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BANKRUPTCY RETAINER AGREEMENT

Dear Client:

This agreement explains what is required to complete a successful bankruptcy. Please read it carefully. We will need all of the documents listed below. It is best if you can bring all of the documents at once. We will also be sending you an online worksheet to complete. Please answer all questions accurately and completely. If you have not already done so, provide us with an email address so we can forward the link to complete the Client Worksheets online. The information you supply is confidential. Please return the completed forms to our office as soon as possible. We cannot complete your petition or give you proper advice until all information is received. If you prefer, hard copies of the Client Worksheet are available upon request and can be downloaded from our website at www.flalawyer.com.

You must disclose all assets, including money owed to you, tax refunds due from IRS, any insurance claims or other claims and all stock or other investments. You must also list all creditors, even those you would like to continue to pay. We need complete addresses for all creditors along with the account number and the date the debt was incurred. To assist you, we will be ordering a Credit Report. Note that the credit report may contain mistakes and may result in the duplication of some creditors. Please revise the draft we send you carefully to correct any mistakes.

We will also need the following items in order to process your bankruptcy to a successful conclusion:

- Tax returns for the past two years
- Photocopy of drivers license (original must be presented to trustee at creditor meeting)
- Photocopy of Social Security card (original must be presented to trustee at creditor meeting)
- Pay stubs for six calendar months before filing date
- An executed Vehicle Description Form with attached vehicle registration and proof of insurance (attached, even if not applicable, still need to indicate "no" and sign)
- An executed Domestic Support Order Form (attached, even if not applicable, still need to indicate "no" and sign)
- Bank Statements for three months prior to filing for all bank accounts
- A complete room by room inventory of all of your furniture and personal property, include approximate age and current value (i.e., 1 TV, 10 years old, \$50)
- Appraised value of any car, boat, home, etc.
- Credit Report Authorization Form (attached)
- Certificate of Pre-Filing Budget and Credit Counseling (from credit counselor)
- Certificate of Post-Filing/Pre-Discharge Financial Management Counseling (from credit counselor completed after filing and within 45 days of meeting with trustee)

You may drop off paperwork during office hours at any time. Please include a written list of any questions and we will try to answer them as quickly as possible. However, we strongly recommend that you make an appointment for all matters requiring attorney or paralegal time.

Now that you have decided to file for bankruptcy protection you must stop using your credit cards and lines of credit. If you have any credit cards or mortgages through the same bank at which you have a checking or savings account, you may need to close the checking/savings accounts and open new accounts at a different bank to avoid automatic payments to those creditors. Let me know of all significant charges, bank deposits or withdrawals within the last ninety days.

THINGS THAT YOU MUST DO:

1. **Payments to Secured Creditors.** Please note that all of your creditors are required to receive notice of your bankruptcy. Upon notification of the bankruptcy all of your creditors will stop contacting you and they will stop sending you monthly statements on your accounts. If you have any secured loans or leases on property you wish to retain such as a home or car, you will need to continue making payments on those accounts and contact those lenders directly for their procedures during and after bankruptcy.

2. **Reaffirmation Agreements.** Most of the time Lenders will request that you enter into a Reaffirmation Agreement. By signing the Reaffirmation Agreement you will be agreeing to remain responsible for those loans and those debts will not be discharged in the bankruptcy. These agreements must be filed with the Court within 60 days of your meeting with your Trustee or they will not be accepted by the Court and your Lender will not reaffirm the debt. This may cause issues with the Lender after your bankruptcy is concluded including, but not limited to: not receiving statements, not having positive payments reported to the credit reporting agencies and/or repossession of vehicles as soon as any payment is late. **You are responsible for communicating with your lender(s) regarding the need for Reaffirmation Agreement(s) and for having the agreement(s) executed and returned to my office for filing before the date your bankruptcy is discharged.** You are also responsible for completing the financial section of all reaffirmation agreements.

3. **Required Courses.** You must complete two financial courses in order to complete your bankruptcy and receive a discharge. The Pre-Filing course concerns of a budget and credit counseling and must be completed within six months before we file. You can use any course provider you choose. A form for one such provider is attached. You will also need to complete a Pre-Discharge Financial Management course. The second course may be done anytime after we file but within 45 days of your First Meeting of Creditors. Each of the courses will cost you approximately \$50.00 for an individual or \$75.00 for a couple. The company will email or fax me the certificates as you complete the courses.

4. **Fees and Costs.**

The attorney's fee you have been quoted is for preparing and filing the Bankruptcy Petition and Schedules, attending the First Meeting of Creditors and advising you of your rights and responsibilities. You will be charged additional fees at my current hourly rate of \$300.00 per

hour if the Trustee, the U.S. Trustee's Office or any creditor objects to your discharge, initiates a contested matter or adversary proceeding, challenges your filing under means testing, conducts a 2004 exam (deposition) or takes additional discovery. Adversary complaints to discharge taxes or challenge other debts filed on your behalf and motions to remove liens and judgments from your homestead will be billed at our normal hourly rates.

You will be billed additional fees for any State Court matter that we are requested to handle. You will be charged **\$200.00** for each State Court matter plus time for attending court appearances at the hourly rate of **\$300.00** per hour.

We can add additional creditors after your Petition has been filed but you will be charged an additional fee of \$50.00 each time that is necessary. You are also responsible for any out of pocket expense incurred on your behalf after the initial filing, including photocopies, court reporter fees, court costs and postage.

Your Responsibilities

We are relying on you to provide complete and accurate information. The Bankruptcy Code provides for sanctions against both debtors and their attorneys when a petition is filed in bad faith. By signing below you agree to indemnify the firm of David W. Langley for any losses incurred as a result of false information you provide.

By signing below you also acknowledge receipt of the following documents and disclosures:

- Notice to Individual Consumer Debtor under §342(b) of the Bankruptcy Code
- Pre-Filing and Pre-Discharge Bankruptcy Program Information
- Domestic Support Order Form
- Motor Vehicle Description Form
- Credit Report Authorization Form

Finally, I request that you respect my staff and their time. Please review these instructions before calling with questions as the information in this letter may provide the answers you seek. Please try an email first, before calling, and try to group your questions. We will try to respond as quickly as possible. In office consultations require an appointment.

Please let us know if you have any questions after fully reviewing the pages that follow. Thank you for entrusting our firm to handle your case.

Read and Approved by:

David W. Langley

Date _____

Chapter _____

Fee: _____

Costs: _____

Total due before filing: _____

Client

Client