

**CERTAIN MATERIALS PROMULGATED BY THE
OFFICE OF THE UNITED STATES TRUSTEE,
DISTRICT OF DELAWARE**



U.S. Department of Justice

Office of the United States Trustee

District of Delaware

IN RE:

CHAPTER 11

CASE NO.

Debtor(s)

**OPERATING GUIDELINES
FOR CHAPTER 11 CASES**

The United States Trustee is required to supervise the administration of chapter 11 cases pursuant to 28 U.S.C. §586(a)(3). These operating guidelines and reporting requirements for chapter 11 cases must be followed so that the United States Trustee can properly supervise the administration of this case. Accordingly, the debtor's failure to comply with the operating and/or reporting requirements set forth below may result in the dismissal or conversion of this case to a case under chapter 7 of the Bankruptcy Code.

The United States Trustee reserves the right to modify these guidelines from time to time. Any request for a waiver of any requirement must be in writing stating the reasons for the request. The United States Trustee will determine whether a waiver should be granted or denied based upon the circumstances of the case.

1. **Books and Records**

The debtor's books and records must be closed as of the petition filing date. New books and records must be set up to reflect postpetition business.

2. **Bank Accounts**

Upon the filing of the petition, the debtor must immediately close all of its existing bank accounts and open new bank accounts which must be (i) designated as debtor in possession accounts ("DIP Accounts") and (ii) maintained subject to the following conditions:

a. All money of the bankruptcy estate must be deposited in the DIP Accounts, provided that (i) one DIP Account shall be maintained solely for the purpose of setting aside estate monies required for the payment of taxes, including, but not limited to, federal, state, and local payroll taxes, and (ii) the debtor must maintain a separate DIP Account for cash collateral in accordance with Section 363(c)(4) of the Bankruptcy Code.

b. All DIP Accounts must be maintained with financial institutions whose deposits are insured by the Federal Deposit Insurance Corporation (FDIC). If the aggregate DIP Account balances with any one financial institution are expected to exceed the current FDIC insurance limits of \$250,000.00 per depositor, the debtor must immediately contact the United States Trustee to discuss how the debtor plans to comply with the Bankruptcy Code Section 345 requirement concerning the collateralization of uninsured deposits.

c. Checks for all DIP Accounts must bear the name of the debtor, the designation "Debtor in Possession," the bankruptcy case number, and the type of account and must be pre-numbered by the bank. The debtor must send to the United States Trustee a voided original check for each opened DIP Account.

d. Money Market accounts are to be opened pursuant to Local Rule 4001-3 Investment in Money Market Funds. There is "cause" for relief from the requirements of 11 U.S.C. §345(b) where money of the estate is invested in an open-end management investment company, registered under the Investment Company Act of 1940, that is regulated as a "money market fund" pursuant to Rule 2a-7 under the Investment Company Act of 1940; so long as the debtor has filed with the Court (i) a statement identifying the fund; and (ii) the fund's certification, which shall be accompanied by its currently effective prospectus as filed with the Securities and Exchange Commission, that the fund:

- (a) Invests exclusively in United States Treasury bills and United States Treasury Notes owned directly or through repurchase agreements;
- (b) Has received the highest money market fund rating from a nationally recognized statistical rating organization, such as Stand & Poor's or Moody's;
- (c) Has agreed to redeem funds shares in cash, with payment being made no later than the business day following a redemption request by a shareholder, except in the event of an unscheduled closing of Federal Reserve Banks or the New York Stock Exchange; and
- (d) Has adopted a policy that it will notify its shareholders 60 days prior to any change in its investment or redemption policies under (a) and (c) above.

e. The debtor must serve copies of all monthly bank statements on the United States Trustee within 15 days of receipt from the bank.

Revised: 1/26/09

3. **Maintenance and Proof of Insurance**

The debtor is required to maintain the following insurance coverage, as appropriate: general comprehensive liability; property loss from fire, theft, water, or other extended coverage; workers' compensation; vehicle, products liability; fidelity bonds for employees; and such other coverage as is customary in the debtor's business.

Within 15 days after the filing of the petition, the debtor shall provide to the United States Trustee proof of its insurance coverage. Such proof of coverage shall consist of certificates of insurance or other verified documents showing that each policy of insurance required for the estate is in full force and effect, and shall disclose the type and extent of coverage, effective dates, name of insurance carrier, and name, address, and telephone number of agent. The debtor is responsible for including the address of the United States Trustee on the cancellation notice for each insurance policy. Upon the expiration or other termination of any coverage, the debtor shall immediately provide the United States Trustee with proof of replacement coverage. The debtor is responsible for making arrangements with all insurers to provide notice to the United States Trustee of any payments made under all policies.

4. **Taxes**

All tax returns and reports for postpetition obligations shall be timely filed and accompanied by payment in full of any liability. Such taxes include, but are not limited to, federal and state payroll withholding taxes, FICA taxes, federal and state unemployment insurance, real property taxes, and sales and use taxes. The debtor shall timely deposit sufficient funds in the DIP tax account to pay any payroll tax liability. The debtor shall timely file all pre-petition tax returns, but shall not pay the tax due.

5. **Initial Reporting Requirements**

Within 15 days of the filing date of the petition, the debtor shall provide the United States Trustee the documents listed in attached Form IR or IR (RE). This obligation does not pertain to small business cases that are defined under 11 U.S.C. §101(51D).

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6. **United States Trustee Quarterly Fees****A. PRE-CONFIRMATION**

In accordance with 28 U.S.C. §1930(a)(6), debtors in possession are required to pay quarterly fees in all pending chapter 11 cases filed. Pursuant to §213 of Title II, Division B, Consolidated Appropriations Act, 2008, (P.L. 110-161), the chapter 11 quarterly fee schedule established by 28 U.S.C. §1930(a)(6) was amended effective January 1, 2008. The following chart displays the quarterly fee schedule for calendar quarters beginning January 1, 2008.

The amount of the fee varies depending upon the amount of monies disbursed from the estate during any calendar quarter (or fraction thereof); however, a minimum fee of \$325.00 is due each quarter even if no disbursements are made. The fee schedule is as follows:

FEE SCHEDULE

<u>TOTAL QUARTERLY DISBURSEMENTS</u>	<u>QUARTERLY FEE</u>
\$0 to \$14,999.99	\$325
\$15,000 to \$74,999.99	\$650
\$75,000 to \$149,999.99	\$975
\$150,000 to \$224,999.99	\$1,625
\$225,000 to \$299,999.99	\$1,950
\$300,000 to \$999,999.99	\$4,875
\$1,000,000 to \$1,999,999.99	\$6,500
\$2,000,000 to \$2,999,999.99	\$9,750
\$3,000,000 to \$4,999,999.99	\$10,400
\$5,000,000 to \$14,999,999.99	\$13,000
\$15,000,000 to \$29,999,999.99	\$20,000
\$30,000,000 or more	\$30,000

The quarterly fee is due on the last day of the calendar month following the calendar quarter for which the fee is owed, starting with the quarter in which the case commenced, and continuing until and including the quarter in which the case is dismissed, converted to another chapter of the Bankruptcy Code, or closed by the court. Interest will be charged on unpaid quarterly fees, pursuant to 31 U.S.C. §3717. The amount of the fee owed is substantiated by the monthly financial reports which the debtor in possession must file. The monthly financial reports must reflect disbursements made by the debtor during the reporting quarter. For confirmation of a plan of reorganization, all quarterly fees must be paid, or the plan must provide for payment of all fees on the effective date of the plan. 11 U.S.C. §1129(a)(12).

Quarterly fees must be mailed with the proper transmittal form to:

Revised: 1/26/09

United States Trustee
Post Office Box 70937
Charlotte, NC 28272-0937

Overnight mail should be sent to the following address:

Wachovia QLP Lockbox NC 0810
LBX 70937
1525 W. WT Harris Blvd.
Charlotte, NC 28262

The Executive Office for United States Trustees will mail to the debtor in possession the transmittal form in advance of the payment due date. If the debtor does not receive the transmittal form, or does not timely receive a bill for quarterly fees, the debtor must immediately contact the Office of the United States Trustee located in the jurisdiction where the case is pending.

NOTICE TO DEBTORS MAKING PAYMENT BY CHECK

Payment of the quarterly fee by check will be converted to an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will be shown on your regular account statement.

Your original check will not be returned. We will destroy the original check, but we will keep the copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make a transfer up to 2 times.

B. POST-CONFIRMATION

On January 26, 1996, Congress enacted Public Law 104-99, which extended the accrual of quarterly fees beyond confirmation until a case is converted, dismissed, or closed. The required remittance is based on all disbursements made by the debtor during each quarter. The fee schedule set forth above is equally applies to post-confirmation disbursements.

In order for the United States Trustee to monitor the appropriate receipt of quarterly fees, you are required to complete the attached "Post-confirmation Quarterly Summary Report."

C. NOTICE OF INTEREST ASSESSMENT

Pursuant to 31 U.S.C. §3717 the United States Trustee Program assesses interest on unpaid chapter 11 quarterly fees charged in accordance with 28 U.S.C. §1930(a)(6). Interest assessed on past due amounts will appear on the quarterly statements mailed to debtors. The interest rate charged is the rate in effect as determined by the Treasury Department at the time the chapter 11 account becomes past due. If payment of the full past due amount is received within 30 days of the date of the notice of the initial interest assessment, the interest will be

Revised: 1/26/09

waived.

**FAILURE TO PAY THE QUARTERLY FEE IS CAUSE FOR CONVERSION
OR DISMISSAL OF A CHAPTER 11 CASE, PURSUANT TO 11 U.S.C.
§1112(b)(4)(K)**

NOTICE

**DISCLOSURE OF INTENT TO USE TAXPAYER IDENTIFYING NUMBER FOR THE
PURPOSE OF COLLECTING AND REPORTING DELINQUENT QUARTERLY FEES
OWED TO THE UNITED STATES TRUSTEE PURSUANT TO 28 U.S.C. §1930(A)(6)**

Please be advised that, pursuant to the Debt Collection Improvement Act of 1996, Public Law 104-134, Title III, §31001(i)(3)(A), 110 Stat. 1321-365, codified at 31 U.S.C. §3701, the United States Trustee intends to use the debtor's Taxpayer Identifying Number ("TIN"), as reported by the debtor or debtor's counsel in connection with the chapter 11 bankruptcy proceedings, for the purpose of collecting and reporting on any delinquent debt, including chapter 11 quarterly fees, that are owed to the United States Trustee.

The United States Trustee will provide the debtor's TIN to the Department of Treasury for its use in attempting to collect overdue debts. Treasury may take the following steps: (1) submit the debt to the Internal Revenue Service Offset Program so that the amount owed may be deducted from any payment made by the federal government to the debtor; including but not limited to tax refunds; (2) report the delinquency to credit reporting agencies; (3) send collection notices to the debtor; (4) engage private collection agencies to collect the debt; and (5) engage the United States Attorney's office to sue for collection. Collection costs will be added to the total amount of the debt.

7. **Pre-Petition and Postpetition Debt**

The debtor may not pay any pre-petition obligations unless authorized by the Bankruptcy Code or by Court order. The debtor must pay all obligations arising out of its operations after the filing of the petition in full when due.

8. **Sale of Estate Property and Incurring Debt**

The debtor must obtain prior approval of the Court to use, sell, or lease property of the estate, except in the ordinary course of business. The debtor may not use cash collateral, as defined by 11 U.S.C. §363(a), without the consent of the secured creditor or approval by the Court.

The debtor must obtain Court approval before it may incur unsecured or secured debt other than in the ordinary course of business.

9. **Employment and Compensation of Professionals**

Revised: 1/26/09

The employment of professionals (including, but not limited to lawyers, accountants, appraisers, or auctioneers) must be approved by the Court 11 U.S.C. §327. Generally, professionals will not be compensated for services rendered prior to Court approval. No payments may be made to such professionals without Court authorization after notice to creditors and a hearing 11 U.S.C. §330. A corporate debtor must be represented by an attorney; such debtor may not appear pro se.

10. **Change of Address or Telephone Number**

The debtor must notify the United States Trustee and the Bankruptcy Court in writing of any change of address or telephone number within 10 days of the change.



U.S. Department of Justice

Office of the United States Trustee

District of Delaware

*J. Caleb Boggs Federal Building
844 King Street, Suite 2313, Lockbox 35
Wilmington, Delaware 19801*

*(302) 573-6491
fax (302) 573-6497*

[Date]

**Re: Authorization For Direct Contact
Debtor: , Case No(s).**

Dear Mr. :

Recent changes in the law restrict some types of communication between Federal attorneys and private attorneys' clients. Most communications occurring between United States Trustee employees ("United States Trustee") and debtors are administrative in nature relating to the United States Trustee's statutory duty to supervise the administration of bankruptcy cases.

In discharging our statutory responsibilities and to ensure compliance with recent changes in the law governing communications with represented parties, we are seeking authorization from you to communicate directly with the debtor or its employees without consulting you initially. The matters which we will communicate directly with your client will include administrative matters such as insurance coverage, bank account information, monthly operating reports, quarterly fees and post-confirmation reporting.

If you agree to the provisions stated above, please sign this letter where indicated and return it to us. You may rescind the authorization by providing us notice of such intention. The rescission will be effective upon your receipt of our written acknowledgment of the rescission.

If you do not agree to the foregoing, all communications from our office will be directed to you. If the debtor initiates any communication with us, we will inform the debtor that all contact must be through counsel.

If the United States Trustee files or participates directly in any contested matter or adversary proceeding against the debtor, all contact regarding that particular matter will be through you.

Please return the original of this document to the Office of United States Trustee at the above-address.

Very truly yours,

BONNIE ANEMONE
Paralegal

AUTHORIZATION

I authorize direct contact with the above debtor in accordance with the terms contained herein.

Date



U.S. Department of Justice

Office of the United States Trustee
District of Delaware

*J. Caleb Boggs Federal Building
844 King Street, Suite 2207, Lockbox 35
Wilmington, Delaware 19801*

*302/573-6491
Fax: 302/573-6497*

[REDACTED]

Via Electronic Mail

[REDACTED]

Subject: [REDACTED]
Chapter 11 Bankruptcy Case No. [REDACTED]

Dear [REDACTED]

In furtherance of our monitoring responsibilities, the United States Trustee conducts initial debtor interviews following the filing of a petition under Chapter 11 of the Bankruptcy Code. The purpose of the interview is to discuss monthly reporting requirements and the duties and responsibilities of the Debtor.

Please forward the following information to our Wilmington Office, by November 9, 2010:

1. Copies of the latest filed 941 payroll tax returns filed for all entities;
2. A complete copy of the subject Debtor's latest filed Federal Income Tax Return (Form 1120 and related schedules, any and all Partnership Returns and related schedules, or Limited Liability Corporation Returns and related schedules, if applicable);
3. Most recently prepared audited and unaudited financial statements, with disclosures;
4. List of each software system used to maintain financial records;
5. Chart of Accounts from each software system used to maintain financial records;
6. Corporate Organization Chart of all debtor and non-debtor entities;
7. Copies of bank statements for the month of September for all accounts held at the time of filing; and

[REDACTED]

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8. Copy of the Debtor's unadjusted (detailed) trial balance, as of the month end prior to filing.

Subsequent to our review of the above information, we will contact you to arrange an acceptable time with the Debtor to discuss their financial reporting responsibilities. If you or a representative of your firm are unavailable, we require your written consent to conduct the interview in your absence.

Please be advised that in addition to your current monthly reporting requirements, the Debtor may also need to prepare Periodic Reports Regarding Value, Operations and Profitability of Entities in which the Estate Holds a Substantial or Controlling Interest. These reports should be filed on Official Form 26 as required by Bankruptcy Rule 2015.3, which implements § 419 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. No. 109-8, 119 Stat. 23. The first report is due 5 days before the first date set for the meeting of creditors under § 341 of the Code.

Thank you for your cooperation in this matter. Should you have any questions, please feel free to contact me.

Very truly yours,

[REDACTED]
Bankruptcy Analyst

cc: [REDACTED]

Office Of The United States Trustee
District of Delaware
844 King Street, Suite 2207
Wilmington, DE 19801
Tel. No. (302) 573-6491
Fax No. (302) 573-6497

IN RE: Chapter 11
Debtor(s). Case No. 11-

Notice Of Formation Meeting For Official Committee of Unsecured Creditors

The above-named debtor(s) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. Section 1102(b) of the Bankruptcy Code authorizes the United States Trustee to appoint a committee of unsecured creditors, and the debtor's petition or other sources of information indicate that you may be eligible for appointment to the Official Committee of Unsecured Creditors in this case.

This is to notify you that the United States Trustee will hold a meeting to form an unsecured creditors committee on _____ at the following location:

A representative of the debtor will attend the meeting to provide information regarding the status of the case. If you wish to be considered for membership on any official committee that is appointed, please complete the enclosed Questionnaire Form and return it to the Office of the United States Trustee **no later than** _____. If you do not wish to serve on an official committee, your presence at the meeting is not required.

If you wish to be considered for membership on the committee but are unable to attend, you should immediately notify the Office of the United States Trustee. If you do not attend the meeting and do not affirmatively indicate your willingness to serve, you will not be considered. If you send an individual to represent you at the meeting, that representative must present your written proxy authorizing him or her to act on your behalf. The Official Committee of Unsecured Creditors performs a vital role in the chapter 11 proceeding, and for that reason your interest and consideration is solicited.

ROBERTA A. DEANGELIS
UNITED STATES TRUSTEE

T. PATRICK TINKER
ACTING ASSISTANT UNITED STATES
TRUSTEE

Dated: _____

cc: Debtors' Counsel:

Official Committee of Unsecured Creditors' Committee Information Sheet

Purpose of Unsecured Creditors' Committees. To increase participation in the chapter 11 proceeding, section 1102 of the Bankruptcy Code requires that the United States Trustee appoint a committee of unsecured creditors (the "Committee") as soon as practicable after the order for relief has been entered. The Committee ordinarily consists of the persons, willing to serve, who hold the seven (7) largest unsecured claims of the kinds represented on such committee. The debtor has filed a list indicating that your claim may be among the largest unsecured claims against the debtor, and for that reason, you may be eligible to serve on the Committee. There must be at least three (3) unsecured creditors willing to serve in order to form a Committee.

Powers and Duties of Unsecured Creditors' Committees. Members of the Committee are fiduciaries who represent all unsecured creditors as a group without regard to the types of claims which individual unsecured creditors hold against the debtor. Section 1103 of the Bankruptcy Code provides that the Committee may consult with the debtor, investigate the debtor and its business operations and participate in the formulation of a plan of reorganization. The Committee may also perform such other services as are in the interests of the unsecured creditors whom it represents.

Employment of Professionals. Section 1103 of the Bankruptcy Code provides that the Committee may, subject to the bankruptcy court's approval, employ one or more attorneys, accountants or other professionals to represent or perform services for the Committee. The decision to employ particular professionals should occur at a scheduled meeting of the Committee where a majority of the Committee is present. All professionals retained by the Committee may be compensated from assets of the debtor's estate pursuant to section 330 of the Bankruptcy Code. Applications for the payment of professional fees may be monitored by the Office of the United States Trustee and are subject to the Court's approval. However, the Committee should carefully review all applications and not rely on the Court or the United States Trustee to discover and object to excessive professional fees or costs.

Other Matters. The Committee should elect a chairperson and may adopt bylaws. As a party in interest, the Committee may be heard on any issue in the bankruptcy proceeding. Federal Bankruptcy Rule 2002(i) requires that the Committee (or its authorized agent) receive all notices concerning motions and hearings in the bankruptcy proceeding.

In the event you are appointed to an official committee of creditors, the United States Trustee may require periodic certifications of your claims while the bankruptcy case is pending. Creditors wishing to serve as fiduciaries on any official committee are advised that they may not purchase, sell or otherwise trade in or transfer claims against the Debtor while they are committee members absent an order of the Court. By submitting the enclosed Questionnaire and accepting membership on an official committee of creditors, you agree to this prohibition. The United States Trustee reserves the right to take appropriate action, including removing a creditor from any committee, if the information provided in the Questionnaire is inaccurate, if the foregoing prohibition is violated, or for any other reason the United States Trustee believes is proper in the exercise of her discretion. You are hereby notified that the United States Trustee may share this information with the Securities and Exchange Commission if deemed appropriate.

Should you have any additional questions concerning the Committee or your membership on the Committee, please contact the Office of the United States Trustee.

OFFICE OF THE UNITED STATES TRUSTEE
DISTRICT OF DELAWARE
 844 King Street, Suite 2207
 Wilmington, DE 19801
 Tel. No. (302) 573-6491
 Fax No. (302) 573-6497

QUESTIONNAIRE FOR OFFICIAL COMMITTEE OF UNSECURED CREDITORS

Please Type or Print Clearly.

I am willing to serve on a Committee of Unsecured Creditors. Yes () No ()

A. Unsecured Creditor's Name and Contact Information:

Name: _____ Phone: _____
 Address: _____ Fax: _____
 _____ E-mail: _____

B. Counsel (If Any) for Creditor and Contact Information:

Name: _____ Phone: _____
 Address: _____ Fax: _____
 _____ E-mail: _____

C. Amount of Unsecured Claim (U.S. \$) _____

D. If your claim is against more than one debtor, list all debtors: _____

E. Describe the nature of your claim(s), i.e., whether arising from goods or services provided; loans made; litigation; etc., including whether any portion is secured. If any portion of the claim(s) arise from litigation, please state the nature of the claim, the case number and jurisdiction (if applicable) and the status.

F. Amount of Unsecured Claim entitled to 11 U.S.C. §503(b) treatment as an administrative expense:

G. Representations:

1. Are you or the company you represent in any way: "affiliated" with any of the debtors within the meaning of Section 101(2) of the Bankruptcy Code, a shareholder of, or related to the debtor(s)?
 Yes () No () If a shareholder, state the number of shares: _____
2. Do you, or the company you represent, engage in a business which directly or indirectly competes with any of the businesses of the debtor(s)? Yes () No ()

3. Have you ever been or are you an officer, director, agent, representative or employee of the debtor(s)?
Yes () No () Does your claim arise from this relationship? Yes () No ()
4. Did you acquire any portion of your unsecured claim after the bankruptcy filing? Yes () No () If so, set forth the date(s) acquired, the amount paid and the face amount of the claim: _____

5. Have you made a UCC §2-702 reclamation claim? Yes () No ()
6. Have you or your attorney entered into a settlement agreement with the debtor regarding resolution of your claim? Yes () No ()
7. Do you have a claim against any entity affiliated with the debtor? Yes () No ()
State the name of the entity and the nature and amount of the claims: _____

8. Do you or any affiliated entities have any other claims against and/or debt or equity securities of the debtor(s)? Yes () No ()
 - A. Do you or any affiliated entities have any financial arrangement that may affect the value of your claim(s) against or interest(s) in the debtor(s)? Yes () No ()

Description of Claims, Debt And/or Equity Securities/Other Financial Arrangement	Amount

9. If you are represented by counsel, does your attorney represent any other parties in this bankruptcy case?
Yes () No () I do not know ()
10. If you have given a proxy to a third party either to represent you at the creditors' committee formation meeting, or in connection with your claim, please attach a copy of the written proxy.

You may attach a written statement to explain or respond to any responses.

If you are appointed to the Official Committee of Unsecured Creditors, the United States Trustee may require periodic certifications of your claims while the bankruptcy case is pending. Creditors wishing to serve as fiduciaries on an official committee are advised that they may not purchase, sell or otherwise trade in or transfer claims against the debtor while they are committee members absent an order of the court on application of the creditor.

I hereby certify that, to the best of my knowledge and belief, the answers to this Questionnaire are true and correct. By executing this Questionnaire, I agree to the restrictions and conditions set forth in the preceding paragraph and to provide the periodic certifications upon the request of the United States Trustee.

Date: _____

Signature

Print Name

Title

Note: This is not a proof of claim form. Proof of claim forms are filed with the Clerk of the Bankruptcy Court, not with the United States Trustee.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF _____**

In re _____
Debtor

Case No. _____

INITIAL MONTHLY OPERATING REPORT

File report and attachments with Court and submit copy to United States Trustee within 15 days after order for relief.

Certificates of insurance must name United States Trustee as a party to be notified in the event of policy cancellation. Bank accounts and checks must bear the name of the debtor, the case number, and the designation "Debtor in Possession." Examples of acceptable evidence of Debtor in Possession Bank accounts include voided checks, copy of bank deposit agreement/certificate of authority, signature card, and/or corporate checking resolution.

REQUIRED DOCUMENTS	Document Attached	Explanation Attached
12-Month Cash Flow Projection (Form IR-1)		
Certificates of Insurance:		
Workers Compensation		
Property		
General Liability		
Vehicle		
Other: _____		
Identify areas of self-insurance w/liability caps		
Evidence of Debtor in Possession Bank Accounts		
Tax Escrow Account		
General Operating Account		
Money Market Account pursuant to Local Rule 4001-3. Refer to http://www.deb.uscourts.gov/		
Other: _____		
Retainers Paid (Form IR-2)		

I declare under penalty of perjury (28 U.S.C. Section 1746) that this report and the documents attached are true and correct to the best of my knowledge and belief.

Signature of Debtor

Date

Signature of Joint Debtor

Date

Signature of Authorized Individual*

Date

Printed Name of Authorized Individual

Title of Authorized Individual

*Authorized individual must be an officer, director or shareholder if debtor is a corporation; a partner if debtor is a partnership; a manager or member if debtor is a limited liability company.

In re _____ Debtor Case No. _____ through _____
CASH FLOW PROJECTIONS FOR THE 12 MONTH PERIOD:

This schedule must be filed with the Court and a copy submitted to the United States Trustee within 15 days after the order for relief. Amended cash flow projections should be submitted as necessary.

Cash Beginning of Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Total
RECEIPTS													
CASH SALES													
ACCOUNTS RECEIVABLE													
LOANS AND ADVANCES													
SALE OF ASSETS													
OTHER (ATTACH LIST)													
TOTAL RECEIPTS													
DISBURSEMENTS													
NET PAYROLL													
PAYROLL TAXES													
SALES, USE, AND OTHER TAXES													
INVENTORY PURCHASES													
SECURED RENTAL/LEASES													
INSURANCE													
ADMINISTRATIVE & SELLING													
OTHER (ATTACH LIST)													
PROFESSIONAL FEES													
U.S. TRUSTEE FEES													
COURT COSTS													
TOTAL DISBURSEMENTS													
NET CASH FLOW													
(RECEIPTS LESS DISBURSEMENTS)													
Cash End of Month													

FORM IR-1
(4/07)



UNITED STATES BANKRUPTCY COURT
 _____ DISTRICT OF _____

In re _____

Case No. _____

Reporting Period: _____

MONTHLY OPERATING REPORT

File with Court and submit copy to United States Trustee within 20 days after end of month.

Submit copy of report to any official committee appointed in the case.

REQUIRED DOCUMENTS	Form No.	Document Attached	Explanation Attached	Affidavit/Supplement Attached
Schedule of Cash Receipts and Disbursements	MOR-1			
Bank Reconciliation (or copies of debtor's bank reconciliations)	MOR-1a			
Schedule of Professional Fees Paid	MOR-1b			
Copies of bank statements				
Cash disbursements journals				
Statement of Operations	MOR-2			
Balance Sheet	MOR-3			
Status of Postpetition Taxes	MOR-4			
Copies of IRS Form 6123 or payment receipt				
Copies of tax returns filed during reporting period				
Summary of Unpaid Postpetition Debts	MOR-4			
Listing of aged accounts payable	MOR-4			
Accounts Receivable Reconciliation and Aging	MOR-5			
Debtor Questionnaire	MOR-5			

I declare under penalty of perjury (28 U.S.C. Section 1746) that this report and the attached documents are true and correct to the best of my knowledge and belief.

 Signature of Debtor

 Date

 Signature of Joint Debtor

 Date

 Signature of Authorized Individual*

 Date

 Printed Name of Authorized Individual

 Title of Authorized Individual

*Authorized individual must be an officer, director or shareholder if debtor is a corporation; a partner if debtor is a partnership; a manager or member if debtor is a limited liability company.



In re _____
Debtor

Case No. _____
Reporting Period: _____

SCHEDULE OF CASH RECEIPTS AND DISBURSEMENTS

Amounts reported should be per the debtor's books, not the bank statement. The beginning cash should be the ending cash from the prior month or, if this is the first report, the amount should be the balance on the date the petition was filed. The amounts reported in the "CURRENT MONTH - ACTUAL" column must equal the sum of the four bank account columns. The amounts reported in the "PROJECTED" columns should be taken from the SMALL BUSINESS INITIAL REPORT (FORM IR-1). Attach copies of the bank statements and the cash disbursements journal. The total disbursements listed in the disbursements journal must equal the total disbursements reported on this page. A bank reconciliation must be attached for each account. [See MOR-1 (CONT)]

	BANK ACCOUNTS				CURRENT MONTH		CUMULATIVE FILING TO DATE	
	OPER.	PAYROLL	TAX	OTHER	ACTUAL	PROJECTED	ACTUAL	PROJECTED
CASH BEGINNING OF MONTH								
RECEIPTS								
CASH SALES								
ACCOUNTS RECEIVABLE								
LOANS AND ADVANCES								
SALE OF ASSETS								
OTHER (ATTACH LIST)								
TRANSFERS (FROM DIP ACCTS)								
TOTAL RECEIPTS								
DISBURSEMENTS								
NET PAYROLL								
PAYROLL TAXES								
SALES, USE, & OTHER TAXES								
INVENTORY PURCHASES								
SECURED/ RENTAL/ LEASES								
INSURANCE								
ADMINISTRATIVE								
SELLING								
OTHER (ATTACH LIST)								
OWNER DRAW *								
TRANSFERS (TO DIP ACCTS)								
PROFESSIONAL FEES								
U.S. TRUSTEE QUARTERLY FEES								
COURT COSTS								
TOTAL DISBURSEMENTS								
NET CASH FLOW (RECEIPTS LESS DISBURSEMENTS)								
CASH - END OF MONTH								

* COMPENSATION TO SOLE PROPRIETORS FOR SERVICES RENDERED TO BANKRUPTCY ESTATE

THE FOLLOWING SECTION MUST BE COMPLETED

DISBURSEMENTS FOR CALCULATING U.S. TRUSTEE QUARTERLY FEES: (FROM CURRENT MONTH ACTUAL COLUMN)	
TOTAL DISBURSEMENTS	\$
LESS: TRANSFERS TO DEBTOR IN POSSESSION ACCOUNTS	\$
PLUS: ESTATE DISBURSEMENTS MADE BY OUTSIDE SOURCES (i.e. from escrow accounts)	\$
TOTAL DISBURSEMENTS FOR CALCULATING U.S. TRUSTEE QUARTERLY FEES	\$

In re _____
Debtor

Case No. _____
Reporting Period: _____

BANK RECONCILIATIONS

Continuation Sheet for MOR-1

A bank reconciliation must be included for each bank account. The debtor's bank reconciliation may be substituted for this page.

	Operating		Payroll		Tax		Other	
	#		#		#		#	
BALANCE PER BOOKS								
BANK BALANCE								
(+) DEPOSITS IN TRANSIT (ATTACH LIST)								
(-) OUTSTANDING CHECKS (ATTACH LIST)								
OTHER (ATTACH EXPLANATION)								
ADJUSTED BANK BALANCE *								
* Adjusted bank balance must equal								
balance per books								
DEPOSITS IN TRANSIT	Date	Amount	Date	Amount	Date	Amount	Date	Amount
CHECKS OUTSTANDING	Ck. #	Amount	Ch. #	Amount	Ck. #	Amount	Ck. #	Amount
OTHER								

In re _____ Debtor Case No. _____ Reporting Period: _____

SCHEDULE OF PROFESSIONAL FEES AND EXPENSES PAID

This schedule is to include all retained professional payments from case inception to current month.

Table with columns: Payee, Period Covered, Amount Approved, Payor, Check Number, Check Date, Amount Paid (Fees, Expenses), Year-To-Date (Fees, Expenses). The table contains multiple empty rows for data entry.

In re _____
Debtor

Case No. _____
Reporting Period.: _____

STATEMENT OF OPERATIONS
(Income Statement)

The Statement of Operations is to be prepared on an accrual basis. The accrual basis of accounting recognizes revenue when it is realized and expenses when they are incurred, regardless of when cash is actually received or paid.

REVENUES	Month	Cumulative Filing to Date
Gross Revenues	\$	\$
Less: Returns and Allowances		
Net Revenue	\$	\$
COST OF GOODS SOLD		
Beginning Inventory		
Add: Purchases		
Add: Cost of Labor		
Add: Other Costs (attach schedule)		
Less: Ending Inventory		
Cost of Goods Sold		
Gross Profit		
OPERATING EXPENSES		
Advertising		
Auto and Truck Expense		
Bad Debts		
Contributions		
Employee Benefits Programs		
Insider Compensation*		
Insurance		
Management Fees/Bonuses		
Office Expense		
Pension & Profit-Sharing Plans		
Repairs and Maintenance		
Rent and Lease Expense		
Salaries/Commissions/Fees		
Supplies		
Taxes - Payroll		
Taxes - Real Estate		
Taxes - Other		
Travel and Entertainment		
Utilities		
Other (attach schedule)		
Total Operating Expenses Before Depreciation		
Depreciation/Depletion/Amortization		
Net Profit (Loss) Before Other Income & Expenses		
OTHER INCOME AND EXPENSES		
Other Income (attach schedule)		
Interest Expense		
Other Expense (attach schedule)		
Net Profit (Loss) Before Reorganization Items		
REORGANIZATION ITEMS		
Professional Fees		
U. S. Trustee Quarterly Fees		
Interest Earned on Accumulated Cash from Chapter 11 (see continuation sheet)		
Gain (Loss) from Sale of Equipment		
Other Reorganization Expenses (attach schedule)		
Total Reorganization Expenses		
Income Taxes		
Net Profit (Loss)	\$	\$

*"Insider" is defined in 11 U.S.C. Section 101(31).

In re _____
 Debtor

Case No. _____
 Reporting Period: _____

STATEMENT OF OPERATIONS - continuation sheet

BREAKDOWN OF "OTHER" CATEGORY	Month	Cumulative Filing to Date
Other Costs		
Other Operational Expenses		
Other Income		
Other Expenses		
Other Reorganization Expenses		

Reorganization Items - Interest Earned on Accumulated Cash from Chapter 11:
 Interest earned on cash accumulated during the chapter 11 case, which would not have been earned but for the bankruptcy proceeding, should be reported as a reorganization item.

In re _____
Debtor

Case No. _____
Reporting Period: _____

BALANCE SHEET

The Balance Sheet is to be completed on an accrual basis only. Pre-petition liabilities must be classified separately from postpetition obligations.

ASSETS	BOOK VALUE AT END OF CURRENT REPORTING MONTH	BOOK VALUE ON PETITION DATE
CURRENT ASSETS		
Unrestricted Cash and Equivalents		
Restricted Cash and Cash Equivalents (see continuation sheet)		
Accounts Receivable (Net)		
Notes Receivable		
Inventories		
Prepaid Expenses		
Professional Retainers		
Other Current Assets (attach schedule)		
TOTAL CURRENT ASSETS	\$	\$
PROPERTY AND EQUIPMENT		
Real Property and Improvements		
Machinery and Equipment		
Furniture, Fixtures and Office Equipment		
Leasehold Improvements		
Vehicles		
Less Accumulated Depreciation		
TOTAL PROPERTY & EQUIPMENT	\$	\$
OTHER ASSETS		
Loans to Insiders*		
Other Assets (attach schedule)		
TOTAL OTHER ASSETS	\$	\$
TOTAL ASSETS	\$	\$

LIABILITIES AND OWNER EQUITY	BOOK VALUE AT END OF CURRENT REPORTING MONTH	BOOK VALUE ON PETITION DATE
LIABILITIES NOT SUBJECT TO COMPROMISE (Postpetition)		
Accounts Payable		
Taxes Payable (refer to FORM MOR-4)		
Wages Payable		
Notes Payable		
Rent / Leases - Building/Equipment		
Secured Debt / Adequate Protection Payments		
Professional Fees		
Amounts Due to Insiders*		
Other Postpetition Liabilities (attach schedule)		
TOTAL POSTPETITION LIABILITIES	\$	\$
LIABILITIES SUBJECT TO COMPROMISE (Pre-Petition)		
Secured Debt		
Priority Debt		
Unsecured Debt		
TOTAL PRE-PETITION LIABILITIES	\$	\$
TOTAL LIABILITIES	\$	\$
OWNER EQUITY		
Capital Stock		
Additional Paid-In Capital		
Partners' Capital Account		
Owner's Equity Account		
Retained Earnings - Pre-Petition		
Retained Earnings - Postpetition		
Adjustments to Owner Equity (attach schedule)		
Postpetition Contributions (Distributions) (Draws) (attach schedule)		
NET OWNER EQUITY	\$	\$
TOTAL LIABILITIES AND OWNERS' EQUITY	\$	\$

In re _____
Debtor

Case No. _____
Reporting Period: _____

STATUS OF POSTPETITION TAXES

The beginning tax liability should be the ending liability from the prior month or, if this is the first report, the amount should be zero.
Attach photocopies of IRS Form 6123 or payment receipt to verify payment or deposit of federal payroll taxes.
Attach photocopies of any tax returns filed during the reporting period.

	Beginning Tax Liability	Amount Withheld or Accrued	Amount Paid	Date Paid	Check No. or EFT	Ending Tax Liability
Federal						
Withholding						
FICA-Employee						
FICA-Employer						
Unemployment						
Income						
Other: _____						
Total Federal Taxes						
State and Local						
Withholding						
Sales						
Excise						
Unemployment						
Real Property						
Personal Property						
Other: _____						
Total State and Local						
Total Taxes						

SUMMARY OF UNPAID POSTPETITION DEBTS

Attach aged listing of accounts payable.

	Number of Days Past Due					Total
	Current	0-30	31-60	61-90	Over 90	
Accounts Payable						
Wages Payable						
Taxes Payable						
Rent/Leases-Building						
Rent/Leases-Equipment						
Secured Debt/Adequate Protection Payments						
Professional Fees						
Amounts Due to Insiders*						
Other: _____						
Other: _____						
Total Postpetition Debts						

Explain how and when the Debtor intends to pay any past-due postpetition debts.

*"Insider" is defined in 11 U.S.C. Section 101(31).

In re _____
 Debtor

ACCOUNTS RECEIVABLE RECONCILIATION AND AGING

Accounts Receivable Reconciliation		Amount	
Total Accounts Receivable at the beginning of the reporting period			
+ Amounts billed during the period			
- Amounts collected during the period			
Total Accounts Receivable at the end of the reporting period			
Accounts Receivable Aging		Amount	
0 - 30 days old			
31 - 60 days old			
61 - 90 days old			
91+ days old			
Total Accounts Receivable			
Amount considered uncollectible (Bad Debt)			
Accounts Receivable (Net)			

DEBTOR QUESTIONNAIRE

Must be completed each month	Yes	No
1. Have any assets been sold or transferred outside the normal course of business this reporting period? If yes, provide an explanation below.		
2. Have any funds been disbursed from any account other than a debtor in possession account this reporting period? If yes, provide an explanation below.		
3. Have all postpetition tax returns been timely filed? If no, provide an explanation below.		
4. Are workers compensation, general liability and other necessary insurance coverages in effect? If no, provide an explanation below.		
5. Has any bank account been opened during the reporting period? If yes, provide documentation identifying the opened account(s). If an investment account has been opened provide the required documentation pursuant to the Delaware Local Rule 4001-3.		

**OFFICE OF THE UNITED STATES TRUSTEE - REGION 3
POST-CONFIRMATION QUARTERLY SUMMARY REPORT**

This Report is to be submitted for all bank accounts that are presently maintained by the post confirmation debtor.

Debtor's Name: _____ Bank: _____
Bankruptcy Number: _____ Account Number: _____
Date of Confirmation: _____ Account Type: _____
Reporting Period (month/year): _____

Beginning Cash Balance: \$ _____

All receipts received by the debtor:

Cash Sales: \$ _____

Collection of Accounts Receivable: \$ _____

Proceeds from Litigation (settlement or otherwise): \$ _____

Sale of Debtor's Assets: \$ _____

Capital Infusion pursuant to the Plan: \$ _____

Total of cash received: \$ _____

Total of cash available: \$ _____

Less all disbursements or payments (including payments made under the confirmed plan) made by the Debtor:

Disbursements made under the plan, excluding the administrative claims of bankruptcy professionals: \$ _____

Disbursements made pursuant to the administrative claims of bankruptcy professionals: \$ _____

All other disbursements made in the ordinary course: \$ _____

Total Disbursements \$ _____

Ending Cash Balance \$ _____

Pursuant to 28 U.S.C. Section 1746(2), I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Date Name/Title

Debtor: _____

Case Number: _____



ASSETS	Month	Month
Cash (Unrestricted)		
Cash (Restricted)		
Accounts Receivable (Net)		
Inventory		
Notes Receivable		
Prepaid Expenses		
Other (Attach List)		
Total Current Assets		
Property, Plant & Equipment		
Real Property & Improvements		
Machinery & Equipment		
Furniture, fixtures & Office Equipment		
Vehicles		
Leasehold Improvements		
Less: Accumulated Depreciation/Depletion		
Total Property, Plant & Equipment		
Due from Affiliates & Insiders		
Other (Attach List)		
Total Assets		
Liabilities Not Subject to Compromise (Postpetition Liabilities)		
Accounts Payable		
Taxes Payable		
Notes Payable		
Professional Fees		
Secured Debt		
Due to Affiliates & Insiders		
Other (Attach List)		
Total Postpetition Liabilities		
Liabilities Subject to Compromise (Pre-petition Liabilities)		
Secured Debt - Per Plan		
Priority Debt - Per Plan		
Unsecured Debt - Per Plan		
Other (Attach List) - Per Plan		
Total Pre-petition Liabilities		
Total Liabilities		
Equity		
Common Stock		
Retained Earnings (Deficit)		
Total Equity (Deficit)		
Total Liabilities & Owners' Equity		