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**12**  
**Business Information**  
(Green Sheet)

If you are self-employed, or if you have had income for which you do not receive a W-2, please provide the following:

- A. A completed **Business Questionnaire** with copies of all required documents.
- B. A completed **Business Budget** (attached to Business Questionnaire)
- C. **Profit and Loss Statements** (attached to Business Questionnaire) for each of the last 6 months
- D. Photocopies of any **1099s, or other proof of income received**, if any, received within last 6 months.
- E. Photocopies of **business bank statements** showing deposits for self-employment Tax Withholding.

## Business Questions

You must answer these Business Questions (18-25) only if, during the last **six years**, you have been any of the following: An officer, director, managing executive, or owner of more than 5% of the voting securities of a corporation; a partner (other than a limited partner) or a partnership; a sole proprietor; or self-employed. Attach additional sheets if necessary.

You must fill out one of these sets of questions for each business you own or have operated during the last **six years**.

### 18. Name, location and nature of your business.

Give the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which you were an officer within the six years immediately preceding the filing of this case.  NONE

### 19. Books, records, and financial statements

a) Give name, address and dates of service of all bookkeepers and accountants who, within the **two years** immediately preceding the filing of this bankruptcy case, kept or supervised the keeping of books of account and records.  NONE

b) Give name, address and dates of service of all firms or individuals who, within the last **two years** have audited the books of account and records, or prepared a financial statement of the debtor.  NONE

c) Give name, address and dates of service of all firms or individuals who, at the time of the filing of this case, were in possession of your books of account and records. If the records are not available, explain.  NONE

d) Give name, address and dates of service of all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within last **two years**.  NONE

### 20. Inventories

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.  NONE

b) Give the name and address of the person having the records of each of the inventories reported in a.) above.  NONE

### 21. Current partners, officers, directors, and shareholders

a) For a partnership, list the nature & percentage of partnership interest of each partner.  NONE

b) If your business is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 % or more of the voting securities of the corporation.  NONE

### 22. Former partners, officers, directors and shareholders

a) If your business is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the filing of this case.  NONE

b) If your business is a corporation, list all officers or directors whose relationship with the corporation terminated within **one year** immediately preceding the filing of this case.  NONE

### 23. Withdrawals from a partnership or distributions by a corporation

If your business 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 **the last one year**.  NONE

### 24. Tax Consolidation Group

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 the **last six-years**.  NONE

### 25. Pension Funds

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 the last **six-years**.  NONE



**CHAPTER 13  
BUSINESS QUESTIONNAIRE**

**NOTICE TO DEBTORS AND DEBTORS' ATTORNEY**

Pursuant to 11 U.S.C. § 1302(c) and Local Rule 2083-1(d), debtors must provide to the trustee, on or before the First Meeting of Creditors, a completed Business Questionnaire and requested documents for each business operated by the debtor during the sixty(60) day period preceding the petition date (a copy of the Business Questionnaire is attached hereto). This requirement applies to any business in which the debtor has an ownership interest, including the following:

1. A sub Ch. S or Sub Ch. C corporation
2. A partnership
3. A professional corporation
4. A limited liability corporation
5. A sole proprietorship or DBA

If the Business Questionnaire and requested documents are not received by the trustee on or before the First Meeting of Creditors, the trustee is required by Local Rule 2083-1(c) to file with the court a Notice of Failure to Comply. This rule applies even if the required documents are mailed but not received by the trustee prior to the First Meeting of Creditors.

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Case Number: \_\_\_\_\_

**BUSINESS QUESTIONNAIRE**

As required by 11 U.S.C. § 1302(c) and Local Rule 2083-1(b)

**INSTRUCTIONS:** Complete the entire form using additional pages if necessary. Please include the case number, debtor’s name and the question number on all additional pages. All financial information, unless otherwise stated, is to be as of the bankruptcy filing date.

This Questionnaire must be submitted to the trustee on or before your first scheduled Meeting of Creditors. Copies of all documents requested herein **MUST** be submitted along with the Questionnaire. The trustee must move to dismiss your case if this Questionnaire and copies of all requested documents are not received by this deadline.

1. Name of Business: \_\_\_\_\_
2. Address or location of Business: \_\_\_\_\_
3. Is your business a  sole proprietorship;  C-corporation;  S-corporation;  professional corporation;  limited liability company (LLC);  partnership;  other \_\_\_\_\_
4. Do you operate your business out of your home?  Yes  No. If no, identify whether you or your business leases, rents, or owns the business location? \_\_\_\_\_

As of the date of your Bankruptcy filing, list the amount of any delinquency on rent or mortgage payments for your business location: \_\_\_\_\_. Since filing for bankruptcy, are you current on rent or mortgage payments for your business location?  Yes  No.

5. List the number of employees: \_\_\_\_\_. How many employees receive an IRS Form 1099: \_\_\_\_\_. How many employees receive an IRS Form W-2: \_\_\_\_\_. If no employees, do you intend in the next 12 months to hire or lease employees, and if so when? \_\_\_\_\_

If you have employees list them below:

Employee Name	Position/Function	Hourly Rate	P=Part time F= Full time

Since your bankruptcy filing, are you current on paying employee salaries?  Yes  No. If no, state the amount of the delinquency as of your bankruptcy filing: \$ \_\_\_\_\_. Do you maintain a trust account for depositing employee withholding taxes?  Yes  No. If no, Why not? \_\_\_\_\_

Are you current on filing employee withholding tax returns?  Yes  No. If no, State the periods for which returns are due but not filed: \_\_\_\_\_

If you have employees, provide COPIES of IRS Form 941 and Utah Form TC-96M or TC-96Q for the most recent 4 quarters prior to your bankruptcy filing.

Do you lease employees?  Yes  No. If yes, list the number of leased employees and the name of the employee leasing agency: \_\_\_\_\_

6. Does your business collect sales tax?  Yes  No. If yes, provide verification of a sales tax trust account and proof that since filing for bankruptcy, sales taxes are being deposited into the trust account and paid to the appropriate taxing authority.

7. What percentage of your business do you, your spouse, and/or children own? \_\_\_\_\_

8. On a separate page, list all other persons with an ownership interest in your business and the percentage of their ownership.

9. If the business is a corporation, list all persons with control over corporate assets and funds. \_\_\_\_\_

10. When did the business start? \_\_\_\_\_ If the business has closed, list the date \_\_\_\_\_

11. What is the nature of your business?

Real estate or insurance sales

Providing the following services: \_\_\_\_\_

Manufacturing the following products: \_\_\_\_\_

Independent contractor of \_\_\_\_\_

Other \_\_\_\_\_

12. Is your business seasonal?  Yes  No. If yes, list the good months \_\_\_\_\_ and list the bad months \_\_\_\_\_

13. Are you leasing any personal business property or equipment?  Yes  No. If yes, please describe: \_\_\_\_\_

Do you intend to continue with the lease during the bankruptcy case?  Yes  No. If yes, attach a **COPY** of your lease agreement to this questionnaire.

14. Is your business registered with the State of Utah?  Yes  No. If no, explain on a separate sheet why it is not registered in Utah. If yes, is your registration current and in good standing?  Yes  No. If no, explain why? \_\_\_\_\_

15. Is your local business license current and in good standing?  Yes  No. If no explain why? \_\_\_\_\_

\*Provide **COPIES**, not originals, of all business licenses with this Questionnaire

16. List all other licenses you or your business is required to have: \_\_\_\_\_

\*Provide **COPIES**, not originals, of all other business licenses listed above.

17. Check the boxes next to the insurance you or your business are required to carry:

- Business operation liability insurance
- Worker's compensation insurance
- Vehicle insurance
- Real and/or personal property insurance
- Other \_\_\_\_\_

\*Provide **COPIES**, not originals, of all required insurance

18. List any insurance which you or your business carry but are not required by law or regulations to carry: \_\_\_\_\_

\*Provide **COPIES**, not originals, of proof of all insurance listed above.

19. What is the estimated market value of your business, including good will? \$ \_\_\_\_\_

What amount of your business value is attributed to accounts receivables? \$ \_\_\_\_\_

What amount of your business value is attributed to inventories? \$ \_\_\_\_\_

What amount of your business value is attributed to real properties? \$ \_\_\_\_\_

What amount of your business value is attributed to tools/ fixtures? \$ \_\_\_\_\_

What amount of your business value is attributed to good will? \$ \_\_\_\_\_

If the business has a value not accounted for the prior five questions, list what that business value is attributed to: \_\_\_\_\_

20. On a separate page, list and describe all assets owned by your business, the original cost of each asset, the age of each asset, and the estimated current fair market value for each asset.

21. Did you or your business have any accounts receivables on the date you filed for bankruptcy?

Yes  No. If yes, list the estimated market value of your accounts receivables. \$ \_\_\_\_\_

22. Do you or your business have any inventories?  Yes  No. If yes, list the last date an inventory was taken, the value of the inventory on that date, and the estimated market value as of the day of your bankruptcy filing. \_\_\_\_\_

23. Have you or your business pledged assets, receivables, rents, profits, or cash as collateral for a loan?  Yes  No. If yes, list on a separate page what property has been pledged and the creditor with a security interest in the collateral.

24. Do you anticipate that you will continue to incur trade debt on a monthly basis?  Yes  No. If yes, such debt must be limited to 30-day trade accounts incurred in the ordinary course of business.

25 List all bank accounts to which you have access (use a separate page if necessary)

Bank Name	Account No.	Type of Account	Purpose

Are any other persons authorized to sign on the account(s)  Yes  No. If yes, identify such person(s): \_\_\_\_\_

\*Provide **COPIES**, not originals, of bank statements for each account listed above for the month before you filed your bankruptcy petition, the month in which you filed your petition, and the month after you filed your petition.

26. Federal Tax Returns.

\*Provide **COPIES**, not originals, of your personal and business federal income tax returns, along with all supporting schedules for the last three years. Also include **COPIES** of any W-2's or 1099's you received.

27. Are you current on personal self-employment taxes and income tax deposits?  Yes  No. (Such deposits are due April 15<sup>th</sup>, June 15<sup>th</sup>, Sept 15<sup>th</sup>, and Jan 15<sup>th</sup> of the next tax year)

28. Do you have a business record keeping system and/ or do you employ a business accountant or tax prep services?  Yes  No. If yes, identify and describe: \_\_\_\_\_

29. Provide a COPY of the most recent balance sheet for this business, and subsequently submit an updated copy together with required monthly profit and loss statements.

30. Other than wages listed on Schedule I, do you now receive or expect to receive other payments from the operation of your business such as loan repayments, return on business capital, personal loans from business, bonuses, etc.?  Yes  No. If yes, explain \_\_\_\_\_

### DECLARATION UNDER PENALTY OF PERJURY BY DEBTOR

I/ We declare under penalty of Perjury that I/we have answered all questions and provided all applicable documents pertaining to this business examination checklist in good faith and that said answers and documents are true and correct.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

If Questionnaire is prepared by individual(s) other than debtor(s):

Prepares' Name: \_\_\_\_\_

Prepares' Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Upon review of submitted documentation, the trustee may request additional financial information. Any additional documentation requested must be received and reviewed by the trustee prior to the confirmation hearing.