

FORM B1	United States Bankruptcy Court District of <u>MINNESOTA</u>	Voluntary Petition
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Name of Debtor (if individual, enter Last, First, Middle): Baerthel, Justin V.	Name of Joint Debtor (Spouse)(Last, First, Middle): Baerthel, JoAnn R.
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): NONE	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): NONE
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all) 5121	Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all) 0292
Street Address of Debtor (No. & Street, City, State & Zip Code): 1122 Rose Avenue East St. Paul Mn 55106	Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 1122 Rose Avenue East St. Paul Mn 55106
County of Residence or of the Principal Place of Business: Ramsey	County of Residence or of the Principal Place of Business: Ramsey
Mailing Address of Debtor (if different from street address): SAME	Mailing Address of Joint Debtor (if different from street address): SAME
Location of Principal Assets of Business Debtor (if different from street address above): NOT APPLICABLE	

Information Regarding the Debtor (Check the Applicable Boxes)

Venue (Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

<p>Type of Debtor (Check all boxes that apply)</p> <p><input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Other _____ <input type="checkbox"/> Clearing Bank</p>	<p>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</p> <p><input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input checked="" type="checkbox"/> Chapter 13</p> <p><input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12</p> <p><input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding</p>
<p>Nature of Debts (Check one box)</p> <p><input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business</p>	<p>Filing Fee (Check one box)</p> <p><input checked="" type="checkbox"/> Full Filing Fee attached</p> <p><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.</p>
<p>Chapter 11 Small Business (Check all boxes that apply)</p> <p><input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101</p> <p><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)</p>	

<p>Statistical/Administrative Information (Estimates only)</p> <p><input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.</p> <p><input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.</p>	<p>THIS SPACE IS FOR COURT USE ONLY</p>																
<p>Estimated Number of Creditors</p> <table style="width:100%; text-align: center;"> <tr> <td>1-15</td> <td>16-49</td> <td>50-99</td> <td>100-199</td> <td>200-999</td> <td>1000-over</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	1-15	16-49	50-99	100-199	200-999	1000-over	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
1-15	16-49	50-99	100-199	200-999	1000-over												
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>												
<p>Estimated Assets</p> <table style="width:100%; text-align: center;"> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

FORM B1, Page 2

*Justin V. Baerthel and
JoAnn R. Baerthel*

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)

Location Where Filed:

Minneapolis, MN Chapter 7

Case Number:

98-41705

Date Filed:

03/13/1998

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

NONE

Case Number:

Date Filed:

District:

Relationship:

Judge:

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Justin V. Baerthel

Signature of Debtor

X /s/ JoAnn R. Baerthel

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

7/6/2004

Date

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11)

Exhibit A is attached and made a part of this petition

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X /s/ Robert J. Everhart 7/6/2004

Signature of Attorney for Debtor(s)

Date

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health and safety?

Yes, and exhibit C is attached and made a part of this petition.
 No

Signature of Attorney

X /s/ Robert J. Everhart

Signature of Attorney for Debtor(s)

Robert J. Everhart # 180671

Printed Name of Attorney for Debtor(s)

EVERHART LAW OFFICE, LTD

Firm Name

708 Cleveland Avenue S.W. #101

Address

P.O. Box 120534

New Brighton MN 55112

651-636-9212

Telephone Number

7/6/2004

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X _____
Signature of Bankruptcy Petition Preparer

Date

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re *Justin V. Baerthel and JoAnn R. Baerthel*Case No.
Chapter 13

_____/ Debtor

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages on each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E and F to determine the total amount of the debtor's liabilities.

NAME OF SCHEDULE	Attached (Yes/No)	No. of Sheets	AMOUNTS SCHEDULED		
			ASSETS	LIABILITIES	OTHER
A-Real Property	Yes	1	\$ 170,000.00		
B-Personal Property	Yes	3	\$ 11,085.00		
C-Property Claimed as Exempt	Yes	1			
D-Creditors Holding Secured Claims	Yes	1		\$ 167,135.00	
E-Creditors Holding Unsecured Priority Claims	Yes	2		\$ 5,841.00	
F-Creditors Holding Unsecured Nonpriority Claims	Yes	6		\$ 15,964.00	
G-Executory Contracts and Unexpired Leases	Yes	1			
H-Codebtors	Yes	1			
I-Current Income of Individual Debtor(s)	Yes	1			\$ 4,159.00
J-Current Expenditures of Individual Debtor(s)	Yes	1			\$ 3,709.00
Total Number of Sheets in All Schedules ►		18			
Total Assets ►			\$ 181,085.00		
Total Liabilities ►				\$ 188,940.00	

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE A-REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C-Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband--H Wife--W Joint--J Community--C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption	Amount of Secured Claim
<i>HOMESTEAD</i> <i>Lots 14 and 15, Block 4, Cloverdale</i> <i>Ramsey County, MN</i>	<i>HOMESTEAD</i>	J	\$ 170,000.00	\$ 167,135.00
TOTAL \$			170,000.00	

No continuation sheets attached

(Report also on Summary of Schedules.)

In re Justin V. Baerthel and JoAnn R. Baerthel

/ Debtor

Case No. _____

(if known)

SCHEDULE B-PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C-Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G-Executory Contracts and Unexpired Leases. If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

Type of Property	None	Description and Location of Property	Husband--H Wife--W Joint--J Community--C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
1. Cash on hand.	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<i>Checking: TCF, St. Paul, MN \$10., Location: In debtor's possession</i>	J	\$ 10.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		<i>Household goods and furnishings Location: In debtor's possession</i>	J	\$ 3,075.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		<i>Danbury Mint car collection Location: In debtor's possession</i>	J	\$ 1,000.00
6. Wearing apparel.		<i>Wearing apparel Location: In debtor's possession</i>	J	\$ 1,500.00
7. Furs and jewelry.		<i>Jewelry Location: In debtor's possession</i>	J	\$ 1,000.00
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			

In re Justin V. Baerthel and JoAnn R. Baerthel

/ Debtor

Case No. _____

(if known)

SCHEDULE B-PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband--H Wife--W Joint--J Community--C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
15. Accounts Receivable.		<i>Accounts Receivable</i> <i>Location: In debtor's possession</i>	J	\$ 1,000.00
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers and other vehicles.		<i>She: 1987 Ford F150</i> <i>Location: In debtor's possession</i>	J	\$ 500.00
		<i>She: 1993 Cadillac</i> <i>Location: In debtor's possession</i>	J	\$ 2,000.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.		<i>Miscellaneous construction tools</i> <i>Location: In debtor's possession</i>	J	\$ 1,000.00

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE B-PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N o n e	Description and Location of Property	Husband--H Wife--W Joint--J Community--C	Current Market Value of Debtor's Interest, in Property Without Deducting any Secured Claim or Exemption
28. Inventory.	X			
29. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			

Total ➔ **\$ 11,085.00**

(Report total also on Summary of Schedules.)
Include amounts from any continuation sheets attached.

In re Justin V. Baerthel and JoAnn R. Baerthel / DebtorCase No. _____
(if known)**SCHEDULE C-PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

- 11 U.S.C. § 522(b) (1): Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.
- 11 U.S.C. § 522(b) (2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property	Specify Law Providing each Exemption	Value of Claimed Exemption	Current Market Value of Property Without Deducting Exemptions
<i>HOMESTEAD Lots 14 and 15, Block 4, Cloverdale Ramsey County, MN</i>	<i>11 USC 522 (d) (1)</i>	<i>\$ 2,865.00</i>	<i>\$ 170,000.00</i>
<i>Checking: TCF, St. Paul, MN \$10.,</i>	<i>11 USC 522 (d) (5)</i>	<i>\$ 10.00</i>	<i>\$ 10.00</i>
<i>Household goods and furnishings</i>	<i>11 USC 522 (d) (3)</i>	<i>\$ 3,075.00</i>	<i>\$ 3,075.00</i>
<i>Danbury Mint car collection</i>	<i>11 USC 522 (d) (5)</i>	<i>\$ 1,000.00</i>	<i>\$ 1,000.00</i>
<i>Wearing apparel</i>	<i>11 USC 522 (d) (3)</i>	<i>\$ 1,500.00</i>	<i>\$ 1,500.00</i>
<i>Jewelry</i>	<i>11 USC 522 (d) (4)</i>	<i>\$ 1,000.00</i>	<i>\$ 1,000.00</i>
<i>Accounts Receivable</i>	<i>11 USC 522 (d) (5)</i>	<i>\$ 1,000.00</i>	<i>\$ 1,000.00</i>
<i>She: 1987 Ford F150</i>	<i>11 USC 522 (d) (5)</i>	<i>\$ 500.00</i>	<i>\$ 500.00</i>
<i>She: 1993 Cadillac</i>	<i>11 USC 522 (d) (2)</i>	<i>\$ 2,000.00</i>	<i>\$ 2,000.00</i>
<i>Miscellaneous construction tools</i>	<i>11 USC 522 (d) (6)</i>	<i>\$ 1,000.00</i>	<i>\$ 1,000.00</i>

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE D-CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column marked "Codebtor," include the entity on the appropriate schedule of creditors and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Creditor's Name and Mailing Address Including Zip Code	C	o	d	e	b	t	o	r	Date Claim was Incurred, Nature of Lien, and Description and Market Value of Property Subject to Lien	C	o	n	t	D	i	s	Amount of Claim Without Deducting Value of Collateral	Unsecured Portion, if any
									H--Husband W--Wife J--Joint C--Community									
Account No: Creditor # : 1 HOMECOMING FINANCIAL PO Box 650515 DALLAS TX 75265								J	Mortgage HOMESTEAD ARREARS TO BE PAID \$11,171.00 Value: \$ 170,000.00								\$ 167,135.00	\$ 0.00
Account No: Representing: HOMECOMING FINANCIAL									SHAPIRO AND NORDMEYER PA ATTORNEY AT LAW 7300 METRO BLVD SUITE 390 EDINA MN 55439 Value:									
Account No: Representing: HOMECOMING FINANCIAL									HOMECOMING FINANCIAL PO BOX 890036 DALLAS TX 75389 Value:									
Account No:									 Value:									

No continuation sheets attached

Subtotal \$	167,135.00
(Total of this page)	
Total \$	167,135.00

(Use only on last page. Report total also on Summary of Schedules)

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____

(if known)

SCHEDULE E-CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,925* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

Deposits by individuals

Claims of individuals up to \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

Alimony, Maintenance or Support

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

Taxes and Certain Other Debts Owed to Governmental Units

Taxes, custom duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

*Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE E-CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

TYPE OF PRIORITY *Taxes and Certain Other Debts Owed to Governmental Units*

Creditor's Name and Mailing Address including Zip Code	C o d e d	Date Claim was Incurred, and consideration for Claim	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Total Amount of Claim	Amount Entitled to Priority
Account No: Creditor # : 1 INTERNAL REVENUE SERVICE STOP 5700 316 N ROBERT ST ST PAUL MN 55101	J	2001, 2002, 2003 TO BE PAID INSIDE PLAN				\$ 5,201.00	\$ 5,201.00
Account No: Creditor # : 2 RAMSEY COUNTY PROPERTY TAX GOVERNMENT CENTER 50 WEST KELLOGG BLVD UNIT 824 ST PAUL MN 55102	J	Property Tax TO BE PAID INSIDE PLAN				\$ 640.00	\$ 640.00
Account No:							
Account No:							
Account No:							
Account No:							
Account No:							

Sheet No. 1 of 1 continuation sheets attached to
Schedule of Creditors

Subtotal \$	5,841.00
(Total of this page)	
Total \$	5,841.00

(Use only on last page of the completed Schedule E. Report total also on Summary of Schedules)

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedules. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
	H--Husband W--Wife J--Joint C--Community					
Account No: Creditor # : 1 AT AND T PO BOX 8220 AURORA IL 60572	J	Utility Bills				\$ 139.00
Account No: Representing: AT AND T		OSI COLLECTION SERVICES PO BOX 957 BROOKFIELD WI 53008				
Account No: Creditor # : 2 AT AND T WIRELESS PO BOX 78224 PHOENIX AZ 85062	J	Utility Bills				\$ 691.00
Account No: Representing: AT AND T WIRELESS		COLLECTION CORP OF AMERICA PO BOX 441110 AURORA CO 80044				

5 continuation sheets attached

Subtotal \$ (Total of this page)	830.00
Total \$ (Report total also on Summary of Schedules)	

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No:	<i>J</i>	<i>Credit Card Purchases</i>				\$ 2,429.00
<i>Creditor # : 3 CAPITAL ONE VISA MASTERCARD PO BOX 26030 RICHMOND VA 23276</i>						
Account No:		<i>CAPITAL ONE VISA MASTERCARD PO BOX 60000 SEATTLE WA 98190</i>				
<i>Representing: CAPITAL ONE</i>						
Account No:		<i>CAPITAL ONE KMART PO BOX 34631 SEATTLE WA 98190</i>				
<i>Representing: CAPITAL ONE</i>						
Account No:	<i>J</i>	<i>Utility Bills</i>				\$ 155.00
<i>Creditor # : 4 DIRECT TV PO BOX 78627 PHOENIX AZ 85062</i>						
Account No:	<i>J</i>	<i>Utility Bills</i>				\$ 121.00
<i>Creditor # : 5 DISH NETWORK DEPT 0063 PALATINE IL 60055</i>						
Account No:	<i>J</i>	<i>Consumer Debt</i>				\$ 32.00
<i>Creditor # : 6 GLENWOOD INGLEWOOD 225 THOMAS AVENUE NORTH MINNEAPOLIS MN 55405</i>						

Sheet No. 1 of 5 continuation sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$ (Total of this page)	2,737.00
Total \$ (Report total also on Summary of Schedules)	

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No:	<i>J</i>	<i>Consumer Debt</i>				\$ 45.00
Creditor # : 7 HAMILTON COLLECTION CO RETRIEVAL MASTER CREDIT BUR 2269 SOUTH SAW MILL RIVER ROAD ELMSFORD NY 10523						
Account No:		<i>RETRIEVAL MASTERS CREDITOR BUREAU INC 2269 SOUTH SAW MILL RIVER ROAD ELMSFORD NY 10523</i>				
Representing: HAMILTON COLLECTION						
Account No:	<i>J</i>	<i>Credit Card Purchases</i>				\$ 1,444.00
Creditor # : 8 HOUSEHOLD BANKCARD CENTER MASTERCARD PO BOX 5222 CAROL STREAM IL 60197						
Account No:		<i>IC SYSTEMS 444 E HIGHWAY 96 PO BOX 64378 ST PAUL MN 55164</i>				
Representing: HOUSEHOLD BANKCARD CENTER						
Account No:		<i>IC SYSTEMS PO BOX 64886 ST PAUL MN 55164</i>				
Representing: HOUSEHOLD BANKCARD CENTER						
Account No:	<i>J</i>	<i>Utility Bills</i>				\$ 15.00
Creditor # : 9 MCI WORLDCOM 901 STEWART AVENUE GARDEN CITY NY 11530						

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No: Representing: MCI WORLDCOM		MCI PO BOX 600607 JACKSONVILLE FL 32260				
Account No: Creditor # : 10 MICROSOFT NETWORK BILLING MSN BILLING SERVICES ONE MICROSOFT WAY REDMOND WA 98052	J	Utility Bills				\$ 44.00
Account No: Creditor # : 11 MINNEGASCO RELIANT PO BOX 1297 MINNEAPOLIS MN 55472	J	Utility Bills				\$ 403.00
Account No: Creditor # : 12 NORMS TIRE SALES INC 477 EAST LITTLE CANADA ROAD LITTLE CANADA MN 55117	J	Consumer Debt				\$ 695.00
Account No: Creditor # : 13 OPEN CITIES HEALTH CENTER 409 DUNLAP STREET NORTH ST PAUL MN 55104	J	Medical Bills				\$ 116.00
Account No: Creditor # : 14 PROVIDIAN CORRESPONDENCE VISA PO BOX 5050 NORCROSS GA 30091	J	Credit Card Purchases				\$ 3,137.00

Sheet No. 3 of 5 continuation sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$ (Total of this page)	4,395.00
Total \$ (Report total also on Summary of Schedules)	

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No: Representing: PROVIDIAN		PROVIDIAN VISA PO BOX 660548 DALLAS TX 75266				
Account No: Creditor # : 15 QWEST PO BOX 1301 MINNEAPOLIS MN 55483	J	Utility Bills				\$ 232.00
Account No: Representing: QWEST		QWEST PO BOX 173754 DENVER CO 80217				
Account No: Representing: QWEST		QWEST REC COLLECTION OPERATIONS PO BOX 956842 ST LOUIS MO 63195				
Account No: Creditor # : 16 SNAP ON TOOLS 1125 TRI STATE PARKWAY PO BOX 506 GURNEE IL 60031	J	Consumer Debt				\$ 4,484.00
Account No: Representing: SNAP ON TOOLS		SNAP ON TOOLS 421 LAURIE LANE STILLWATER MN 55082				

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No:	J					\$ 31.00
<i>Creditor # : 17 ST PAUL RADIOLOGY 190 EAST 5TH STREET SUITE 250 ST PAUL MN 55101</i>		<i>Medical Bills</i>				
Account No:	J					\$ 691.00
<i>Creditor # : 18 TARGET VISA RETAILERS NATIONAL BANK PO BOX 59317 MINNEAPOLIS MN 55459</i>		<i>Credit Card Purchases</i>				
Account No:						
<i>Representing: TARGET VISA</i>		<i>TARGET VISA RETAILERS NATIONAL BANK PO BOX 59231 MINNEAPOLIS MN 55459</i>				
Account No:	J					\$ 267.00
<i>Creditor # : 19 TCF 801 MARQUETTE AVENUE MINNEAPOLIS MN 55402</i>		<i>Overdraft</i>				
Account No:	J					\$ 793.00
<i>Creditor # : 20 XCEL ENERGY ATTN KATHY GERATHY 1518 CHESTNUT STREET MINNEAPOLIS MN 55403</i>		<i>Utility Bills</i>				
Account No:						

Sheet No. 5 of 5 continuation sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal \$	1,782.00
(Total of this page)	
Total \$	15,964.00
(Report total also on Summary of Schedules)	

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE G-EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interests in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

Check this box if the debtor has no executory contracts or unexpired leases.

Name and Mailing Address, including Zip Code, of other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Nonresidential Real Property. State Contract Number of any Government Contract.

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE H-CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Check this box if the debtor has no codebtors.

Name and Address of Codebtor	Name and Address of Creditor

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor Case No. _____
 (if known)

SCHEDULE I-CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status: Married	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP <i>Daughter</i> <i>Daughter</i>	AGE <i>15</i> <i>10</i>
EMPLOYMENT:	DEBTOR	SPOUSE
Occupation	<i>Constr Contractor Age: 47</i>	<i>Babysitting Age: 48</i>
Name of Employer	<i>Self-employed</i>	<i>na</i>
How Long Employed	<i>na</i>	<i>na</i>
Address of Employer	<i>na</i> <i>na na na</i>	<i>na</i> <i>na na na</i>
Income: (Estimate of average monthly income)	DEBTOR	SPOUSE
Current Monthly gross wages, salary, and commissions (pro rate if not paid monthly)	\$ <i>4,000.00</i>	\$ <i>621.00</i>
Estimated Monthly Overtime	\$ <i>0.00</i>	\$ <i>0.00</i>
SUBTOTAL	<u>\$ <i>4,000.00</i></u>	<u>\$ <i>621.00</i></u>
LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ <i>400.00</i>	\$ <i>62.00</i>
b. Insurance	\$ <i>0.00</i>	\$ <i>0.00</i>
c. Union Dues	\$ <i>0.00</i>	\$ <i>0.00</i>
d. Other (Specify):	\$ <i>0.00</i>	\$ <i>0.00</i>
SUBTOTAL OF PAYROLL DEDUCTIONS	<u>\$ <i>400.00</i></u>	<u>\$ <i>62.00</i></u>
TOTAL NET MONTHLY TAKE HOME PAY	<u>\$ <i>3,600.00</i></u>	<u>\$ <i>559.00</i></u>
Regular income from operation of business or profession or farm (attach detailed statement)	\$ <i>0.00</i>	\$ <i>0.00</i>
Income from Real Property	\$ <i>0.00</i>	\$ <i>0.00</i>
Interest and dividends	\$ <i>0.00</i>	\$ <i>0.00</i>
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ <i>0.00</i>	\$ <i>0.00</i>
Social Security or other government assistance		
Specify:	\$ <i>0.00</i>	\$ <i>0.00</i>
Pension or retirement income	\$ <i>0.00</i>	\$ <i>0.00</i>
Other monthly income		
Specify:	\$ <i>0.00</i>	\$ <i>0.00</i>
TOTAL MONTHLY INCOME	<u>\$ <i>3,600.00</i></u>	<u>\$ <i>559.00</i></u>
TOTAL COMBINED MONTHLY INCOME	<u>\$ <i>4,159.00</i></u>	
(Report also on Summary of Schedules)		

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor

Case No. _____
(if known)

SCHEDULE J-CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR

Complete this schedule by estimating the average expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)	\$	1,199.00
Are real estate taxes included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Utilities: Electricity and heating fuel	\$	150.00
Water and sewer	\$	48.00
Telephone	\$	40.00
Other Garbage	\$	50.00
Other Cable TV	\$	50.00
Other	\$	0.00
Home maintenance (Repairs and upkeep)	\$	0.00
Food	\$	550.00
Clothing	\$	100.00
Laundry and dry cleaning	\$	0.00
Medical and dental expenses	\$	25.00
Transportation (not including car payments)	\$	65.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
Charitable contributions	\$	0.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	112.00
Life	\$	0.00
Health	\$	0.00
Auto	\$	232.00
Other	\$	0.00
Other	\$	0.00
Other	\$	0.00
Taxes (not deducted from wages or included in home mortgage)		
Specify: Property taxes	\$	78.00
Installment payments: (in chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	0.00
Other:	\$	0.00
Other:	\$	0.00
Other:	\$	0.00
Alimony, maintenance, and support paid to others	\$	0.00
Payments for support of additional dependents not living at your home	\$	0.00
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	1,010.00
Other:	\$	0.00
Other:	\$	0.00
Other:	\$	0.00
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$	3,709.00

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly Income	\$	4,159.00
B. Total projected monthly expenses	\$	3,709.00
C. Excess Income (A minus B)	\$	450.00
D. Total amount to be paid into plan each: Monthly	\$	450.00

In re Justin V. Baerthel and JoAnn R. Baerthel / Debtor Case No. _____
(if known)

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY AN INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 19 sheets, and that they are true and correct to the best of my knowledge, information and belief.

Date: 7/6/2004

Signature /s/ Justin V. Baerthel
Justin V. Baerthel

Date: 7/6/2004

Signature /s/ JoAnn R. Baerthel
JoAnn R. Baerthel

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re *Justin V. Baerthel*
and
JoAnn R. Baerthel

Case No.
Chapter 13

_____/ Debtor

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporation debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. §101.

1. Income from employment or operation of business.

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE (if more than one)

Year to date: \$8,000.00 wages
\$1,632.00 unemployment
2003: \$8,869.00 wages
\$7,843.00 unemployment
2002: \$24,463.00

Spouse
Year to date: \$5,181.00
2003: \$1,538.00 wages
\$9,457.00 cashed in
retirement
\$13,186.00 unemployment
2002: \$26,698.00

2. Income other than from employment or operation of business.

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

3. Payments to creditors.

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

4. Suits and administrative proceedings, executions, garnishments and attachments.

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

5. Repossessions, foreclosures and returns.

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
---	--	-----------------------------------

*Homestead is currently in
foreclosure by Homecomings
and their attorney Shapiro &
Nordmeyer, LLP. Sheriff sale
is set for July 16, 2004.*

6. Assignments and receiverships.

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

7. Gifts.

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

8. Losses.

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

9. Payments related to debt counseling or bankruptcy.

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NONE

10. Other transfers.

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF

TRANSFeree, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

*She: In 10/2003 I cashed in
retirement for \$9,457.00
proceeds used as follows:
\$4,457.00 withheld for taxes,
\$2,400.00 back mortgage payments,
\$2000.00 credit card payments,
\$600.00 car insurance.*

11. Closed financial accounts.

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless spouses are separated and a joint petition is not filed.)

NONE

12. Safe deposit boxes.

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

13. Setoffs.

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NONE

14. Property held for another person.

List all property owned by another person that the debtor holds or controls.

NONE

15. Prior address of debtor.

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

NONE

16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the six-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NONE

17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, release of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to disposal sites.

"Hazardous Material" means anything defined as hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under and Environmental Law:

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NONE

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NONE

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law, with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NONE

18. Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

<u>NAME AND ADDRESS</u>	<u>TAXPAYER I.D. NUMBER</u>	<u>NATURE OF BUSINESS</u>	<u>BEGINNING AND ENDING DATES</u>
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<i>He: From 04/2004 to the present I have owned and operated a construction business known as J & J Remodeling located out o my home as a sole proprietorship.</i>			
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b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NONE

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements.

a. List all bookkeepers and accountants who within the two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NONE

b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NONE

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME AND ADDRESS

In my possession.

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

NONE

20. Inventories.

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

NONE

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

NONE

21. Current Partners, Officers, Directors and Shareholders.

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NONE

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NONE

22. Former partners, officers, directors and shareholders.

a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NONE

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

NONE

23. Withdrawals from a partnership or distribution by a corporation.

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NONE

24. Tax Consolidation Group.

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the six year period immediately preceding the commencement of the case.

NONE

25. Pension Funds.

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the six year period immediately preceding the commencement of the case.

NONE

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of Perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information, and belief.

Date 7/6/2004

Signature /s/ Justin V. Baerthel
Justin V. Baerthel

Date 7/6/2004

Signature /s/ JoAnn R. Baerthel
JoAnn R. Baerthel

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both, 18 U.S.C. § 152 and § 3571.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re *Justin V. Baerthel*
and
JoAnn R. Baerthel

Case No.
Chapter 13

_____/ Debtor
Attorney for Debtor: *Robert J. Everhart*

STATEMENT PURSUANT TO RULE 2016(B)

The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:

a) For legal services rendered or to be rendered in contemplation of and in connection with this case	\$	<i>1,250.00</i>
b) Prior to the filing of this statement, debtor(s) have paid	\$	<i>6.00</i>
c) The unpaid balance due and payable is	\$	<i>1,244.00</i>
3. \$ *194.00* of the filing fee in this case has been paid.
4. The Services rendered or to be rendered include the following:
 - a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
 - b) Preparation and filing of the petition, schedules, statement of financial affairs and other documents required by the court.
 - c) Representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and
None other
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
None other
7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:
None
8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:
None

Dated: 7/6/2004

Respectfully submitted,

X/s/ *Robert J. Everhart*

 Attorney for Petitioner: *Robert J. Everhart*
EVERHART LAW OFFICE, LTD
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P.O. Box 120534
New Brighton MN 55112