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B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court District of New Jersey**

| In re | DONALD MIHALIK |        | Case No <b>08</b> | -27730 |  |
|-------|----------------|--------|-------------------|--------|--|
| •     |                | Debtor | ,                 |        |  |
|       |                |        | Chapter           | 7      |  |
|       |                |        | · ———             |        |  |

# 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<br>(YES/NO) | NO. OF<br>SHEETS | ASSETS            | LIABILITIES | OTHER    |
|---|----------------------|------------------|-------------------|-------------|----------|
| A - Real Property   | Yes                  | 1                | 905,000.00        |             |          |
| B - Personal Property   | Yes                  | 3                | 19,880.00         |             |          |
| C - Property Claimed as Exempt  | Yes                  | 1                |                   |             |          |
| D - Creditors Holding Secured Claims  | Yes                  | 1                |                   | 813,944.52  |          |
| E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E) | Yes                  | 1                |                   | 0.00        |          |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                           | Yes                  | 2                |                   | 108,344.42  |          |
| G - Executory Contracts and<br>Unexpired Leases                                 | Yes                  | 1                |                   |             |          |
| H - Codebtors   | Yes                  | 1                |                   |             |          |
| I - Current Income of Individual<br>Debtor(s)                                   | Yes                  | 1                |                   |             | 0.00     |
| J - Current Expenditures of Individual Debtor(s)                                | Yes                  | 2                |                   |             | 3,664.00 |
| Total Number of Sheets of ALL Schedu  | ıles                 | 14               |                   |             |          |
|   | To                   | otal Assets      | 924,880.00        |             |          |
|   |                      |                  | Total Liabilities | 922,288.94  |          |

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Form 6 - Statistical Summary (12/07)

# **United States Bankruptcy Court District of New Jersey**

| In re | DONALD MIHALIK |        | Case No. | 08-27730 |  |
|-------|----------------|--------|----------|----------|--|
| -     |                | Debtor | -,       |          |  |
|       |                |        | Chapter  | 7        |  |

# 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)  | 0.00   |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  | 0.00   |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | 0.00   |
| Student Loan Obligations (from Schedule F)  | 0.00   |
| Domestic Support, Separation Agreement, and Divorce Decree<br>Obligations Not Reported on Schedule E                | 0.00   |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           | 0.00   |
| TOTAL   | 0.00   |

### State the following:

| Average Income (from Schedule I, Line 16)  | 0.00     |
|--|----------|
| Trivingo meome (nom someane 1, 2me 15)   | 0.00     |
| Average Expenses (from Schedule J, Line 18)  | 3,664.00 |
| Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20) | 0.00     |

#### State the following:

| Total from Schedule D, "UNSECURED PORTION, IF ANY"     column              |      | 158,944.52 |
|--|------|------------|
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column             | 0.00 |            |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |      | 0.00       |
| 4. Total from Schedule F   |      | 108,344.42 |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |      | 267,288.94 |

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B6A (Official Form 6A) (12/07)

| In re | DONALD MIHALIK |        | Case No. | 08-27730 |  |
|-------|----------------|--------|----------|----------|--|
| _     |                | Debtor |          |          |  |

### 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 cotenant, 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 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<br>Interest in Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in<br>Property, without<br>Deducting any Secured<br>Claim or Exemption | Amount of<br>Secured Claim |
|---|--|---|--|----------------------------|
| Single Family Dwelling<br>9 West Delware Trail<br>Medford, NJ 08055 | Fee simple                                 | -   | 305,000.00   | 310,000.00                 |
| Single Family Dwelling 23 Castle Point Athens NY 12015              | Fee simple                                 | -   | 600,000.00   | 350,000.00                 |

Sub-Total > 905,000.00 (Total of this page)

905,000.00

Total >

**0** continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

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B6B (Official Form 6B) (12/07)

| In re | DONALD MIHALIK |        | Case No. | 08-27730 |
|-------|----------------|--------|----------|----------|
| _     |                | Debtor |          |          |

### 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 petition 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<br>O<br>N<br>E | Description and Location of Property   | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--|---|--|
| 1.  | Cash on hand  | X                |  |   |  |
| 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. | Check            | king & Savings                         | -   | 1,600.00   |
| 3.  | Security deposits with public utilities, telephone companies, landlords, and others.  | X                |  |   |  |
| 4.  | Household goods and furnishings, including audio, video, and computer equipment.  |                  | ng over \$400.00<br>al Household Goods | -   | 9,500.00   |
| 5.  | Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | Books            | s & CDS                                | -   | 30.00  |
| 6.  | Wearing apparel.  | Nothii<br>Clothi | ng over \$50.00<br>ing                 | -   | 250.00   |
| 7.  | Furs and jewelry.   | Assor            | rted pieces of Jewelry                 | -   | 1,000.00   |
| 8.  | Firearms and sports, photographic, and other hobby equipment.   | X                |  |   |  |
| 9.  | Interests in insurance policies.<br>Name insurance company of each<br>policy and itemize surrender or<br>refund value of each.  | X                |  |   |  |
| 10. | Annuities. Itemize and name each issuer.  | X                |  |   |  |
|     |   |                  |  |   |  |
|     |   |                  |  | Sub-Tota                                    | al > <b>12,380.00</b>  |

2 continuation sheets attached to the Schedule of Personal Property

(Total of this page)

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 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

| In re | DONALD MIHALIK | Case No. <b>08-27730</b> |
|-------|----------------|--------------------------|
|       |                |                          |

Debtor

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

|     |   |                  | (                                    |   |   |
|-----|---|------------------|--------------------------------------|---|---|
|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
| 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).) | X                |                                      |   |   |
| 12. | Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | X                |                                      |   |   |
| 13. | Stock and interests in incorporated and unincorporated businesses. Itemize.   | X                |                                      |   |   |
| 14. | Interests in partnerships or joint ventures. Itemize.   | X                |                                      |   |   |
| 15. | Government and corporate bonds and other negotiable and nonnegotiable instruments.  | X                |                                      |   |   |
| 16. | Accounts receivable.  | X                |                                      |   |   |
| 17. | Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | X                |                                      |   |   |
| 18. | Other liquidated debts owed to debtor including tax refunds. Give particulars.  | X                |                                      |   |   |
| 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.  | X                |                                      |   |   |
| 20. | Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | X                |                                      |   |   |
| 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.  | X                |                                      |   |   |
|     |   |                  |                                      | Sub-Tota                                    | al > <b>0.00</b>  |
|     |   |                  | (Te                                  | otal of this page)                          |   |

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

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**B6B** (Official Form 6B) (12/07) - Cont.

| In re | DONALD MIHALIK | Case No. <b>08-27730</b> |
|-------|----------------|--------------------------|
| _     |                |                          |

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

|     | Type of Property  | N<br>O<br>N<br>E | Description and Location of Property | Husband,<br>Wife,<br>Joint, or<br>Community | Current Value of<br>Debtor's Interest in Property,<br>without Deducting any<br>Secured Claim or Exemption |
|-----|---|------------------|--------------------------------------|---|---|
| 22. | Patents, copyrights, and other intellectual property. Give particulars.   | Х                |                                      |   |   |
| 23. | Licenses, franchises, and other general intangibles. Give particulars.  | X                |                                      |   |   |
| 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.  | _                | 99 BMW 329<br>0,000 miles            | -   | 7,500.00  |
| 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.   | X                |                                      |   |   |
| 34. | Farm supplies, chemicals, and feed.   | X                |                                      |   |   |
| 35. | Other personal property of any kind not already listed. Itemize.  | X                |                                      |   |   |

Sub-Total >
(Total of this page)
Total >

7,500.00

10tai >

19,880.00

Sheet <u>2</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

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B6C (Official Form 6C) (12/07)

| In re | DONALD MIHALIK |        |    | Case No. | 08-27730 |  |
|-------|----------------|--------|----|----------|----------|--|
| -     |                | Debtor | ., |          |          |  |

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

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

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

| Description of Property  | Specify Law Providing<br>Each Exemption          | Value of<br>Claimed<br>Exemption | Current Value of<br>Property Without<br>Deducting Exemption |
|--|--|----------------------------------|---|
| Real Property Single Family Dwelling 23 Castle Point Athens, NY 12015              | 11 U.S.C. § 522(d)(1)                            | 20,200.00                        | 600,000.00  |
| Checking, Savings, or Other Financial Accounts, C<br>Checking & Savings            | Certificates of Deposit<br>11 U.S.C. § 522(d)(5) | 1,600.00                         | 1,600.00  |
| Household Goods and Furnishings<br>Nothing over \$400.00<br>Normal Household Goods | 11 U.S.C. § 522(d)(3)                            | 9,500.00                         | 9,500.00  |
| Books, Pictures and Other Art Objects; Collectible Books & CDS                     | e <u>s</u><br>11 U.S.C. § 522(d)(5)              | 30.00                            | 30.00   |
| Wearing Apparel Nothing over \$50.00 Clothing                                      | 11 U.S.C. § 522(d)(5)                            | 250.00                           | 250.00  |
| Furs and Jewelry Assorted pieces of Jewelry  | 11 U.S.C. § 522(d)(4)                            | 1,000.00                         | 1,000.00  |
| Automobiles, Trucks, Trailers, and Other Vehicles<br>1999 BMW 329<br>120,000 miles | 11 U.S.C. § 522(d)(2)<br>11 U.S.C. § 522(d)(5)   | 3,225.00<br>4,275.00             | 7,500.00  |

Total: 40,080.00 619,880.00

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B6D (Official Form 6D) (12/07)

| In re | DONALD MIHALIK |        |    | Case No | 08-27730 |  |
|-------|----------------|--------|----|---------|----------|--|
| -     |                |        | -, |         |          |  |
|       |                | Debtor |    |         |          |  |

### 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.

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. See, 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 "Unliquidated". (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.

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 | Hu<br>H<br>W<br>J<br>C | DATE CLAIM WAS  DATE CLAIM WAS  NATURE OF LII  DESCRIPTION AN  OF PROPE  SUBJECT TO | EN, AND<br>ID VALUE<br>RTY | CONTINGEN | 1                     | D I S P U T E D | AMOUNT OF<br>CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION, IF<br>ANY |
|--|-----------------|------------------------|---|----------------------------|-----------|-----------------------|-----------------|--|---------------------------------|
| Account No.  Citbank PO Box 6214 Rockford, IL 61125-0087   |                 | -                      | Second Mortgage Single Family Dwelling 23 Castle Point Athens, NY 12015             |                            | Т         | D<br>A<br>T<br>E<br>D |                 |  |                                 |
| Account No. 9933052356   | ╀               | -                      | Value \$  | 600,000.00                 |           | +                     |                 | 150,000.00   | 0.00                            |
| Citibank<br>Po Box 209020<br>Brooklyn, NY 11220-9020   |                 | -                      |   |                            | _         |                       |                 |  |                                 |
| A  | ╀               | ╀                      | Value \$  | 0.00                       | Н         | _                     | 4               | 153,944.52   | 153,944.52                      |
| Account No.  Countrywide Mortgage Company PO Box 660694 Dallas, TX 75266-0694                        |                 | _                      | Mortgage Single Family Dwelling 9 West Delware Trail Medford, NJ 08055              |                            |           |                       |                 |  |                                 |
|  |                 |                        | Value \$  | 305,000.00                 | 11        |                       |                 | 310,000.00   | 5,000.00                        |
| Account No.  Countrywide Mortgage Company PO Box 660694 Dallas, TX 75266-0694                        |                 | -                      | Mortgage Single Family Dwelling 23 Castle Point Athens, NY 12015                    |                            |           |                       |                 |  |                                 |
|  |                 |                        | Value \$  | 600,000.00                 | 11        |                       |                 | 200,000.00   | 0.00                            |
| continuation sheets attached   |                 | •                      |   | S<br>(Total of t           | Subto     |                       |                 | 813,944.52   | 158,944.52                      |
|  |                 |                        | (Report   | on Summary of Sc           |           | otal<br>ules          | - 1             | 813,944.52   | 158,944.52                      |

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B6E (Official Form 6E) (12/07)

| In re | DONALD MIHALIK |        | Case No. | 08-27730 |  |
|-------|----------------|--------|----------|----------|--|
| _     |                |        |          |          |  |
|       |                | Debtor |          |          |  |

### 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 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 Federa 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).   |

<sup>\*</sup> 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.

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| R6F | Official | Form | (F) | (12/07) |
|-----|----------|------|-----|---------|
|     |          |      |     |         |

| In re | DONALD MIHALIK | Case No. <b>08-27730</b> |
|-------|----------------|--------------------------|
| _     | Debtor         | <del></del> ,            |

### 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,   | CO            | Hu          | sband, Wife, Joint, or Community  | CO          | U           | D             | Т |                 |
|--|---------------|-------------|---|-------------|-------------|---------------|---|-----------------|
| MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.) | O D E B T O R | C<br>J<br>M | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM<br>IS SUBJECT TO SETOFF, SO STATE. | NT I NG E N | Q<br>U<br>I | I S P U T E D | A | AMOUNT OF CLAIM |
| Account No. <b>00100-6142</b>  | 4             |             |   | Т           | E           |               |   |                 |
| APO Sleepy Hollow Lake<br>Unit 1095, 92 Randy Road<br>Athens, NY 12015           |               | -           |   |             | D           |               | - | 525.00          |
| Account No. 5490-9932-1678-2518  | 1             | T           | CREDIT CARD PURCHASES   |             |             | Г             | T |                 |
| Bank of America<br>PO Box 15726<br>Wilmington, DE 19886-5726                     |               | -           |   |             |             |               |   | 30,067.33       |
| Account No. 60 10 965805   |               |             | Debt  |             |             |               | T |                 |
| Bank of North America<br>PO Box 9488<br>Salt Lake City, UT 84109-0488            |               | -           |   |             |             |               |   | 15,084.19       |
| Account No. 4246-3113-5518-0636  |               |             | CREDIT CARD PURCHASES   |             |             |               |   |                 |
| Chase<br>PO Box 15153<br>Wilmington, DE 19886-5654                               |               | -           |   |             |             |               |   | 16,457.53       |
|  |               |             | 1   | Subt        | ota         | 1             | + |                 |
| continuation sheets attached   |               |             | (Total of t   |             |             |               |   | 62,134.05       |

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B6F (Official Form 6F) (12/07) - Cont.

| In re | DONALD MIHALIK |        | Case No. | 08-27730 |  |
|-------|----------------|--------|----------|----------|--|
| _     |                | Debtor |          |          |  |

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

|  |          | _        |  | _          |  |                |                 |
|--|----------|----------|--|------------|--|----------------|-----------------|
| CREDITOR'S NAME,                               | C        | Hu       | sband, Wife, Joint, or Community                                 |            | U  | P              |                 |
| MAILING ADDRESS<br>INCLUDING ZIP CODE,         | CODEBTOR | H<br>W   | DATE CLAIM WAS INCURRED AND<br>CONSIDERATION FOR CLAIM. IF CLAIM | CONTINGENT | L<br>Q   | D I S P U T E  |                 |
| AND ACCOUNT NUMBER (See instructions above.)   | O<br>R   | C        | IS SUBJECT TO SETOFF, SO STATE.                                  | G<br>E     | U D A  | E<br>D         | AMOUNT OF CLAIM |
| Account No. 4417-1245-5821-2913                |          |          | CREDIT CARD PURCHASES  | T          | DATED  |                |                 |
| Chase  |          |          |  |            | <del>                                     </del> |                |                 |
| PO Box 15153                                   |          | -        |  |            |  |                |                 |
| Wilmington, DE 19886-5654                      |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                | 25,291.85       |
| Account No.                                    |          |          | Professional Services  |            |  |                |                 |
| Fell & Spalding                                |          |          |  |            |  |                |                 |
| 2230 Land Title Bldg.<br>100 S. Broad St.      |          | -        |  |            |  |                |                 |
| Philadelphia, PA 19110                         |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                | 6,025.00        |
| Account No. 485198                             |          |          | CREDIT ACCOUNT   | T          |  |                |                 |
| Kosco, Amos Post Company                       |          |          |  |            |  |                |                 |
| PO Box 351                                     |          | -        |  |            |  |                |                 |
| Catskill, NY 12414                             |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                | 646.07          |
| Account No. 4006-1389-2302-1327                |          |          | CREDIT CARD PURCHASES  | T          |  |                |                 |
| US Bank  |          |          |  |            |  |                |                 |
| PO Box 790408                                  |          | -        |  |            |  |                |                 |
| Saint Louis, MO 63179-0408                     |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                | 14,247.45       |
| Account No.                                    |          |          |  | T          |  |                |                 |
|  |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                |                 |
|  |          |          |  |            |  |                |                 |
| Sheet no1 of _1 sheets attached to Schedule of |          | <u> </u> |  | Sub        | tots   | <u>l</u><br>al |                 |
| Creditors Holding Unsecured Nonpriority Claims |          |          | (Total of t  |            |  |                | 46,210.37       |
|  |          |          |  |            | Γota   |                | 108,344.42      |
|  |          |          | (Report on Summary of So   | che        | dule   | es)            | 100,344.42      |

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B6G (Official Form 6G) (12/07)

| In re | DONALD MIHALIK |        | Case No. | 08-27730 |  |
|-------|----------------|--------|----------|----------|--|
| _     |                | Debtor | -7       |          |  |

### 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. Case 08-27730-RTL Doc 23 Filed 01/12/09 Entered 01/12/09 13:32:26 Desc Main Document Page 13 of 36

B6H (Official Form 6H) (12/07)

| In re | DONALD MIHALIK |        | Case No | 08-27730 |  |
|-------|----------------|--------|---------|----------|--|
| _     |                | Dehtor |         |          |  |

### **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

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**B6I (Official Form 6I) (12/07)** 

| In re | DONALD MIHALIK |           | Case No. | 08-27730 |  |
|-------|----------------|-----------|----------|----------|--|
|       |                | 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:                               | DEPENDENTS OF  | F DEBTOR AND SPOUS | SE     |                |            |
|--|--|--------------------|--------|----------------|------------|
| Separated  | RELATIONSHIP(S): None.                                       | AGE(S):            |        |                |            |
| Employment:  | DEBTOR   |                    | SPOUSE |                |            |
| Occupation   | Mortgage Broker  |                    |        |                |            |
| Name of Employer                                       | Amercian Dream Financial                                     |                    |        |                |            |
| How long employed                                      | 10 years   |                    |        |                |            |
| Address of Employer                                    | 3001 Lincoln Dr.<br>West Ste. E.<br>Marlton, NJ 08053        |                    |        |                |            |
|  | e or projected monthly income at time case filed)            |                    | EBTOR  |                | POUSE      |
|  | and commissions (Prorate if not paid monthly)                | \$                 | 0.00   | \$             | N/A        |
| 2. Estimate monthly overtime                           |  | \$                 | 0.00   | \$             | N/A        |
| 3. SUBTOTAL  |  | \$                 | 0.00   | \$             | N/A        |
| 4 LECCRAVROLL DEDUCTI                                  | ONIC   |                    |        |                |            |
| 4. LESS PAYROLL DEDUCTI<br>a. Payroll taxes and social |  | •                  | 0.00   | \$             | N/A        |
| b. Insurance   | security   | φ <u> </u>         | 0.00   | \$ <del></del> | N/A        |
| c. Union dues  |  | \$ <del></del>     | 0.00   | \$             | N/A        |
| d. Other (Specify):                                    |  | \$ <del></del>     | 0.00   | \$             | N/A        |
| d. Other (Speeny).                                     |  | \$                 | 0.00   | \$             | N/A        |
| 5. SUBTOTAL OF PAYROLL                                 | DEDUCTIONS   | \$                 | 0.00   | \$             | N/A        |
| 6. TOTAL NET MONTHLY TA                                | AKE HOME PAY   | \$                 | 0.00   | \$             | N/A        |
| 7. Regular income from operation                       | on of business or profession or farm (Attach detailed statem | nent) \$           | 0.00   | \$             | N/A        |
| 8. Income from real property                           |  | \$                 | 0.00   | \$             | N/A        |
| 9. Interest and dividends                              |  | \$                 | 0.00   | \$             | N/A        |
| dependents listed above                                | pport payments payable to the debtor for the debtor's use of | or that of \$      | 0.00   | \$             | N/A        |
| 11. Social security or governme                        | nt assistance  | ¢                  | 0.00   | ¢.             | NI/A       |
| (Specify):   |  | \$                 | 0.00   | \$             | N/A<br>N/A |
| 12. Pension or retirement incom                        |  | <u> </u>           | 0.00   | ф ——           | N/A        |
| 13. Other monthly income                               |  | Φ                  | 0.00   | Φ              | N/A        |
| (Specify):   |  | \$                 | 0.00   | φ<br>\$        | N/A<br>N/A |
|  |  | *                  |        | * <del></del>  |            |
| 14. SUBTOTAL OF LINES 7 T                              | THROUGH 13   | \$                 | 0.00   | \$             | N/A        |
| 15. AVERAGE MONTHLY IN                                 | COME (Add amounts shown on lines 6 and 14)                   | \$                 | 0.00   | \$             | N/A        |
| 16. COMBINED AVERAGE M                                 | IONTHLY INCOME: (Combine column totals from line 1           | 5)                 | \$     | 0.00           |            |

(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:

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B6J (Official Form 6J) (12/07)

| In re | DONALD MIHALIK |           | Case No. | 08-27730 |  |
|-------|----------------|-----------|----------|----------|--|
|       |                | Debtor(s) |          |          |  |

# 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.

| expenses calculated on this form may differ from the deductions from income allowed on Form 2   |                                   |
|---|-----------------------------------|
| ☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household expenditures labeled "Spouse."         | . Complete a separate schedule of |
| 1. Rent or home mortgage payment (include lot rented for mobile home)   | \$ 2,042.0                        |
| a. Are real estate taxes included? Yes X No   |                                   |
| b. Is property insurance included? Yes X No   |                                   |
| 2. Utilities: a. Electricity and heating fuel   | \$\$                              |
| b. Water and sewer  | \$30.0                            |
| c. Telephone  | \$ 50.00                          |
| d. Other See Detailed Expense Attachment  | \$ 80.00                          |
| 3. Home maintenance (repairs and upkeep)  | \$ 0.00                           |
| 4. Food   | \$ 350.00<br>\$ 100.00            |
| <ul><li>5. Clothing</li><li>6. Laundry and dry cleaning</li></ul>   | \$ 100.00<br>\$ 40.00             |
| 7. Medical and dental expenses  | \$ 30.00                          |
| 8. Transportation (not including car payments)  | \$ 250.0                          |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc.   | \$ 150.00                         |
| 10. Charitable contributions  | \$ 0.00                           |
| 11. Insurance (not deducted from wages or included in home mortgage payments)   | · -                               |
| a. Homeowner's or renter's  | \$ 0.00                           |
| b. Life   | \$ 0.00                           |
| c. Health   | \$ 0.0                            |
| d. Auto   | \$ 247.0                          |
| e. Other  | \$ 0.0                            |
| 12. Taxes (not deducted from wages or included in home mortgage payments)   |                                   |
| (Specify)   | \$0.0                             |
| 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in plan)                                | n the                             |
| a. Auto   | \$                                |
| b. Other  | <b>9.0</b>                        |
| c. Other  | \$0.0                             |
| 14. Alimony, maintenance, and support paid to others  | \$                                |
| 15. Payments for support of additional dependents not living at your home   | \$                                |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)  |                                   |
| 17. Other   | \$                                |
| Other   | \$                                |
| 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedulines 1-17.   | ales and, \$ <b>3,664.0</b>       |
| if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)   |                                   |
| 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the following the filing of this document: | e year                            |
| 20. STATEMENT OF MONTHLY NET INCOME   |                                   |
| a. Average monthly income from Line 15 of Schedule I  | \$                                |
| b. Average monthly expenses from Line 18 above  | \$3,664.0                         |
| c. Monthly net income (a. minus b.)   | \$                                |

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

# **Other Utility Expenditures:**

| Cable                            | \$<br>50.00 |
|----------------------------------|-------------|
| Internet                         | \$<br>30.00 |
| Total Other Utility Expenditures | \$<br>80.00 |

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B6 Declaration (Official Form 6 - Declaration). (12/07)

# **United States Bankruptcy Court**District of New Jersey

| In re  | DONALD MIHALIK             |  | Case No. | 08-27730 |  |  |  |
|--|----------------------------|--|----------|----------|--|--|--|
|  |                            | Debtor(s)                                | Chapter  | 7        |  |  |  |
|  |                            |  |          |          |  |  |  |
|  |                            |  |          |          |  |  |  |
|  | DECLARATION CONCER         | NING DEBTOR'S SO                         | CHEDUL   | ES       |  |  |  |
| 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 |                            |  |          |          |  |  |  |
| Date   | January 12, 2009 Signature | /s/ DONALD MIHALIK DONALD MIHALIK 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.

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B7 (Official Form 7) (12/07)

# United States Bankruptcy Court District of New Jersey

| In re | DONALD MIHALIK |           |         | 08-27730 |
|-------|----------------|-----------|---------|----------|
|       |                | Debtor(s) | Chapter | 7        |

#### 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

\$41,163.00 EMPLOYMENT - 2006 \$27,113.00 EMPLOYMENT -2007

#### 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

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#### 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** 

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.)

> DATES OF PAYMENTS/

**AMOUNT** PAID OR VALUE OF

AMOUNT STILL

NAME AND ADDRESS OF CREDITOR

TRANSFERS

TRANSFERS

OWING

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

AMOUNT STILL

RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

OWING

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

COURT OR AGENCY

STATUS OR

NATURE OF PROCEEDING

AND LOCATION

DISPOSITION

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

DESCRIPTION AND VALUE OF

DATE OF SEIZURE

**PROPERTY** 

#### 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** 

#### 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.)

DATE OF

NAME AND ADDRESS OF ASSIGNEE

ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

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 LOCATION

NAME AND ADDRESS OF CUSTODIAN OF COURT
CASE TITLE & NUMBER

DATE OF ORDER

DATE OF GIFT

DESCRIPTION AND VALUE OF

3

PROPERTY

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

DESCRIPTION AND

VALUE OF GIFT

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

#### 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
Di Ciurcio , Di Ciurcio & Di Ciurcio, PA
80 Barclay Plaza
Suite 5
Cherry Hill, NJ 08034

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR **05-08**  AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
1000.00

### 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

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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

#### 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

#### 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

#### 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

#### 14. Property held for another person

None List

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

PROPERTY LOCATION OF PROPERTY

#### 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

#### 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

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:

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

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.

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

5

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

None

NAME

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.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN ADDRESS

BEGINNING AND
NATURE OF BUSINESS ENDING DATES

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

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

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Best Case Bankruptcv

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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 bookkaapars and accountants who

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 DATES SERVICES RENDERED

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 ADDRESS

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 DATE ISSUED

INVENTORY SUPERVISOR

#### 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.

and the donar amount and basis of each inventory.

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

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

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.

NATURE AND PERCENTAGE
NAME AND ADDRESS
TITLE
NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

#### 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

6

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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

### 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

#### 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 January 12, 2009 Signature /s/ DONALD MIHALIK

DONALD MIHALIK

Debtor

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

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Form 8 (10/05)

# **United States Bankruptcy Court**District of New Jersey

| In re   | DONALD MIHALIK                            |                                | ·   | Case No.                            | 08-27730  |  |
|---------|---|--------------------------------|---|-------------------------------------|---|--|
| mic     | BOWNED IMITALIN                           |                                | Debtor(s)   | Chapter                             | 7   |  |
|         | CHAPTER 7 IN                              | DIVIDUAL DEBTO                 | OR'S STATEME  | NT OF INT                           | TENTION   |  |
|         | I have filed a schedule of assets and lia | bilities which includes debt   | ts secured by property o                                  | f the estate.                       |   |  |
|         | I have filed a schedule of executory co   | ntracts and unexpired leases   | s which includes person                                   | al property subj                    | ect to an unexpire                                    | ed lease.  |
|         | I intend to do the following with respec  | ct to property of the estate v | which secures those deb                                   | ts or is subject to                 | o a lease:  |  |
| Descrit | otion of Secured Property                 | Creditor's Name                | Property will be<br>Surrendered                           | Property<br>is claimed<br>as exempt | Property will be redeemed pursuant to 11 U.S.C. § 722 | Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c) |
| -NON    |   | Cround 5 Tume                  | Surrendered   | as enempt                           | 11 6.5.6. 3 722                                       |  |
| Propert | ·   | Lessor's Name                  | Lease will be assumed pursuan to 11 U.S.C. § 362(h)(1)(A) | t                                   |   |  |
| -NON    | E-  |                                |   |                                     |   |  |
| Date    | January 12, 2009                          | Signature                      | /s/ DONALD MIHAL DONALD MIHALIK                           | IK                                  |   |  |
|         |   |                                | Debtor  |                                     |   |  |

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United States Bankruptcy Court
District of New Jersey

| In re       | DONALD MIHALIK  |   | Case No.                              | 08-27730   |
|-------------|---|---|---------------------------------------|--|
|             |   | Debtor(s)   | Chapter                               | 7  |
|             | DISCLOSURE OF COMP  | ENSATION OF ATTOR   | RNEY FOR DE                           | CBTOR(S)   |
|             | Pursuant to 11 U.S.C. § 329(a) and Bankruptcy compensation paid to me within one year before the be rendered on behalf of the debtor(s) in contemplation  | filing of the petition in bankruptcy                                    | , or agreed to be pai                 | d to me, for services rendered or to             |
|             | For legal services, I have agreed to accept   |   | \$                                    | 1,700.00   |
|             | Prior to the filing of this statement I have receive  | ed  | \$                                    | 1,700.00   |
|             | Balance Due   |   | \$                                    | 0.00   |
| 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 con  | mpensation with any other person  | unless they are mem                   | pers and associates of my law firm.              |
|             | ☐ I have agreed to share the above-disclosed compe copy of the agreement, together with a list of the i   |   |                                       |  |
| ;<br>]      | In return for the above-disclosed fee, I have agreed to a. Analysis of the debtor's financial situation, and rer b. Preparation and filing of any petition, schedules, s c. Representation of the debtor at the meeting of cred | ndering advice to the debtor in detestatement of affairs and plan which | ermining whether to may be required;  | file a petition in bankruptcy;                   |
| •           | <ul> <li>d. [Other provisions as needed]         Negotiations with secured creditors to reaffirmation agreements and applica 522(f)(2)(A) for avoidance of liens on I     </li> </ul>   | tions as needed; preparation  | emption planning<br>and filing of mot | preparation and filing of ons pursuant to 11 USC |
| <b>5.</b> 1 | By agreement with the debtor(s), the above-disclosed Representation of the debtors in any other adversary proceeding.   |   |                                       | es, relief from stay actions or                  |
|             |   | CERTIFICATION   |                                       |  |
|             | I certify that the foregoing is a complete statement of pankruptcy proceeding.  | any agreement or arrangement for  | payment to me for re                  | presentation of the debtor(s) in                 |
| Dated       | d: <b>January 12, 2009</b>  | /s/ John D. Di Ciu  | ırcio, Esq.                           |  |
|             |   | John D. Di Ciurci   |                                       |  |
|             |   | Di Ciurcio , Di Ciu<br>80 Barclay Plaza                                 | urcio & Di Ciurcio                    | PA   |
|             |   | Suite 5   |                                       |  |
|             |   | Cherry Hill, NJ 08<br>856-427-9293 Fa                                   |                                       |  |
|             |   | diciurciowmpa@  |                                       |  |

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (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.

### 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 <u>before</u> 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.

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.

### 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.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

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### **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.

John D. Di Ciurcio, Esq. 7897

Printed Name of Attorney

Address:

80 Barclay Plaza
Suite 5
Cherry Hill, NJ 08034
856-427-9293
diciurciowmpa@aol.com

Certificate of Debtor

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

| DONALD MIHALIK                      | X | /s/ DONALD MIHALIK                 | January 12, 2009 |
|-------------------------------------|---|------------------------------------|------------------|
| Printed Name(s) of Debtor(s)        |   | Signature of Debtor                | Date             |
| Case No. (if known) <b>08-27730</b> | X |                                    |                  |
|                                     |   | Signature of Joint Debtor (if any) | Date             |

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# **United States Bankruptcy Court**District of New Jersey

|                                | District of New Jersey                                  |   |
|--------------------------------|---|---|
| re DONALD MIHALIK              |   | Case No. <b>08-27730</b>                |
|                                | Debtor(s)   | Chapter 7                               |
| VI                             | ERIFICATION OF CREDITOR 1                               | MATRIX                                  |
|                                |   |   |
| above-named Debtor hereby veri | fies that the attached list of creditors is true and co | rrect to the best of his/her knowledge. |
| te: January 12, 2009           | /s/ DONALD MIHALIK                                      |   |
|                                | DONALD MIHALIK  |   |

Signature of Debtor

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B22A (Official Form 22A) (Chapter 7) (01/08)

| In re        | DONALD MIHALIK |            |  |
|--------------|----------------|------------|--|
|              |                | Debtor(s)  |  |
| Case Number: |                | 08-27730   |  |
|              |                | (If known) |  |

| According to the calculations | required by | this statement: |
|-------------------------------|-------------|-----------------|
|-------------------------------|-------------|-----------------|

 $\square$  The presumption arises.

**■** The presumption does not arise.

(Check the box as directed in Parts I, III, and VI of this statement.)

# CHAPTER 7 STATEMENT OF CURRENT MONTHLY INCOME AND MEANS-TEST CALCULATION

In addition to Schedules I and J, this statement must be completed by every individual chapter 7 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

|     | Part I. EXCLUSION FOR DISAB  | LEI  | D VETERANS           | A        | ND I    | NON-CONS               | UM     | IER DEBTO         | RS                  |
|-----|--|--|----------------------|----------|---------|------------------------|--------|-------------------|---------------------|
| 1.4 | If you are a disabled veteran described in the Veteran's Declaration in this Part I, (1) check the box at the beginning of the Veteran's Declaration, (2) check the box for "The presumption does not arise" at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement. |  |                      |          |         |                        |        |                   |                     |
| 1A  | § 3741(1)) whose indebtedness occurred primarily   | □ <b>Veteran's Declaration.</b> By checking this box, I declare under penalty of perjury that I am a disabled veteran (as defined in 38 U.S.C. § 3741(1)) whose indebtedness occurred primarily during a period in which I was on active duty (as defined in 10 U.S.C. § 101(d)(1)) or while I was performing a homeland defense activity (as defined in 32 U.S.C. §901(1)). |                      |          |         |                        |        |                   |                     |
| 1B  | If your debts are not primarily consumer debts, che the remaining parts of this statement.   | eck t  | he box below and o   | coı      | nplete  | the verification       | in P   | art VIII. Do not  | complete any of     |
|     | ☐ Declaration of non-consumer debts. By check  | ing t  | his box, I declare t | tha      | t my d  | ebts are not pri       | naril  | y consumer debt   | S.                  |
|     | <b>Part II. CALCULATION OF M</b>   | ON   | THLY INCO            | M        | E FO    | R § 707(b)(            | 7) E   | EXCLUSION         |                     |
|     | Marital/filing status. Check the box that applies a  | nd c   | omplete the balanc   | ce (     | of this | part of this state     | emen   | t as directed.    |                     |
|     | a. Unmarried. Complete only Column A ("D   | ebto   | r's Income'') for I  | Lir      | es 3-1  | 1.                     |        |                   |                     |
|     | b. $\square$ Married, not filing jointly, with declaration   | of se  | eparate households.  | . В      | y chec  | king this box, o       | lebto  | r declares under  | penalty of perjury: |
| _   | "My spouse and I are legally separated under   | appl   | icable non-bankrup   | ptc      | y law   | or my spouse ar        | nd I a | re living apart o | ther than for the   |
| 2   | purpose of evading the requirements of § 707 <b>for Lines 3-11.</b>  | (b)(2  | 2)(A) of the Bankru  | ıpt      | cy Coo  | de." <b>Complete</b> o | only   | column A (''Del   | otor's Income'')    |
|     |  |  |                      |          |         |                        |        |                   |                     |
|     | c. Married, not filing jointly, without the declaration of separate households set out in Line 2.b above. Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.  |  |                      |          |         |                        |        |                   |                     |
|     | d.   Married, filing jointly. Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11.  |  |                      |          |         |                        |        |                   |                     |
|     | All figures must reflect average monthly income received from all sources, derived during the six Column A Column B  |  |                      |          |         |                        |        |                   |                     |
|     | calendar months prior to filing the bankruptcy case, ending on the last day of the month before  |  |                      | Spouse's |         |                        |        |                   |                     |
|     | 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.  Debtor's Income Income  |  |                      |          |         |                        |        |                   |                     |
| 3   | Six monar total by six, and enter the result on the appropriate inte.  |  |                      | Φ.       |         |                        |        |                   |                     |
|     | Gross wages, salary, tips, bonuses, overtime, commissions.  Income from the operation of a business, profession or farm. Subtract Line b from Line a and   |  |                      | \$       |         |                        |        |                   |                     |
|     | enter the difference in the appropriate column(s) o  |  |                      |          |         |                        |        |                   |                     |
|     | business, profession or farm, enter aggregate numb   |  |                      |          |         |                        |        |                   |                     |
|     | not enter a number less than zero. Do not include  | any  | part of the busine   | ess      | expen   | ses entered on         |        |                   |                     |
| 4   | Line b as a deduction in Part V.   | _  |                      |          |         |                        | ı      |                   |                     |
|     | - Construction   | ¢.   | Debtor               | Φ        |         | Spouse                 |        |                   |                     |
|     | a. Gross receipts b. Ordinary and necessary business expenses  | \$   | 0.00                 |          |         |                        |        |                   |                     |
|     | c. Business income   |  | btract Line b from   |          | ne a    |                        | \$     | 0.00              | \$                  |
|     | Rents and other real property income. Subtract   |  |                      |          |         | difference in          | Ψ      | 0.00              | Ψ                   |
|     | the appropriate column(s) of Line 5. Do not enter  |  |                      |          |         |                        |        |                   |                     |
|     | part of the operating expenses entered on Line k   |  |                      |          |         | ·                      |        |                   |                     |
| 5   |  |  | Debtor               |          |         | Spouse                 |        |                   |                     |
|     | a. Gross receipts  | \$   | 0.00                 |          |         |                        |        |                   |                     |
|     | b. Ordinary and necessary operating expenses   | \$   | 0.00                 | _        |         |                        |        |                   |                     |
|     | c. Rent and other real property income   | Su   | btract Line b from   | Li       | ne a    |                        | \$     | 0.00              | \$                  |
| 6   | 6 Interest, dividends, and royalties. \$ 0.00 \$   |  |                      | \$       |         |                        |        |                   |                     |
| 7   | 7 Pension and retirement income. \$ 0.00 \$  |  |                      | \$       |         |                        |        |                   |                     |

| `  | , , , ,  | -       |          |      |  |  |
|--|--|---------|----------|------|--|--|
| 8  | 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. Do not include alimony or separate maintenance payments or amounts paid by your spouse if Column B is completed.   | \$ 0.00 | 0 \$     |      |  |  |
| 9  | Unemployment compensation. Enter the amount in the appropriate column(s) of Line 9. 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:  Unemployment compensation claimed to be a benefit under the Social Security Act Debtor \$ 0.00 Spouse \$  | \$ 0.00 | 0 \$     |      |  |  |
| 10   | Income from all other sources. Specify source and amount. If necessary, list additional sources on a separate page. 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 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.  Debtor Spouse |         |          |      |  |  |
|  | a. S S S S Total and enter on Line 10  | \$ 0.00 | 0 \$     |      |  |  |
| 11   | <b>Subtotal of Current Monthly Income for § 707(b)(7).</b> Add Lines 3 thru 10 in Column A, and, if Column B is completed, add Lines 3 through 10 in Column B. Enter the total(s).   |         | 0 \$     |      |  |  |
| 12   | Total Current Monthly Income for § 707(b)(7). If Column B has been completed, add Line 11,   |         |          |      |  |  |
| Part III. APPLICATION OF § 707(b)(7) EXCLUSION |  |         |          |      |  |  |
| 13   | Annualized Current Monthly Income for § 707(b)(7). Multiply the amount from Line 12 by the number 12 and enter the result.   |         |          | 0.00 |  |  |
| 14   |  |         |          |      |  |  |
|  | a. Enter debtor's state of residence: NJ b. Enter debtor's household size:   | 1       | \$ 56,15 | 1.00 |  |  |
| 15   | Application of Section 707(b)(7). Check the applicable box and proceed as directed.  The amount on Line 13 is less than or equal to the amount on Line 14. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete Part VIII; do not complete Parts IV, V, VI or VII.  The amount on Line 13 is more than the amount on Line 14. Complete the remaining parts of this statement.   |         |          |      |  |  |

#### Complete Parts IV, V, VI, and VII of this statement only if required. (See Line 15.)

| Marital adjustment. If you checked the b   |   | <b>3</b>       |  |
|--|---|----------------|--|
| dependents. Specify in the lines below the spouse's tax liability or the spouse's suppo        | t Line 2.c, enter on Line 17 the total of any income listed is for the household expenses of the debtor or the debtor's s for excluding the Column B income (such as payment o persons other than the debtor or the debtor's dependents) necessary, list additional adjustments on a separate page. | of the and the |  |
| 18 Current monthly income for § 707(b)(2). Subtract Line 17 from Line 16 and enter the result. |   |                |  |

| 19A | National Standards: food, clothing and other items. Enter in Line 19A the "Total" amount from IRS National Standards for Food, Clothing and Other Items for the applicable household size. (This information is available at <a href="https://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)  |  |        | \$   |                                       |    |
|-----|---|--|--------|--|---------------------------------------|----|
| 19B | National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at <a href="https://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.) Enter in Line b1 the number of members of your household who are under 65 years of age, and enter in Line b2 the number of members of your household who are 65 years of age or older. (The total number of household members must be the same as the number stated in Line 14b.) Multiply Line a1 by Line b1 to obtain a total amount for household members under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for household members 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 19B.    Household members under 65 years of age   Household members 65 years of age or older     1. Allowance per member   a2. Allowance per member     2. Number of members   b2. Number of members |  |        |  |                                       |    |
|     | c1. Subtotal  | c2.  | Subto  | otal   |                                       | \$ |
| 20A | Local Standards: housing and utilities<br>Utilities Standards; non-mortgage expe<br>available at <a href="https://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from  | enses for the applicable co                            | unty a | nd household size. (7  |                                       | \$ |
| 20B | <ul> <li>a. IRS Housing and Utilities Standards; mortgage/rental expense</li> <li>b. Average Monthly Payment for any debts secured by your home, if any, as stated in Line 42</li> <li>\$</li> </ul>  |  |        | (this information is<br>he total of the Average<br>from Line a and enter | \$                                    |    |
| 21  | C.   Net mortgage/rental expense   Subtract Line b from Line a.   |  |        | \$   |                                       |    |
| 22A | Local Standards: transportation; vehicle operation/public transportation expense.  You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation.  Check the number of vehicles for which you pay the operating expenses or for which the operating expenses are included as a contribution to your household expenses in Line 8.  □ □ □ 1 □ 2 or more.  If you checked 0, enter on Line 22A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 22A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (These amounts are available at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court.)  |  |        |  | \$                                    |    |
| 22B | Local Standards: transportation; add<br>for a vehicle and also use public transp<br>you public transportation expenses, ent<br>Standards: Transportation. (This amount<br>court.)   | ortation, and you contend<br>ter on Line 22B the "Publ | that y | ou are entitled to an a<br>asportation" amount f                         | dditional deduction for rom IRS Local | \$ |

|    | Local Standards: transportation ownership/lease expense; Vehicle you claim an ownership/lease expense. (You may not claim an owner vehicles.)  |                              |    |
|----|--|------------------------------|----|
|    | $\square$ 1 $\square$ 2 or more.   |                              |    |
| 23 | Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 42; subtract Line b from Line a and enter the result in Line 23. <b>Do not enter an amount less than zero.</b>  |                              |    |
|    | a. IRS Transportation Standards, Ownership Costs   | \$                           |    |
|    | Average Monthly Payment for any debts secured by Vehicle   |                              |    |
|    | b. 1, as stated in Line 42   | \$                           |    |
|    | c. Net ownership/lease expense for Vehicle 1   | Subtract Line b from Line a. | \$ |
| 24 | Local Standards: transportation ownership/lease expense; Vehicle 2. Complete this Line only if you checked the "2 or more" Box in Line 23.  Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 42; subtract Line b from Line a and enter the result in Line 24. Do not enter an amount less than zero. |                              |    |
|    | a. IRS Transportation Standards, Ownership Costs   | \$                           |    |
|    | Average Monthly Payment for any debts secured by Vehicle   |                              |    |
|    | b. 2, as stated in Line 42   | \$                           |    |
|    | c. Net ownership/lease expense for Vehicle 2   | Subtract Line b from Line a. | \$ |
| 25 | Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state and local taxes, other than real estate and sales taxes, such as income taxes, self employment taxes, social security taxes, and Medicare taxes. Do not include real estate or sales taxes.  |                              |    |
| 26 | Other Necessary Expenses: involuntary deductions for employme deductions that are required for your employment, such as retirement Do not include discretionary amounts, such as voluntary 401(k) co   | \$                           |    |
| 27 | Other Necessary Expenses: life insurance. Enter total average monthly premiums that you actually pay for term life insurance for yourself. Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.  |                              |    |
| 28 | Other Necessary Expenses: court-ordered payments. Enter the tot pay pursuant to the order of a court or administrative agency, such as include payments on past due obligations included in Line 44.   | \$                           |    |
| 29 | Other Necessary Expenses: education for employment or for a ph the total average monthly amount that you actually expend for educate education that is required for a physically or mentally challenged dep providing similar services is available.   | \$                           |    |
| 30 | Other Necessary Expenses: childcare. Enter the total average mont childcare - such as baby-sitting, day care, nursery and preschool. Do  | \$                           |    |
| 31 | Other Necessary Expenses: health care. Enter the total average mode health care that is required for the health and welfare of yourself or yoursurance or paid by a health savings account, and that is in excess of include payments for health insurance or health savings accounts  | \$                           |    |
| 32 | Other Necessary Expenses: telecommunication services. Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone service - such as pagers, call waiting, caller id, special long distance, or internet service - to the extent necessary for your health and welfare or that of your dependents. Do not include any amount previously deducted.   |                              |    |
| 33 | Total Expenses Allowed under IRS Standards. Enter the total of I   | Lines 19 through 32.         |    |
|    | <b>Total Expenses Allowed under IRS Standards.</b> Enter the total of Lines 19 through 32.   |                              |    |

|   | Subpart B: Additional Living Expense Deductions   |                                   |   |    |
|---|---|-----------------------------------|---|----|
|   | Note: Do not include any expenses that you have listed in Lines 19-32   |                                   |   |    |
| <b>Health Insurance, Disability Insurance, and Health Savings Account Expenses.</b> List the monthly expenses in the categories set out in lines a-c below that are reasonably necessary for yourself, your spouse, or your dependents. |   |                                   |   |    |
| 34  | a.  |                                   |   |    |
|   | b.  | Disability Insurance              | \$  |    |
|   | c.  | Health Savings Account            | \$  | \$ |
|   | Total   | and enter on Line 34.             |   |    |
|   | If you do not actually expend this total amount, state your actual total average monthly expenditures in the space below:   |                                   |   |    |
|   | \$  |                                   |   |    |
| 35  | ill, or disabled member of your household or member of your immediate family who is unable to pay for such  |                                   |   | \$ |
| 36  | Protection against family violence. Enter the total average reasonably necessary monthly expenses that you actually incurred to maintain the safety of your family under the Family Violence Prevention and Services Act or   |                                   |   | \$ |
| 37  | Home energy costs. Enter the total average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities, that you actually expend for home energy costs. You must provide your case trustee with documentation of your actual expenses, and you must demonstrate that the additional amount  |                                   |   | \$ |
| 38  | Education expenses for dependent children less than 18. Enter the total average monthly expenses that you actually incur, not to exceed \$137.50 per child, for attendance at a private or public elementary or secondary school by your dependent children less than 18 years of age. You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and |                                   |   | \$ |
| 39  | Additional food and clothing expense. Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National   |                                   |   |    |
| 40  |   |                                   | r the amount that you will continue to contribute in the form of cash or ation as defined in 26 U.S.C. § 170(c)(1)-(2). | \$ |
| 41  | Total   | Additional Expense Deductions und | er § 707(b). Enter the total of Lines 34 through 40   | \$ |

|    |   |  | Subpart C: Deductions for D   | ebt l                      | Payment  |  |                    |
|----|---|--|---|----------------------------|--|--|--------------------|
| 42 | own,<br>and camou<br>bankr  | list the name of the creditor<br>heck whether the payment in<br>the scheduled as contractual       | aims. For each of your debts that is secure, identify the property securing the debt, includes taxes or insurance. The Average ally due to each Secured Creditor in the 60 If necessary, list additional entries on a scine 42. | and sta<br>Month<br>) mont | ate the Average Maly Payment is the this following the f | Ionthly Payment,<br>total of all<br>iling of the |                    |
|    |   | Name of Creditor   | Property Securing the Debt  | A                          | Average Monthly<br>Payment                               | Does payment include taxes or insurance?         |                    |
|    | a.  |  |   | \$                         |  | □yes □no   |                    |
|    | Otho  | marmonts on scoured alo  | ; If f dalar lined in I in a 42 and   |                            | Total: Add Lines   |  | \$                 |
| 43 | payments listed in Line 42, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page. |  |   |                            |  |  |                    |
|    | a.  | Name of Creditor   | Property Securing the Debt  |                            | \$   | e Cure Amount                                    |                    |
|    |   |  |   |                            | Т  | otal: Add Lines                                  | \$                 |
| 44 | priori  | ty tax, child support and al   | ty claims. Enter the total amount, divided imony claims, for which you were liable a , such as those set out in Line 28.  | l by 60<br>at the t        | ), of all priority cl<br>ime of your bankr               | aims, such as ruptcy filing. <b>Do</b>           | \$                 |
|    | Chapter 13 administrative expenses. If you are eligible to file a case under Chapter 13, complete the following chart, multiply the amount in line a by the amount in line b, and enter the resulting administrative expense.   |  |   |                            |  |  |                    |
| 45 | a.<br>b.  | Current multiplier for you issued by the Executive information is available the bankruptcy court.) | nly Chapter 13 plan payment.  our district as determined under schedules Office for United States Trustees. (This at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of                                   | of x                       |  |  |                    |
|    | c.  |  | istrative expense of Chapter 13 case  |                            | otal: Multiply Line                                      | es a and b                                       | \$                 |
| 46 | Total   | <b>Deductions for Debt Pay</b>   | ment. Enter the total of Lines 42 through   |                            |  |  | \$                 |
|    |   |  | Subpart D: Total Deductions   | fron                       | n Income   |  |                    |
| 47 | Total   | of all deductions allowed  | under § 707(b)(2). Enter the total of Line  | es 33,                     | 41, and 46.  |  | \$                 |
|    |   | Part V   | I. DETERMINATION OF § 707   | (b)(2                      | ) PRESUMP  | ΓΙΟΝ   |                    |
| 48 | Enter   | the amount from Line 18  | 3 (Current monthly income for § 707(b)  | (2))                       |  |  | \$                 |
| 49 | Enter   | the amount from Line 47  | (Total of all deductions allowed under  | § 707                      | (b)(2))  |  | \$                 |
| 50 | Monthly disposable income under § 707(b)(2). Subtract Line 49 from Line 48 and enter the result.  |  |   |                            | ılt.   | \$   |                    |
| 51 | <b>60-month disposable income under § 707(b)(2).</b> Multiply the amount in Line 50 by the number 60 and enter the result.  |  |   |                            | \$   |  |                    |
|    | Initia  | l presumption determinat   | ion. Check the applicable box and procee  | d as d                     | irected.   |  |                    |
| 52 | ☐ The amount on Line 51 is less than \$6,575. Check the box for "The presumption does not arise" at the top of postatement, and complete the verification in Part VIII. Do not complete the remainder of Part VI.   |  |   |                            |  | se" at the top of pa                             | ge 1 of this       |
| 32 | ☐ The amount set forth on Line 51 is more than \$10,950 Check the box for "The presumption arises" at the top of statement, and complete the verification in Part VIII. You may also complete Part VII. Do not complete the remaining   |  |   |                            |  |  |                    |
|    | □ Tì  | ne amount on Line 51 is at   | least \$6,575, but not more than \$10,95  | <b>0.</b> Con              | nplete the remain  | ler of Part VI (Line                             | es 53 through 55). |
| 53 | Enter   | r the amount of your total   | non-priority unsecured debt   |                            |  |  | \$                 |
| 54 | <b>Threshold debt payment amount.</b> Multiply the amount in Line 53 by the number 0.25 and enter the result.   |  |   |                            |  | \$   |                    |

| Secondary presumption determination. Check the applicable box and proceed as directed. |  |   |  |  |  |  |
|--|--|---|--|--|--|--|
| 55   | ☐ The amount on Line 51 is less than the amount on Line 54. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII. |   |  |  |  |  |
| 33   |  | ☐ The amount on Line 51 is equal to or greater than the amount on Line 54. Check the box for "The presumption arises" at the top of page 1 of this statement, and complete the verification in Part VIII. You may also complete Part VII. |  |  |  |  |
|  | Part VII. ADDITIO  | NAL EXPENSE CLAIMS  |  |  |  |  |
|  | you and your family and that you contend should be an addi   | not otherwise stated in this form, that are required for the health and welfare of itional deduction from your current monthly income under § a separate page. All figures should reflect your average monthly expense for                |  |  |  |  |
| 56   | Expense Description  | Monthly Amount  |  |  |  |  |
|  | a.   | \$  |  |  |  |  |
|  | b.   | \$  |  |  |  |  |
|  | c.   | \$  |  |  |  |  |
|  | d.   | \$  |  |  |  |  |
|  | Total: Add Li  | nes a, b, c, and d \$   |  |  |  |  |
|  | Part VIII.   | VERIFICATION  |  |  |  |  |
| 57   | I declare under penalty of perjury that the information provimust sign.)  Date: January 12, 2009   | Signature: /s/ DONALD MIHALIK DONALD MIHALIK (Debtor)   |  |  |  |  |