UNITED STATES BANKRUPTCY COURT

MIDDLE DISTRICT OF NORTH CAROLINA

In Re: § Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

§

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

Debtor(s) §

§

**Monthly Operating Report** Check if this is an amended filing **Chapter 11**

Reporting Period Ended: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Petition Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Months Pending: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Industry Classification: \_\_\_\_\_\_\_\_\_\_\_

Debtor’s Full-Time Employees (current): \_\_\_\_\_\_\_

Debtor’s Full-Time Employees (as of date of order for relief): \_\_\_\_\_\_\_

**Supporting Documentation** (check all that are attached):

(For jointly administered debtors, any required schedules must be provided on a non-consolidated basis for each debtor)

Statement of cash receipts and disbursements

Balance sheet containing the summary and detail of the assets, liabilities, and equity (net worth) or deficit

Statement of operations (profit of loss statement)

Post-petition liabilities aging

Statement of capital assets

Schedule of payments to professionals

Schedule of payments to insiders

All bank statements and bank reconciliations for the reporting period

Description of the assets sold or transferred and the terms of the sale or transfer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Responsible Party Printed Name of Responsible Party

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

Address

STATEMENT: This Periodic Report is associated with an open bankruptcy case; therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

Part 1: Cash Receipts and Distributions Current Month Cumulative

1. Cash balance beginning of month \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Total receipts (net of transfers between accounts) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Total disbursements (net of transfers between accounts) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Cash balance end of month (a+b-c) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. Disbursements made by third party for the benefit of the estate \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. Total disbursements for quarterly fee calculation (c+e) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Part 2: Asset and Liability Status Current Month

(not generally applicable to Individual Debtors)

1. Accounts receivable (total net of allowance) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Accounts receivable over 90 days outstanding (net of allowance) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Inventory (Book  Market  Other  (attach explanation) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Total current assets \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. Total assets \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. Postpetition payables (excluding taxes) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. Postpetition payables past due (excluding taxes) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
8. Total postpetition debt (f+g) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
9. Prepetition secured debt \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Part 3: Assets and Liability Status Current Month Cumulative

1. Total cash sales price for assets sold/transferred outside the ordinary

course of business \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Total payments to third parties incident to assets being sold/transferred

outside the ordinary course of business \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

c. Net cash proceeds from assets sold/transferred outside the ordinary

course of business (a-b) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Part 4: Income Statement (Statement of Operations)

(not generally applicable to Individual Debtors) Current Month Cumulative

1. Gross income/sales (net of returns and allowances) \_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Cost of goods sold (inclusive of depreciation, if applicable) \_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Gross profit (a-b) \_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Selling expenses \_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. General and administrative expenses \_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. Other expenses \_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. Depreciation and/or amortization (not included in 4b) \_\_\_\_\_\_\_\_\_\_\_\_\_\_
8. Interest \_\_\_\_\_\_\_\_\_\_\_\_\_\_
9. Taxes (local, state, and federal) \_\_\_\_\_\_\_\_\_\_\_\_\_\_
10. Reorganization items \_\_\_\_\_\_\_\_\_\_\_\_\_\_
11. Profit (loss) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
12. Are you current with Chapter 11 quarterly fees as set forth under 28 U.S.C. § 1930?  yes  no

Part 5: Professional Fees and Expenses

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| a. |  | | | Approved Current Month | Approved Cumulative | Paid Current Month | Paid Cumulative |
| Debtor's professional fees & expenses (bankruptcy) *Aggregate Total* | | |  |  |  |  |
| *Itemized Breakdown by Firm* | | |  | | | |
|  |  | Firm Name | Role |
| i |  |  |  |  |  |  |
| ii |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| b. |  | | | Approved Current Month | Approved Cumulative | Paid Current Month | Paid Cumulative |
| Debtor's professional fees & expenses (nonbankruptcy) *Aggregate Total* | | |  |  |  |  |
| *Itemized Breakdown by Firm* | | |  | | | |
|  |  | Firm Name | Role |
| i |  |  |  |  |  |  |
| ii |  |  |  |  |  |  |
| c. All professional fees and expenses (debtor & committees) | | | |  |  |  |  |

Part 6: Postpetition taxes Current Month Cumulative

* 1. Postpetition income taxes accrued (local, state, and federal) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
  2. Postpetition income taxes paid (local, state, and federal) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
  3. Postpetition employer payroll taxes accrued \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
  4. Postpetition employer payroll taxes paid \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
  5. Postpetition property taxes paid \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
  6. Postpetition other taxes accrued (local, state, and federal) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_
  7. Postpetition other taxes paid (local, state, and federal) \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Part 7: Questionnaire-During this reporting period:

1. Were any payments made on pre-petitions debt?  yes  no
2. Were any payments made outside the ordinary course of business

without court approval? (If yes, see Instructions)  yes  no

1. Were any payments made to or on behalf of insiders?  yes  no
2. Are you current on postpetiton tax return filings?  yes  no
3. Are you current on postpetition estimated tax payments?  yes  no
4. Were all trust fund taxes remitted on a current basis?  yes  no
5. Was there any postpetition borrowing, other than trade credit?

(if yes, see Instructions)  yes  no

1. Were all payments made to or on behalf of professional approved

by the court?  yes  no

1. Do you have: Worker’s compensation insurance?  yes  no

If yes, are your premiums current?  yes  no  n/a

Casualty/property insurance?  yes  no

If yes, are your premiums current?  yes  no  n/a

General liability insurance?  yes  no

If yes, are your premiums current?  yes  no  n/a

Auto liability insurance?  yes  no

If yes, are your premiums current?  yes  no  n/a

Part 8: Individual Chapter 11 Debtors (Only)

1. Gross income (receipts) from salary and wages \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Gross income (receipts) from self-employment \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. Gross income from all other sources \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Total income in the reporting period (a+b+c) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
5. Payroll deductions \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
6. Self-employment related expenses \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
7. Living expenses \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
8. What secured debt payment have been made \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
9. All other expenses \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
10. Total expenses in the reporting period (e+f+g+h+i) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
11. Difference between total income and total expenses (d-i) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
12. List the total amount of all postpetition debts that are past due \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
13. Are you required to pay any Domestic Support Obligation as defined

by 11 U.S.C. § 101 (14A)?  yes  no

1. If yes, have you made all Domestic Support Obligation payments?  yes  no

**Privacy Act Statement**

28 U.S.C. § 589b authorizes the collection of this information, and provision of this information under 11 U.S.C. §§704, 1106 and 1107. The Bankruptcy Administrator will use this information to calculate statutory fee assessments under 28 U.S.C. § 1930(a)(6). The Bankruptcy Administrator will also use this information to evaluate a chapter 11 debtor's progress through the bankruptcy system, including the likelihood of a plan of reorganization being confirmed and whether the case is being prosecuted in good faith. This information may be disclosed to a bankruptcy trustee or examiner when the information is needed to perform the trustee's or examiner's duties or to the appropriate federal, state, local, regulatory, tribal, or foreign law enforcement agency when the information indicates a violation or potential violation of law. Other disclosures may be made for routine purposes.

**I declare under penalty of perjury that the foregoing Monthly Operating Report and its supporting documentation are true and correct and that I have been authorized to sign this report on behalf of the estate.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Responsible Party Printed Name of Responsible Party

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

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