary and appropriate documents and pleadings in connection with the initiation and prosecution of a the Case. MGLS shall be the final arbiter of "necessary and appropriate documents and pleadings" that will be filed in connection with the Case. MGLS shall represent the Clients in accordance with applicable bankruptcy law and rules. MGLS shall appear at hearings for which the Clients are required to appear, and shall keep the Clients advised of actions or events that arise or that are reasonably anticipated by MGLS to arise with regard to the Case.

11. Attorney as Representative. The Clients have authorized A. Carter Magee,

Jr., and the law firm of Magee Goldstein Lasky & Sayers, P.C. to represent them in the Case, utilizing legal means and procedures available under the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and other applicable state and federal law.

12. Extraordinary Expertise. MGLS will act as Clients' bankruptcy counsel. This Agreement does not contemplate the provision of extraordinary legal services outside the ordinary scope and course of a chapter 11 bankruptcy proceeding for individual debtors. This Agreement and MGLS's employment hereunder does not include MGLS providing legal advice or services outside the scope of bankruptcy law and procedure, in areas including, but not limited to, tax, securities, environmental, labor, criminal, or similar matters; nor does the scope include many state law matters. If the Clients require representation in such matters, MGLS will assist Clients in engaging special counsel.

13. Conflicts of Interest. In the event a conflict of interest appears, MGLS will notify the Court, the United States Trustee and other parties in interest as soon as reasonably possible, and thereafter shall act in accordance with the rules of professional conduct and applicable law and rules.

14. Termination of Agreement and Withdrawal from Representation. MGLS or the Clients may terminate this Agreement and the services contemplated hereunder, with or without cause, at any time by delivering to the other party written notification of termination. If MGLS elects to terminate this Agreement, it shall do so in a manner and for reasons consistent with the rules of professional conduct, applicable law and rules, bankruptcy law and rules, applicable federal or state law or rules, orders of the Bankruptcy Court, or other court of appropriate jurisdiction, and this Agreement. MGLS may

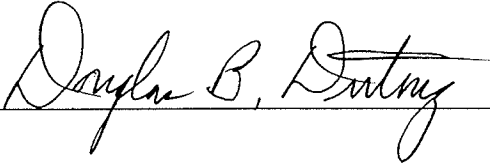
withdraw from representation of Clients for reasons including, but not limited to:

- a. ***Non-Payment of Retainer or Fees.*** To the extent that the Retainer or any fees and expenses are not paid when due or if in its sole discretion MGLS deems itself insecure as to payment of future fees or expenses, MGLS shall have the right to withdraw as counsel for the Clients.
- b. ***Failure to Cooperate.*** To the extent that the Clients disregard their duties under this Agreement or fails to use their best efforts at all times to cooperate with MGLS and provide MGLS with such assistance as requested by MGLS, MGLS shall have the right to withdraw as counsel for the Clients.
- c. ***Perpetration of Fraud or Crime.*** To the extent that the Clients:  
(i) persist in a course of action involving MGLS' services that the MGLS reasonably believes is criminal or fraudulent, MGLS shall have the right to withdraw as counsel for the Clients; or (ii) has used MGLS's services to perpetrate a crime or fraud, MGLS shall have the right to withdraw as counsel for the Clients;
- d. ***Conflict of Interest.*** In the event a conflict of interest appears, MGLS shall have the right to withdraw as counsel for the Clients.
- e. ***Unreasonably Burdensome Representation.*** In the event the Clients choose to act in a manner repugnant to MGLS, in a manner which MGLS believes to be imprudent, or otherwise renders the representation unreasonably burdensome, MGLS shall have the right to withdraw as counsel for the Clients.
- f. ***Other Good Cause.*** Under applicable state law, or other rules, to the extent any other good cause for withdrawal exists, MGLS shall have the right to withdraw as counsel for the Clients.

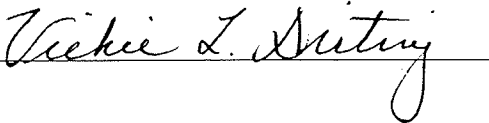
SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties hereto affix their signatures.

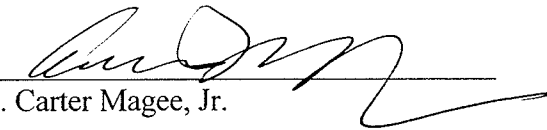
DOUGLAS B. DIRTING

By: 

VICKIE L. DIRTING

By: 

MAGEE GOLDSTEIN LASKY & SAYERS, P.C.

By:   
A. Carter Magee, Jr.

Its: President \_\_\_\_\_

U:\A CLIENTS\Dirting, Douglas & Vickie 9843\Bankr Case Engmt Agmt.doc\CLIENTSMGLS



# EXHIBIT 1

## MAGEE GOLDSTEIN LASKY & SAYERS, P.C.

### FEE SCHEDULE

(EFFECTIVE 01/01/09)

<u>Professional</u>	<u>Hourly Rate</u>
A. Carter Magee, Jr.	\$325.00
Andrew S. Goldstein	285.00
Richard R. Sayers	285.00
Kenneth J. Lasky	285.00
W. Joel Charboneau	185.00
Garren R. Laymon	145.00
Jonathan R. Wright <sup>1</sup>	100.00
Sheila R. Bierley, Accountant	85.00
Jessie A. Coffman, Senior Paralegal	85.00
Tracy A. Orndorff, Paralegal	75.00
Ann Cundiff-Ford, Paralegal	75.00
Donna Pickett, Paralegal	75.00
Lisa Copenhaver, Paralegal	75.00
Amanda Meador, Paralegal	75.00

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<sup>1</sup> Licensed to practice in New York only. Virginia Bar admission pending.

**United States Bankruptcy Court  
Northern District of West Virginia**

In re Douglas B. Dirting  
Vickie L. Dirting Debtor(s)

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

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

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

For legal services, I have agreed to accept.....	\$	<u>10,000.00</u>
Prior to the filing of this statement I have received.....	\$	<u>10,000.00</u>
Balance Due.....	\$	<u>0.00</u>

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

Debtor     Other (specify):

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

Debtor     Other (specify):

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

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

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

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

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

**CERTIFICATION**

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

Dated: December 4, 2009

/s/ Robert W. Trumble  
**Robert W. Trumble**  
**McNeer, Highland, McMunn and Varner, L.C.**  
**275 Aikens Center**  
**P.O. Box 2509**  
**Martinsburg, WV 25401**  
**(304) 264-4621 Fax: (304) 264-8623**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA

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

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

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

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

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

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

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

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

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

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

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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 Attorney**

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

<u>A. Carter Magee, Jr.</u>	X <u>/s/ A. Carter Magee, Jr.</u>	<u>December 1, 2009</u>
Printed Name of Attorney	Signature of Attorney	Date
Address:		
Post Office Box 404		
Roanoke, VA 24003-0404		
540-343-9800		

**Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

<u>Douglas B. Dirting</u> <u>Vickie L. Dirting</u>	X <u>/s/ Douglas B. Dirting</u>	<u>December 1, 2009</u>
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known) _____	X <u>/s/ Vickie L. Dirting</u>	<u>December 1, 2009</u>
	Signature of Joint Debtor (if any)	Date

United States Bankruptcy Court  
Northern District of West Virginia

In re Douglas B. Dirting  
Vickie L. Dirting

Debtor(s)

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

Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

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

Date: December 1, 2009

/s/ Douglas B. Dirting

Douglas B. Dirting

Signature of Debtor

Date: December 1, 2009

/s/ Vickie L. Dirting

Vickie L. Dirting

Signature of Debtor

In re Douglas B. Dirting  
Vickie L. Dirting  
 Debtor(s)  
 Case Number: \_\_\_\_\_  
 (If known)

**CHAPTER 11 STATEMENT OF CURRENT MONTHLY INCOME**

In addition to Schedules I and J, this statement must be completed by every individual Chapter 11 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

Part I. CALCULATION OF CURRENT MONTHLY INCOME																					
1	<p><b>Marital/filing status.</b> Check the box that applies and complete the balance of this part of this statement as directed.</p> <p>a. <input type="checkbox"/> Unmarried. <b>Complete only Column A ("Debtor's Income") for Lines 2-10.</b></p> <p>b. <input type="checkbox"/> Married, not filing jointly. <b>Complete only column A ("Debtor's Income") for Lines 2-10.</b></p> <p>c. <input checked="" type="checkbox"/> Married, filing jointly. <b>Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 2-10.</b></p> <p>All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.</p>			Column A Debtor's Income	Column B Spouse's Income																
2	<b>Gross wages, salary, tips, bonuses, overtime, commissions.</b>		\$ 0.00	\$ 0.00																	
3	<p><b>Net income from the operation of a business, profession, or farm.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If more than one business profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th style="text-align: center;">Debtor</th> <th style="text-align: center;">Spouse</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">a.</td> <td>Gross receipts</td> <td style="text-align: right;">\$ 0.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td style="text-align: center;">b.</td> <td>Ordinary and necessary business expenses</td> <td style="text-align: right;">\$ 0.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td style="text-align: center;">c.</td> <td>Business income</td> <td colspan="2" style="text-align: center;">Subtract Line b from Line a</td> </tr> </tbody> </table>					Debtor	Spouse	a.	Gross receipts	\$ 0.00	\$ 0.00	b.	Ordinary and necessary business expenses	\$ 0.00	\$ 0.00	c.	Business income	Subtract Line b from Line a		\$ 0.00	\$ 0.00
		Debtor	Spouse																		
a.	Gross receipts	\$ 0.00	\$ 0.00																		
b.	Ordinary and necessary business expenses	\$ 0.00	\$ 0.00																		
c.	Business income	Subtract Line b from Line a																			
4	<p><b>Net Rental and other real property income.</b> Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th style="text-align: center;">Debtor</th> <th style="text-align: center;">Spouse</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">a.</td> <td>Gross receipts</td> <td style="text-align: right;">\$ 0.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td style="text-align: center;">b.</td> <td>Ordinary and necessary operating expenses</td> <td style="text-align: right;">\$ 0.00</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td style="text-align: center;">c.</td> <td>Rent and other real property income</td> <td colspan="2" style="text-align: center;">Subtract Line b from Line a</td> </tr> </tbody> </table>					Debtor	Spouse	a.	Gross receipts	\$ 0.00	\$ 0.00	b.	Ordinary and necessary operating expenses	\$ 0.00	\$ 0.00	c.	Rent and other real property income	Subtract Line b from Line a		\$ 0.00	\$ 0.00
		Debtor	Spouse																		
a.	Gross receipts	\$ 0.00	\$ 0.00																		
b.	Ordinary and necessary operating expenses	\$ 0.00	\$ 0.00																		
c.	Rent and other real property income	Subtract Line b from Line a																			
5	<b>Interest, dividends, and royalties.</b>		\$ 0.00	\$ 0.00																	
6	<b>Pension and retirement income.</b>		\$ 0.00	\$ 0.00																	
7	<p><b>Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose.</b> Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse if Column B is completed.</p>			\$ 0.00	\$ 0.00																
8	<p><b>Unemployment compensation.</b> Enter the amount in the appropriate column(s) of Line 8. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below:</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Unemployment compensation claimed to be a benefit under the Social Security Act</td> <td style="width: 15%;">Debtor \$</td> <td style="width: 15%;">0.00</td> <td style="width: 15%;">Spouse \$</td> <td style="width: 15%;">0.00</td> </tr> </table>			Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$	0.00	Spouse \$	0.00	\$ 0.00	\$ 0.00											
Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$	0.00	Spouse \$	0.00																	
9	<p><b>Income from all other sources.</b> Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. <b>Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or separate maintenance. Do not include</b> any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th style="text-align: center;">Debtor</th> <th style="text-align: center;">Spouse</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">a.</td> <td></td> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> <tr> <td style="text-align: center;">b.</td> <td></td> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> </tbody> </table>					Debtor	Spouse	a.		\$	\$	b.		\$	\$	\$ 0.00	\$ 0.00				
		Debtor	Spouse																		
a.		\$	\$																		
b.		\$	\$																		
10	<p><b>Subtotal of current monthly income.</b> Add lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 thru 9 in Column B. Enter the total(s).</p>			\$ 0.00	\$ 0.00																

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11	<b>Total current monthly income.</b> If Column B has been completed, add Line 10, Column A to Line 10, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 10, Column A.	\$ <span style="font-size: 1.2em;">0.00</span>
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**Part II. VERIFICATION**

12	I declare under penalty of perjury that the information provided in this statement is true and correct. <i>(If this is a joint case, both debtors must sign.)</i>	
	Date: <u>December 1, 2009</u>	Signature: <u>/s/ Douglas B. Dirting</u> <b>Douglas B. Dirting</b> (Debtor)
	Date: <u>December 1, 2009</u>	Signature: <u>/s/ Vickie L. Dirting</u> <b>Vickie L. Dirting</b> (Joint Debtor, if any)

### Current Monthly Income Details for the Debtor

**Debtor Income Details:**

Income for the Period 06/01/2009 to 11/30/2009.