

The fastest way to get a question answered is to fax it or mail it rather than call my office. You may use a photocopy of this form or a blank piece of paper but please include all information shown here. I may need to do research to answer your question, so please be thorough in filling out this form. **Gary Cunha, P.C.** fax number is **888-748-5297**, email is **gary@752gary.com**, and mailing address is **100 N. 6th #604, Waco TX 76701**.

Case # \_\_\_\_\_

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

Address: \_\_\_\_\_

City/St/Zip: \_\_\_\_\_

Home Phone(s): \_\_\_\_\_

Work Phone(s): \_\_\_\_\_

Cellular: \_\_\_\_\_ Pager: \_\_\_\_\_

Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Is this a new address? Y / N

New phone number? Y / N

State your question here:

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This space is reserved for my answer:

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Answers to common questions:

**I'm married, do both myself and spouse have to attend court hearings?**

Yes, both must attend all court hearings unless you filed your case individually rather than jointly or if the judge excuses you.

**Where is the bankruptcy court?**

In the old federal courthouse/post office building at 800 Franklin Ave, 1<sup>st</sup> Floor. Do not show up more than 5 minutes early. Parking is \$5 per day across the street from the court, or free if you can find a spot on the street.

**I received a letter from an attorney or creditor and I do not understand it, what do I do?**

I receive a copy of every letter that you receive and review them all and take the appropriate action. If I need you to take action, I will contact you by telephone. The most common action is to have you come to my office to sign something or provide our office with documentation.

Many attorneys send you a copy of everything that they send me. If you are unsure as to whether I received a copy, you can check on what you received and see if my name and address is listed on the paper. If it is not, then I need to get a copy of it from you IMMEDIATELY, otherwise I already got it.

Common items you may receive are Proofs of Claim, Motions for Relief from Automatic Stay, and Notices of Appearance. If you receive an "Order" it is not valid unless signed by the judge. All Motions filed in your case have a *proposed* order attached to them. *This proposed order is not valid without the judges signature on it.*

If you receive a notice of court hearing, you must attend at the time and place scheduled unless you are told otherwise by my office.

**How do I get a copy of my tax return if I don't have one?**

The fastest and easiest way is to call the IRS and obtain an "ABSTRACT" of your tax return.

**What do I do if circumstances change?**

While we handle your case, it is important you notify this office immediately if any of your circumstances change. Especially if your phone number, address, or income/expenses change. Some changes require no action, others may require filing different papers with the court. If you are in a Chapter 13 and cannot make your plan payments, you must contact this office immediately or the court may dismiss your case and not allow you to file another one for up to 6 months!

**When can I get new debt?**

In a Chapter 7 you can immediately get new debt. In a Chapter 13 you can only incur new debt by getting permission from the court.

**What is a Proof of Claim?**

In a Chapter 13, your creditors must file a Proof of Claim or they will not get paid and your debt with them is discharged without payment. Most of your creditors will file a Proof of Claim stating the exact amount that you owed them at the time of filing your case. The amounts that we listed on your bankruptcy schedules are only considered estimates by the court, the proof of claim amounts are what the trustee will pay to the creditors. If the numbers are different, we may object to their claim. In a Chapter 7, Proofs of Claim are only filed if you have non-exempt assets (property you are surrendering to the trustee).

**CHAPTER 13 DEBTORS ONLY:**

**In April and October I received a "semi-annual report" from the Chapter 13 Trustee, what is it?**

Twice a year the trustee will send you a report showing the payments you have made over the past six months, a list of all creditors, which ones have filed a proof of claim and which ones have not, the amounts of money that they claim you owe, the amount of money paid to them, and the amount of money still owed. It is simply for your records. On the last page is the amount left on your "base" and the amount due on claims. You must pay the LESSER of the two amounts. You do not need to contact our office when you receive this report unless you have a question about it.