

What follows is the typical Bankruptcy case audit form a debtor receives when their case is selected for audit. It is provided here in case the debtor comes in without it -- this way we can at least have some idea of what was requested. We prefer to use the one originally sent to the Debtor as it has the debtor's name and case number on it as well as the name of the firm doing the audit and the deadline for returning it to them. However this should help guide you through what is in an initial request.

NOTE on the waiver election: it is our firm's policy to check the line indicating that the audit firm should communicate with Clark & Washington, P.C. and NOT with the debtor directly.

Please provide copies of the documents listed below. *Do not provide originals.* Return this form and the attached documents by April 24, 2007 to: Tronconi, Segarra and Associate LLP, 6390 Main Street, Suite 200, Williamsville, NY 14221-5857 (716-633-1373).

In the space provided next to each document category listed below, indicate whether all the documents requested are provided by marking Yes, No, or N/A. Explain all No or N/A answers at the end of this form. You do not need to explain a N/A answer to Question No. 4.

- |   |  |
|---|--|
| <p>1 Payment advices or other evidence of payment from an employer for the six full calendar months preceding the date of the bankruptcy petition plus those received in the calendar month in which the bankruptcy was filed, from the debtor(s), or from an individual debtor and the individual debtor's non-filing spouse unless the debtor has checked Box 2.b on Form B22A (Chapter 7 cases only). _____</p> <p>2 Federal income tax returns, including all schedules and all W-2, 1099, and K-1 forms, for the two most recent taxable periods prior to the date of the bankruptcy petition. If either of the returns has not been filed, provide copies of the two most recently filed federal income tax returns. (If joint case and debtors filed separate returns, provide both returns.) _____</p> <p>3 Account statements for the six months preceding the date of the bankruptcy petition for all depository and investment accounts in which the debtor(s) had an interest in any of the six months, including statements (even if received post petition) that reflect activity in the month in which the petition was filed; along with sufficient documentation to explain the source of every deposit or credit, and the purpose of every check, withdrawal, or debit. (Include information for checking, savings, money market, mutual fund, and brokerage accounts. Examples of documentation for deposit and withdrawal transactions include canceled or imaged checks, check registers, and annotations on or attached to the account statements.) _____</p> <p>4 If the debtor(s) is divorced, (a) the divorce decree, (b) any orders regarding property settlements entered within the last three years, and (c) any alimony or child support orders currently in effect and amendments thereto. _____</p> |  |
| <p>5 If the debtor(s) is self-employed, then for each business owned by debtor or from which debtor derives self-employment income, (a) business tax returns for the two most recent taxable periods prior to the date of the bankruptcy petition, (b) most recent accounts receivable ledger and aging schedule/report, (c) most recent balance sheet prior to the date of the bankruptcy petition, (d) income statement for the most recent period ended prior to the date of the bankruptcy petition, (e) quarterly sales tax return for the most recent period ended prior to the date of the bankruptcy petition, if any, (f) account statements for business depository account(s) for the six months preceding the date of the bankruptcy petition, and the month in which the petition was filed, along with sufficient documentation to explain the source of every deposit or credit, and the purpose of every check, withdrawal, or debit, and (g) most recent business asset listing and depreciation schedule, if any. _____</p>   |  |

Explanation for any "No" or "N/A" responses (attach pages as necessary):

---

---

---

---

I declare under penalty of perjury that the responses to this Document Request are true and correct.

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

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

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

Signature: \_\_\_\_\_  
Joint Debtor, if any

## **Instructions to Audit Firm Regarding Communications with Debtors**

### **Part I: Purpose**

Pursuant to 28 U.S.C. § 586(f)(1), the audit firm will conduct a review of the accuracy, veracity, and completeness of the petition, schedules, and statements filed by your client in the above-referenced bankruptcy case. Your client is required to cooperate with the audit firm in completing the audit. 11 U.S.C. § 521. A failure to cooperate may result in dismissal of the case or a denial or revocation of discharge. To complete the audit, the audit firm may need to interact with your client. This document asks you to advise the audit firm how those contacts may occur.

### **Part II: Waiver Election**

\_\_\_\_\_ The audit firm may contact my client directly to obtain the information necessary to complete the debtor audit. The audit firm shall provide me with copies of any written communications with my client. The telephone number for my client is \_\_\_\_\_.

\_\_\_\_\_ The audit firm may not communicate directly with my client concerning the debtor audit. All contact must be through my office. My telephone number is \_\_\_\_\_.

## **Information on Debtor Audits**

Individuals who file for relief under chapter 7 or chapter 13 of the Bankruptcy Code are subject to audits. At least one out of every 250 chapter 7 and chapter 13 individual cases will be randomly selected for audit. In addition, other cases will be selected for audit.

Your case has been selected for audit. The audit involves the verification of the income, expenses, and assets reported by you in the bankruptcy schedules and statement; you are required to provide some additional information and records and cooperate with the audit firm and provide this information promptly. There is no cost to you for the audit, except for the cost of making copies of documents needed for the audit. The information that you provide in connection with your case is subject to examination by the Attorney General or his designee.

The audit firm will file a report containing the results of the audit. A copy of the report will be provided to your attorney (or directly to you if you are not represented). If the audit firm finds material misstatement(s) of income, expenses, or assets, the clerk of the bankruptcy court will notify your creditors.

Failure to cooperate with the audit firm, or failure to reasonably explain to the bankruptcy court any material misstatements contained in the audit firm's report, may result in the dismissal of your case or in the denial or revocation of your discharge, and, possibly, in referral of the matter to the United States Attorney for criminal investigation