

David G. Peake
Chapter 13 Trustee
9660 Hillcroft, Suite 430
Houston, Texas 77096

Re: **Sworn Testimony as to the Financial Affairs of the Debtor**

Dear _____ :

Enclosed, please find a copy of the Sworn Testimony as to the Financial Affairs of the Debtor(s). Please complete the document, then sign and date it in the appropriate spaces.

After signing the document either return it to my office prior to your meeting of creditors, or bring the completed document to your meeting of creditors.

If you have any questions regarding the information requested on this document, please contact your attorney.

Sincerely,

David G. Peake, Trustee

DEBTOR: _____

CASE NO: _____

**SWORN TESTIMONY AS TO THE FINANCIAL AFFAIRS
OF THE DEBTOR PURSUANT TO 11 U.S.C. 1302(C)**

This document shall form a part of the sworn testimony given before David G. Peake, Chapter 13 Trustee, by the undersigned Debtor(s):

1. Do you swear or affirm that the information you are about to give in this document is the truth, the whole truth and nothing but the truth?
Yes _____ No _____

2. Is the information which you have provided in the documents called Schedules and Statement of Affairs in this case true and correct? Yes _____ No _____

3. Are there any additions, deletions or corrections that need to be made to the Schedules Or Statement of Affairs in this case at this time?
Yes _____ No _____

4. Are you presently self-employed or operating a business in the form of a corporation, Partnership or other? Yes _____ No _____
If the answer is no, you do not need to complete the rest of this form.

5. What is the nature and location of your business? Nature of Business

Location of business

6. Do you have employees? Yes _____ No _____ If so, how many? _____

7. Are all tax returns that should have been filed to this point in time filed?
Yes _____
No _____ if no, what years are delinquent and which returns?
 - a. 20____
 - b. 20____
 - c. 20____
 - d. 20____
 - e. 20____

8. Are all property taxes paid? Yes _____ No _____

9. Do you understand that while you are in Chapter 13 you must keep current with all of your Business as well as your personal tax obligations?
Yes _____ No _____

10. Do you have full insurance coverage on all assets of the bankruptcy estate? Yes _____ No _____
- If Yes,
- a. With Whom? _____
- b. Policy No. _____ Exp. Date _____
- c. Policy No. _____ Exp. Date _____
- d. Policy No. _____ Exp. Date _____
- If No, why not? _____
11. Do you have liability coverage? Yes _____ No _____ If yes,
- a. With Whom? _____
- b. Policy No. _____ Exp. Date _____
12. Is the business required to have any business licenses? Yes _____ No _____
If yes, please list _____
Are licenses current? Yes _____ No _____
13. Do you have an accountant/bookkeeper? Yes _____ No _____ If yes,
- a. Whom? _____
- b. Address _____
- c. Telephone No. _____
- d. What is the condition of your books and records? Good _____ Fair _____
Poor _____
14. Are you aware of any turnover actions you may have? Yes _____ No _____

DUTIES AND RESPONSIBILITIES OF A DEBTOR UNDER CHAPTER 13

If you borrowed money from any creditor and as security or collateral for the loan you have pledged accounts receivables, rents, or other cash, you may not use the accounts receivables, rents or cash without express written consent from the creditor, or an order from the court allowing the use. Failure to obtain creditor consent or an order from the court before using these assets may likely result in severe penalties.

During the course of your Chapter 13 it is your responsibility to pay any state and federal taxes on time. Failure to do so may result in severe penalties.

In order to continue the operation of your business, it is your responsibility to obtain and maintain comprehensive liability insurance for the operation of your business.

I solemnly swear or affirm that I will faithfully carry out the duties and responsibilities of a Debtor under Chapter 13 and that the information contained in my Sworn Testimony, the Schedules and Statement of Affairs is true and correct

Dated this the _____ day of _____, year _____.

Debtor:

Co-Debtor:

Please bring copies of the following for my files to the meeting of creditors:

1. Profit and loss statements for the 3 months prior to filing for bankruptcy
2. Profit and loss statements for the months after you filed for bankruptcy
3. An aged list of your accounts receivable and payable
4. A list of all your business debts
5. A list of work-in-progress
6. A list or general description of your inventory
7. The last two years Income Tax Returns

This information will be used to compile my report of investigation of your business that will be filed with the bankruptcy court. My report will include a statement concerning the acts, conduct, assets, liabilities, and financial condition of you, the debtor, the operation of your business and the desirability of the continuance of such business, and any other matter relevant to the case or to the formulation of a plan.

Case No. _____

DBA: _____

CHAPTER 13 BANKRUPTCY
OPERATING REPORT
BUSINESS STATEMENT OF INCOME (LOSS) FOR THE MONTH ENDING

MONTH: _____

GROSS RECEIPTS: \$ _____

OPERATING EXPENSES:

Rent	\$ _____
Utilities:	
Telephone	_____
Electricity	_____
Gas	_____
Water	_____
Other: _____	_____
Office Maintenance	_____
Salaries	_____
Employment Taxes	_____
Professional Fees	_____
Advertising	_____
Raw Materials/Inventory	_____
Office Supplies	_____
Office Equipment	_____
_____	_____
_____	_____
_____	_____
Sales Taxes (if included in gross)	_____
Dues, education, professional literature, Etc. (specify) _____	_____
_____	_____
Other: (specify):	
_____	_____
_____	_____

TOTAL EXPENSES: \$ _____

NET PROFIT (LOSS) \$ _____

Date

Debtor's Signature

Co-Debtor's Signature