

1  
2  
3  
4  
5  
6  
7 **IN THE KING COUNTY SUPERIOR COURT**  
8 **OF THE STATE OF WASHINGTON**

9 **In the Matter of the Estate of**  
10 **STEPHEN GEORGE POTHIER,**  
11 **Deceased.**

**No. 10-4-00500-2SEA**  
**NOTICE OF SPECIAL APPEARANCE**  
**OF**  
**ROBERTA STARK-MONAHAN**

12  
13  
14 TO: THE CLERK OF THE KING COUNTY SUPERIOR COURT,

15 TO: WILLIAM POTHIER, DOMONIC HARPER, KARA POTHIER, JOHN POTHIER,  
16 MARY POTHIER, and THERESA POTHIER

17 TO: ANY INTERESTED PERSONS:

18 Roberta Stark-Monahan hereby enters her Notice of Special Appearance in the above-  
19 entitled action for the limited purposes of (1) challenging the jurisdiction of the court to enter-  
20 tain the action as pleaded by the moving party, Domonic Harper and William Pothier; (2) Bring  
21 evidence of Domonic Harper's pattern of taking advantage of the estate of family members, (3)  
22 Domonic Harper's poor judgment about convincing friends to lend him money to boost his res-  
23 taurant and disposing the debt in bankruptcy, (4) Domonic Harper's misrepresentation of facts,  
24 and (5) demanding that notice and service of all further pleadings and legal documents be made  
25 upon her at the address below.

1 Roberta Stark-Monahan reserves her right to assert any and all affirmative defenses and  
2 challenges to jurisdiction that she may have and Roberta Stark-Monahan expressly **DOES**  
3 **NOT WAIVE** any defenses or claims by means of this Special Appearance.

4 SIGNED in Keithville, Louisiana this 25<sup>th</sup> day of January, 2010.

5  
6 

7 Roberta Stark-Monahan  
8 5602 Bretwood Drive  
9 Keithville, LA 71047  
10 (318) 775-5527  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7 **IN THE KING COUNTY SUPERIOR COURT**  
8 **OF THE STATE OF WASHINGTON**

9 **In the Matter of the Estate of**  
10 **STEPHEN GEORGE POTHIER,**  
11 **Deceased.**

**No. 10-4-00500-2SEA**  
**DECLARATION OF**  
**ROBERTA STARK-MONAHAN**

12  
13 Roberta Stark-Monahan declares as follows,

14 1. I am older than 18 years of age and testify to the following on personal knowledge. I  
15 submit this declaration in response to documents submitted by Domonic Harper who requested  
16 to be appointed as a co-personal representative of the estate of Stephen G. Pothier. I wish to  
17 inform the court and interested parties of the questionable interest of an unrelated third party,  
18 Domonic Z. Harper. The court should consider the facts herein presented and revoke any let-  
19 ters of administration and dismiss this action in Washington.

20 2. I have known of Domonic Harper's tricks of deceit for almost six years. My hus-  
21 band was a friend of Domonic Harper since they were young children. Thus, I am very famil-  
22 iar with Domonic Harper and his history of taking advantage of people and ultimately stiffing  
23 them. I believe Domonic Harper's intent is to waste, embezzle or mismanage the property of  
24 the estate of Stephen Pothier to benefit himself. Domonic Harper is the last person to be trusted  
25

1 with money. Regardless, Mr. Pothier's wife is already taking care of the estate of the deceased,  
2 as shown below.

3 3. The documents herein attached show how Domonic Harper has specifically taken  
4 advantage of others either by promising high returns to convince them to invest in his restau-  
5 rant business, or by taking advantage of his own siblings upon the death of his father, and oth-  
6 ers who are going through some sort of grieving process. Domonic Harper failed to inform this  
7 court and the interested parties that he does not live in King County. (The documents herein  
8 attached will demonstrate that this is not the first time Domonic Harper has lied bluntly to the  
9 court to obtain his ultimate goal). The decedent never lived in King County or Jefferson  
10 County or Washington State for that matter.

11 4. Attached (**Exhibit "A"**) is a true and correct copy of the Last Will and Testament of  
12 Chester Z. Harper, appointing his son, Domonic Harper as his personal representative.

13 5. Attached (**Exhibit "B"**) is a true and correct copy of the Declaration of Richard D.  
14 Harper in Support of his Motion for a Temporary Restraining Order against Domonic Harper,  
15 for breaching his fiduciary duty as the personal representative of his father's estate,.

16 6. Attached (**Exhibit "C"**) is a true and correct copy of a "Plaintiff's Trial Brief –  
17 Briner's Revocable Trust vs. Harper's Revocable Trust".

18 7. Attached (**Exhibit "D"**) is a true and correct copy of a "Complaint for Damages  
19 "filed against Domonic Harper, by his sister, Carline Roads.

20 8. Attached (**Exhibit "E"**) is a true and correct copy of a "Voluntary Petition for Chap-  
21 ter 7 Bankruptcy" filed by Domonic and Kristie Harper.

22 9. Attached (**Exhibit "F"**) is a true and correct copy of "Order Compelling Turnover".

23 10. Attached (**Exhibit "G"**) is a true and correct copy of "Stephen Pothier's death no-  
24 tice" published at BostonGlobe.com on December 6, 2009.

1           11. Attached (**Exhibit “H”**) is a true and correct copy of two (2) Port Townsend Police  
2 Department Incident Reports consisting of the first pages only, dated 5/8/08 and 6/19/08.

3           12. Attached (**Exhibit “I”**) is a true and correct copy of the District of Columbia Supe-  
4 rior Court online docket listing for Cause No. 2009 ADM 01334.

5           13. Domonic Harper borrowed \$30,000 from Jennifer Pederson when he learned of her  
6 inheriting money after the death of her father. Domonic persuaded Jennifer to invest in his now  
7 defunct restaurant, MacAdoo’s Barbecue. Domonic Harper never planned on paying Jennifer  
8 Pederson a cent of the money he borrowed from her. Instead of paying his debt to Ms. Peder-  
9 son, Domonic Harper had this debt discharged through Chapter 7 bankruptcy in 2009. (Harper  
10 Bankruptcy ¶25 Ex. E)

11           14. On January 31, 2005, Domonic Harper’s sister, Carline Roads, filed suit against  
12 Domonic after she discovered that Domonic had hidden some \$67K cash belonging to their fa-  
13 ther’s estate and later divided it between himself and his brother, completely cutting Carline out  
14 of her rightful inheritance. (Ex. D)

15           15. On June 5, 2001, Domonic Harper’s uncle, Richard Harper, filed suit against Do-  
16 monic for breaching his fiduciary duty in the handling of his brother’s, (Domonic’s father’s)  
17 estate. Domonic’s uncle had to obtain a restraining order from the court to stop Domonic  
18 Harper from selling inherited property obtained through the death of his grandmother. (Ex. B)

19           16. Clearly from these records, Domonic Harper is familiar with the procedure of how  
20 to dispose of inherited property without giving notice to beneficiaries or obtaining direction  
21 from the court. “Chester and Domonic Harper sold this property and divided the proceeds  
22 without notice to any other beneficiaries of the trust and without petitioning the court for in-  
23 structions.” (Ex. C ¶4-5)

24           17. Domonic Harper failed to disclose on his petition for bankruptcy in his Statement  
25 of Financial Affairs - #8, that his restaurant had been robbed twice; May 8, 2008 and June 19,

1 2008 just prior to him permanently closing the restaurant, September 7, 2008. (Harper Bank-  
2 ruptcy ¶37 Ex. E, Police Report ¶1-2 Ex. H)

3 18. Domonic Harper failed to disclose on his petition for bankruptcy in the Statement  
4 of Financial Affairs - #10b, that he was the nominated personal representative of the Chester Z.  
5 Harper Revocable Trust. (Harper Bankruptcy ¶38 Ex. E) Apparently, Domonic Harper was  
6 uncooperative with the bankruptcy trustee to the degree that the trustee had to obtain an order  
7 compelling Domonic to turnover specific documents related to his father's trust. (Harper Bank-  
8 ruptcy Ex. F)

9 19. Domonic Harper is sneaky, deceitful and under-handed. He simply cannot be  
10 trusted. Domonic Harper is fast and loose with money. Domonic exploited his friendship with  
11 Stephen Pothier for his own personal gain and went behind the back of Stephen's wife, and pe-  
12 titioned an estate, without jurisdiction, to appoint him as co-administrator of Mrs. Pothier's  
13 husband's estate by lying about decedent's domicile.

14 20. Domonic Harper stated under penalty of perjury that Stephen Pothier resided in  
15 Port Townsend at the time of his death, when in fact, he did not. The facts are that Stephen  
16 Pothier lived in Washington D.C. and Mr. Pothier's surviving spouse, Kara Pothier, is taking  
17 care of the matters of the estate under Cause No. 2009 ADM 001334 – District of Columbia  
18 Superior Court. (Ex. I)

19 21. Domonic Harper claims that 1865 West Uncas, Port Townsend, WA was Stephen  
20 Pothier's home, when in all actuality, it is the home of Domonic Harper which Stephen owns.  
21 Although Domonic may claim that it was decedent's residence, going so far as to put the name  
22 "Pothier" on the mailbox, this was actually Domonic's way of concealing the residence for his  
23 own benefit. For many years, he has been assisting his wife, Kristie Pannatoni  
24 Monahan/Harper in concealing her whereabouts, so her children's father (Shawn Monahan)  
25 cannot find out where his children are living.

1           22. Despite all of this, way before this probate action started, it was publicized on the  
2 internet that anyone wanting to make a donation in memory of Stephen Pothier, should make it  
3 to the Port Townsend High School Wrestling Club and instead of listing the school district's  
4 address to mail donations, people were instructed to instead mail their donations directly to  
5 Domonic Harper at 1865 West Uncas, Port Townsend, WA. (Pothier obituary Ex. G)

6           23. In fact, I have been contacted by individuals wanting to know, why they should  
7 send money to Domonic Harper, in Stephen's memory for the Port Townsend High School  
8 Westling Club when Mr. Pothier had never mentioned this charity to them. Further, upon con-  
9 tact, the Port Townsend School District informed me that donations to the club should not be  
10 sent to Domonic Harper but to the school district. I am available for further inquiry, sharing  
11 more of my research, or to provide further testimony if necessary.

12           24. Whenever a court has reason to believe an administrator may waste, embezzle or  
13 mismanage the property of an estate, it has a duty to exercise its power and authority to revoke  
14 such letter of administration.

15           I declare under penalty of perjury under the laws of the State of Washington that the  
16 above mentioned statements are true and correct.

17           SIGNED in Keithville, Louisiana this 25<sup>th</sup> day of January, 2010.

18  
19  
20 

21 Roberta Stark-Monahan  
22 5602 Bretwood Drive  
23 Keithville, LA 71047  
24 (318) 775-5527  
25

I declare under penalty of perjury under the laws of the State of Washington that on the 25<sup>th</sup> day of January 2010, I mailed by first-class mail of the U.S. Postal Service, postage prepaid, a true and correct copy of this **Declaration of Roberta Stark-Monahan and supporting exhibits** to:

Theresa Pothier  
504 Via Sevilla  
Mesquite, Texas 75150

I declare under penalty of perjury under the laws of the State of Washington that on the 25<sup>th</sup> day of January 2010, I sent by electronic mail, a true and correct copy of this **Declaration of Roberta Stark-Monahan and supporting exhibits** to:

Domonic Z. Harper  
[domzane@hotmail.com](mailto:domzane@hotmail.com)

SIGNED in Keithville, Louisiana this 25<sup>th</sup> day of January, 2010.

Page 6 of 6



FILED

01 MAY -7 AM 9:29

JEFFERSON COUNTY  
MARIANNE WALTERS, CLERK

LAST WILL AND TESTAMENT  
OF  
CHESTER Z. HARPER

BY      DEPT. CLERK

01 4 00063

I, CHESTER Z. HARPER, a resident of Jefferson County, Washington, declare this to be my Last Will and Testament, and revoke all prior Wills and Codicils.

ARTICLE I

IDENTIFICATION OF FAMILY

I am married to HATTIE KATHLEEN HARPER, hereinafter referred to as my "spouse", and we have three children of our marriage, each of legal age, namely: CARLINE K. HARPER, JOSEPH LEROY HARPER, and DOMONIC ZANE HARPER. I have no natural or adopted children from any other relationship. I have no children whom died leaving surviving issue.

ARTICLE II

PERSONAL REPRESENTATIVE

I appoint my son, DOMONIC ZANE HARPER, as personal representative of my estate, but if he is unable or unwilling to serve, I appoint JOSEPH LEROY HARPER. My personal representative shall serve without bond and shall have full power to act without the intervention of any court to the extent allowed by law to a personal representative acting with nonintervention powers.

ARTICLE III

DISPOSITIONS

A. Personal Property List. Notwithstanding the other provisions of this Will, I devise the items of personal property contained in a list in my handwriting or signed by me, which I have prepared or may hereafter prepare, to those persons named in the list.

B. Residuary Bequest. All of the rest, residue and remainder of my property, separate and/or community, of every kind and character and wherever situated, I give, devise and bequeath unto the then-serving Trustee of that certain Trust created under a Declaration of Trust dated January 18, 2000, titled "Chester Z. Harper Revocable Trust, wherein I and my sons are Trustor and Trustees, or as such trust may be amended, to be held, administered and distributed pursuant to the provisions of such trust as a part thereof.

Will of CHESTER Z. HARPER

Page 1

Tonyc/486backwintrustsorensonpowillhis



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF CLALLAM )

ATTESTATION CLAUSE AND  
AFFIDAVIT OF ATTESTING WITNESSES

The undersigned, competent to testify, being first duly sworn, upon oath, deposes and says:

That the foregoing instrument to which this Affidavit is attached, consisting of THREE (3) pages, of which this is the THIRD (3rd) page, dated the 18 day of January, 2000, which purports to be the Last Will and Testament of the above named Testator was signed and executed by the said Testator at Sequim, Washington in the presence of myself and the other witness.

The Testator thereupon published the instrument as and declared it to be his Last Will and Testament and requested us to sign the same as witnesses and to execute this Affidavit in proof of said Will.

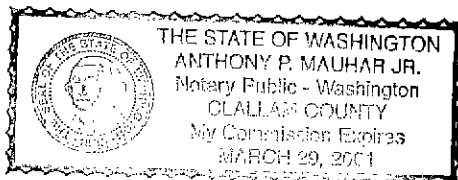
In the presence of the Testator and at his request and direction, and in the presence of each other, the other witness and I subscribed our names as witnesses hereto.

At the time of executing said instrument the Testator, the other witness and I, were of legal age and competent to act as witnesses and the Testator appeared to be of sound and disposing mind and not acting under duress, menace, fraud, undue influence or misrepresentation .

Anthony P. Mauhar  
Witness: ANTHONY P. MAUHAR, JR.  
Residing at: Sequim, Washington.

Diana Nelson Falkner  
Witness: DIANA L.M. NELSON-FALKNER  
Residing at: Sequim, Washington.

Subscribed and sworn to before me this 18<sup>th</sup> day of January, 2000, by  
DIANA L.M. NELSON-FALKNER.



Anthony P. Mauhar  
NOTARY PUBLIC - ANTHONY P. MAUHAR, JR.  
In and for the State of Washington.  
Residing at: Sequim, Washington.  
My Commission Expires: 03-29-2001.

Subscribed and sworn to before me this 18<sup>th</sup> day of January, 2000, by ANTHONY P. MAUHAR, JR.

Diana Nelson Falkner  
NOTARY PUBLIC - DIANA L.M. NELSON-FALKNER  
In and for the State of Washington.  
Residing at: Sequim, Washington.  
My Commission Expires: 04-01-2000.

FILED

01 JUN -5 AM 8:35

JEFFERSON COUNTY  
MARIANNE WALTERS, CLERK

BY \_\_\_\_\_ DEPT. CLERK

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF JEFFERSON

MARIE LOUISE BRINER REVOCABLE  
TRUST, RICHARD D. HARPER, Trustee,

Plaintiff,

vs.

CHESTER Z. HARPER REVOCABLE TRUST,  
DOMINIC HARPER, Trustee; and  
the ESTATE of CHESTER Z. HARPER,  
DOMINIC HARPER, Nominated Personal  
Representative,

Defendants.

No.

DECLARATION OF RICHARD  
D. HARPER IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
TEMPORARY RESTRAINING  
ORDER

STATE OF CALIFORNIA )

County of SAN Diego ) §

RICHARD D. HARPER, an adult, upon his personal knowledge, declares as follows:

- I am the Successor Trustee of the MARIE LOUISE BRINER REVOCABLE TRUST  
("the Briner Trust") and represent the Plaintiff Trust in the above-entitled action.

B-1

DECLARATION OF RICHARD D. HARPER - 1  
O:\LARRY\WPDOCS\13609\Declaration.doc

**HALL, PINCKNEY,  
KINTNER & WEST, P.S.**  
Attorneys at Law  
2135 6<sup>th</sup> Street, Bremerton, WA 98312-3957  
(360) 373-9515 FAX (360) 479-1090

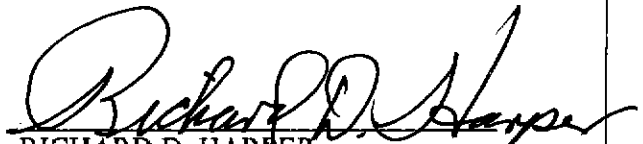
1           2.     My mother, Marie Louise Briner established the Briner Trust on or about February  
2                   21, 1996. My mother died on or about November 8, 1997. My brother, Chester Z.  
3                   Harper was the named successor trustee of the Briner Trust. He began his service as  
4                   trustee on the date of my mother's death and also handled all of the affairs associated  
5                   with the death of my mother and her estate. During his tenure as trustee of the  
6                   Briner Trust, my brother never provided any of the beneficiaries with an accounting  
7                   of the Briner Trust, but we all assumed that he was handling the affairs correctly and  
8                   within the scope of the trust document. In April, 2000, I found out that my brother  
9                   had deeded some of the properties not specifically designated in the Briner Trust to  
10                  himself by virtue of a quit claim deed, a copy of which is attached hereto. This  
11                  family property has special emotional and unique value to me. I asked my brother to  
12                  correct the error in distribution he had made. On April 21, 2001, my brother  
13                  CHESTER Z. HARPER died without correcting his error and as far as I know, the  
14                  deeded property is in the name of the CHESTER Z. HARPER REVOCABLE  
15                  TRUST and under the control of DOMINIC HARPER, CHESTER Z. HARPER'S  
16                  son.

17           3.     Because an accounting was not done my brother, I am unaware of what property he  
18                   designated to his own personal trust; however, I believe that DOMINIC HARPER  
19                   intends to sell the aforementioned real property to a third party bona fide purchaser.  
20                   It may be that this parcel of real estate is CHESTER Z. HARPER'S designated  
21                   share; however, if it is more than his designated share, his son should not be allowed  
22                   to sell or encumber the property in any way. I fear that my brother placed in his  
23                   estate or trust estate more than his equitable share which his son is currently  
24                   attempting to dispose of. I am the named successor trustee of the Briner Trust and  
25                   would like time to conduct an accounting and determine whether my brother did


1 devise more than his share of my mother's estate to his own estate. If in the interim,  
2 DOMINIC HARPER or any beneficiary or trustee of CHESTER HARPER is  
3 allowed to dispose of property left to them by their father, it may do a severe  
4 injustice to me and my sisters and be in violation of my mother's wishes.

5 4. I declare under penalty of perjury under the laws of the State of Washington that the  
6 foregoing is true and correct.

7  
8 Signed at San Diego County, on MAY 31, 2001

9  
10   
11 RICHARD D. HARPER  
12 Declarant/ Trustee

13 SUBSCRIBED AND SWORN TO before me this 31 day of May, 2001, by  
14 RICHARD D. HARPER.

15  
16   
17 NOTARY PUBLIC in and for the State of  
18 California, residing at San Diego County  
19 My appointment expires December 30, 2003



DECLARATION OF RICHARD D. HARPER - 3  
O:\LARRY\WPDOCS\113609\Declaration.doc

HALL, PINCKNEY,  
KINTNER & WEST, P.S.  
Attorneys at Law  
2135 6<sup>th</sup> Street, Bremerton, WA 98312-3957  
(360) 373-9515 FAX (360) 479-1090

FILED

03 FEB 18 AM 10:07

JEFFERSON COUNTY  
MARIANNE WALTERS, CLERK

BY \_\_\_\_\_ DEPT. CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF JEFFERSON

MARIE LOUISE BRINER REVOCABLE  
TRUST, RICHARD D. HARPER, TRUSTEE,

Plaintiff,

vs.

CHESTER Z. HARPER REVOCABLE TRUST,  
DOMONIC HARPER, trustee; and the  
ESTATE OF CHESTER Z. HARPER,  
DOMONIC HARPER, Nominated as  
Personal Representative,

Defendants.

No. 01-2-00167-1

PLAINTIFF'S TRIAL BRIEF

This trial brief is submitted on behalf of the Marie Louise Briner Revocable Trust,  
RICHARD D. HARPER, Trustee.

FACTS

On February 21, 1996, Marie Louise Briner executed a Trust entitled the Marie Louise  
Briner Revocable Trust. On that same date, she executed a so-called "pour over" Will, devising and  
bequeathing any property owned by her at the time of her death to the Trust. Both the Trust and the  
Will were drafted by Doris F. Hardyman, an attorney in Port Townsend, Washington.

Marie Briner had four children, namely, Chester Z. Harper, Richard D. Harper, Norma May  
Wariner, and Anna Marie Smith. All four of Marie's children are named in the Trust instrument,  
and all four of them survived her.

PLAINTIFF'S TRIAL BRIEF  
Page 1 of 12  
O:\KENT\WPDOCS\13609\Plaintiff's Trial Brief.doc

**HALL, PINCKNEY,  
KINTNER & WEST, P.S.**  
Attorneys at Law  
2135 6<sup>th</sup> Street, Bremerton, WA 98312-3957  
(360) 373-9515 FAX (360) 479-1090

IC  
Michelle

1 On November 8, 1997, Marie Briner died. During her lifetime, she had been the trustee of  
2 her Trust, but upon her death, her son, Chester Z. Harper, assumed his duties as the successor  
3 trustee. Chester Z. Harper was also the personal representative of his mother's estate. Marie's estate  
4 was probated under cause number 97-4-00106-1 in the Superior Court of Jefferson County,  
5 Washington. The estate was opened on November 19, 1997, and was closed on or about May 6,  
6 1998.

7 The Briner Trust enumerated certain parcels of real property and directed that they be  
8 distributed to certain named beneficiaries. One of these parcels has been referred to throughout this  
9 litigation as the "Lowell Day Property." This property is located in the Chimacum area of Jefferson  
10 County, Washington. Marie Briner's Trust directed that this parcel distributed to Chester Harper,  
11 Richard Harper, and Joe Harper. (Joe Harper is one of Chester Harper's sons.) However, after  
12 Marie Briner's death Chester Harper took the position that Marie never had an ownership interest in  
13 this property, and he did not administer this property as part of the estate or as part of the trust.

14 Marie Briner had ownership of several other parcels of real estate which were not mentioned  
15 in her trust. All of these parcels are located in Port Townsend, Jefferson County, Washington, and  
16 are commonly referred to as:

- 17 • Eisenbeis Block 230, Lots 5 through 8;
- 18 • Eisenbeis Block 229, Lots 1 through 4 and 6 though 8; and
- 19 • Eisenbeis Bay View Addition Lot 9.

20 The Briner Trust contained a residuary clause, directing that the residue of the trust property  
21 be distributed in equal shares to those of Marie's children who survived her. As mentioned  
22 previously, she was survived by all four of her children.

23 Lots 5 through 8 in Block 230 of the Eisenbeis Addition has a residence situated thereon.  
24 This was Marie Briner's residence, and her son Chester resided with her there for approximately the  
25 last ten years of her life. Although the Trust does not specifically designate who was to receive this  
property, Chester Harper, as Trustee, deeded this property to himself individually. He apparently  
took the position that his mother wanted him to have the residence and had inadvertently omitted  
these four lots from his share of the trust property. Chester Harper did not give notice to any of the  
other beneficiaries that he proposed to deed this property to himself. He did not ask the Superior



1 Court for instructions, and he deeded this property to himself despite advice from his attorney,  
2 Doris F. Hardyman, that at least one of the beneficiaries objected to the distribution.

3 Chester Harper, as Trustee, deeded to Richard Harper Lots 1 through 8 in Block 228 of the  
4 Eisenbeis Addition. This was according to the Trust instrument. However, Marie Briner also  
5 owned seven lots in Block 229 of the Eisenbeis Addition. Block 229 is located between the Block  
6 228 property and McPherson Street, the only developed roadway which abuts these properties.  
7 Richard Harper believed, and believes to this day, that his mother meant to leave him the Block 229  
8 property in addition to Block 228 property. His mother was quite sharp when it came to real estate,  
9 and she would understand that the Block 228 property would be severely devalued if it were  
10 landlocked. Not wishing to insist this is what his mother intended, Richard Harper contacted  
11 Chester Harper and offered to purchase the Block 229 property. Chester Harper, well  
12 understanding that the Block 228 property would be severely devalued if landlocked, promised  
13 Richard he would have the right of first refusal and the opportunity to match any offer which  
14 Chester, as Trustee, might receive. Despite these assurances, Chester Harper sold the Block 229  
15 property to a person outside the family for \$60,000.00, a price which Richard would have been  
16 willing to match had he been given the opportunity. As will be more fully addressed later, in selling  
17 the Block 229 property to someone else, Chester Harper as Trustee severely devalued the property  
18 which his brother Richard received as a beneficiary of the Trust.

19 Regarding the so-called "Lowell Day" Property, the records of Jefferson County show Marie  
20 Briner as the owner of that parcel from 1991 until the time of her death. The County records  
21 strongly suggest that Marie Briner paid the real estate taxes on that parcel from 1991 until the time  
22 of her death. However, there is no document vesting title in Marie Briner. As mentioned  
23 previously, Marie Briner thought she owned that property and specifically included it in her Trust.  
24 After Marie's death, Chester Harper and his son, Domonic Harper, sold the "Lowell Day" Property.  
25 Chester Harper treated this property as if it belonged to himself and Domonic and was not part of  
either the estate or the trust of Marie Briner. Again, Chester Harper took these actions without  
notice to any other beneficiary and without requesting instructions from the Superior Court.

## ISSUES

1. Whether Marie Louise Briner enjoyed beneficial ownership of the so-called "Lowell Day" Property under the theory of a constructive trust.
2. Whether Chester Z. Harper breached his fiduciary duty as successor trustee of the Marie Louise Briner Trust.
3. If the answer to issue number two is in the affirmative, what are the appropriate remedies?
4. Whether a revocable living trust can be "reformed" after the death of the trustor.
5. If the answer to issue number four is in the affirmative, what are the appropriate remedies?

## DISCUSSION

### 1. The Lowell Day Property and Constructive Trust.

A constructive trust is imposed by a court when property is acquired under such circumstances that the legal titleholder would be unjustly enriched if allowed to retain it. A constructive trust is equitable in nature and arises by operation of law. *Stocker v. Stocker*, 74 Wn. App. 1 (1994). A constructive trust may be established by parole evidence which is clear, cogent and convincing. *Thor v. McDearmid*, 63 Wn. App. 193 (1991). A constructive trust can arise even absent an intention by the parties to create a trust. The principal objective in imposing a constructive trust is to prevent unjust enrichment. *Scymanski v. Dufault*, 80 Wn. 2d 77 (1971).

Clearly Marie Briner was under the belief that she owned the Lowell Day Property. The evidence shows that she purchased the Lowell Day Property from Domonic Harper in 1991. Although she apparently never recorded a deed, she obviously filed an excise tax affidavit with the county assessor declaring herself to be the owner of the property. Thereafter, she paid the real estate tax on the property until the time of her death. When she went to her attorney to draft her trust, she instructed her attorney that she wished the Lowell Day Property to be distributed to Joe Harper, Richard Harper and Chester Harper in equal shares. After Marie's death, Chester Harper, along with his son Domonic, sold this property and divided the proceeds, even though Marie Briner had provided otherwise for this property in her trust. Chester and Domonic Harper sold this property and divided the proceeds without notice to any other beneficiaries of the trust and without

1 petitioning the court for instructions. Given that Marie Briner purchased the property in 1992 and  
2 thereafter paid the taxes on it until the time of her death, it would be inequitable to deny that she had  
3 an ownership interest in the property, and a constructive trust should be imposed. Stated another  
4 way, Chester and Domonic Harper have been unjustly enriched by their sale of this property outside  
5 the trust, and a constructive trust should be imposed upon the proceeds to prevent unjust  
6 enrichment. The trust states that Chester Harper should have a one-third (1/3) interest in this  
7 property. The other two-thirds (2/3) were to belong to Joe Harper and Richard Harper, respectively.  
8 Domonic Harper was given no interest in this property by the Trust instrument.

2. Breach of duty by the Trustee.

9 A trustee breaches his fiduciary duty of loyalty to the beneficiaries when the trustee  
10 engages in self-dealing. A "trustee" is a fiduciary who owes the highest degree of good faith,  
11 diligence, and undivided loyalty to the beneficiaries. *In re Estate of Stevens*, 94 Wn. App. 20, 971  
12 P.2d 58 (1999). A trustee owes the highest degree of good faith, and the trustee has a duty to deal  
13 solely in the interests of the beneficiaries. *Monroe v. Winn*, 16 Wn. 2d 497, 133 P.2d 952 (1943).  
14 The trustee violates his duty to the beneficiaries if he sells trust property to himself individually or if  
15 he has a personal interest in the purchase of such a substantial nature that it might affect his  
16 judgment in making the sale. *In re Eisenberg*, 43 Wn. App. 761, 719 P.2d 187 (1986). Bad faith on  
17 the part of the trustee, or damage to the trust, are irrelevant. The rule prohibiting self-dealing is  
18 absolute. For example, lease of trust land by a trustee to himself ordinarily constitutes a per se  
19 breach of the duty of loyalty, absent an express provision allowing the trustee to lease trust  
20 property, court approval of the transaction, or confirmation, ratification, or acquiescence by the  
21 beneficiaries in the trustee's dealing with the trust. *Wilkins v. Lasater*, 46 Wn. App. 766, 733 P.2d  
22 221 (1987). If a trustee is engaged in self-dealing, a lack of causal connection between loss to the  
23 trust and breach of the trustee's fiduciary duty will not absolve the trustee of liability. *In re*  
24 *Eisenburg*, supra.

25 No exception can be made to the rule that the trustee must administer the trust in the  
beneficiaries' interest, and must see that no advantage or profit accrues to himself or third persons.  
*Tucker v. Brown*, 20 Wn. 2d 740, 150 P.2d 604 (1944). The trustee also has the duty to inform the

1 beneficiaries of transactions made with the trust property. *Esmieu v. Schrag*, 88 Wn. 2d 490, 563  
2 P.2d 203 (1977). (*Esmieu I*).

3 The Washington legislature has created a mechanism by which any trustee may seek  
4 instructions from the Superior Court by submitting a petition for a judicial proceeding. The current  
5 statute governing the point is RCW 11.96A.080. A very similar statute was in effect during Chester  
6 Harper's administration of the Marie Briner Trust. Enacted in 1985, this was RCW 11.96.070(1).  
7 This statute permitted a fiduciary to submit to the Superior Court any question arising in the  
8 administration of an estate or trust, including without limitation questions of construction of wills  
9 and other writings. The term "other writings" most certainly included trusts. Included within the  
10 class of persons entitled to receive notice of such proceedings are all beneficiaries of the trust.

11 The proper procedure is well illustrated in the case of *Esmieu v. Schrag*, 92 Wn. 2d 535  
12 (1979). (*Esmieu III*). In that case, the Settlor's clearly intended purpose was to maximize income  
13 for all the beneficiaries of the trust. The Settlor also directed that the trustee retain certain assets of  
14 the trust. Due to changing market conditions, this later provision became inconsistent with the  
15 Settlor's intent of providing maximum income. The Supreme Court allowed the trustee to depart  
16 from the term of the trust directing him to hold certain assets, but only after all affected persons  
17 were made parties to the action and all beneficiaries consented to the departure from the trust term.

18 In this case, Chester Z. Harper, in his capacity as trustee, transferred the four lots containing  
19 the family home to himself, even though this property is not given to him in the trust instrument.  
20 Further, by selling the Block 229 property, he devalued the Block 228 property, received by  
21 Richard Harper under the terms of the trust, knowing that this would be harmful to him as a  
22 beneficiary. Third, Chester Harper treated the Lowell Day Property as if Marie Briner had no  
23 interest in it, and instead he and his son Domonic Harper sold it to third persons and kept the  
24 proceeds. All of these actions were undertaken without any notice to the beneficiaries and without  
25 petitioning the court for instructions.

1 In summary, Chester Harper followed the literal language of the trust instrument when it  
2 was to his benefit, but failed to follow the language of the trust instrument when doing so was not in  
3 his best interest. It is clear beyond cavil that he breached his fiduciary duty to the other  
4 beneficiaries of the trust in a number of very significant ways.

5 3. Remedies for breach of fiduciary duty.

6 Because claims for breach of trust are equitable, the court may grant whatever relief it  
7 deems is warranted, *Hubbell v. Ward*, 40 Wn. 2d 779, 787, 246 P.2d 468 (1952) and place the trust  
8 in the same position as if the trustee had never breached his fiduciary duties. *Allard v. First*  
9 *Interstate Bank*, 112 Wn. 2d 145 (1989). If a prohibited transaction takes place, a beneficiary may  
10 set aside the transaction and recover the profit made by the trustee. A beneficiary may follow trust  
11 property wrongfully diverted through all of its changes and recover the fund from any property to  
12 which it has gone. *Smith v. Fitch*, 21 Wn. 2d 619, 171 P.2d 682 (1946). Where a trustee  
13 wrongfully converts a trust fund into another species of property, the beneficiary will be entitled to  
14 the property so acquired. *City of Spokane v. First National Bank*, 68 F. 982 (1895). A trustee does  
15 not escape liability to the trust by showing he has disposed of the property, but rather the  
16 beneficiaries are entitled to judgment against him, though the property may have reached innocent  
17 hands. *Glasgow v. Nicholls*, 124 Wn. 281, 214 P. 165, affirmed 127 Wash. 693, 219 P. 883, and  
18 modified 129 Wn. 319, 225 P. 1118 (1923).

19 Chester Harper deeded Lots 5 through 8 of the Block 230 property to himself in  
20 violation of the trust. Accordingly, this parcel of real estate or its value at the time of Chester  
21 Harper deeded it to himself must be returned to the trust. Additionally, under the terms of the trust  
22 Chester Harper was entitled only to one-third (1/3) of the proceeds of the Lowell Day Property.  
23 Therefore, the estate of Chester Harper should be required to return two-thirds (2/3) of the value of  
24 the Lowell Day Property to the trust. Additionally, by selling the Block 229 property to a third  
25 person, Chester Harper devalued the property of a beneficiary, namely Richard Harper, in an

1 amount to be proved at trial. The Estate of Richard Harper is liable to Richard Harper for the  
2 amount of the devaluation. In the alternative, The Estate of Richard Harper should be ordered to  
3 repurchase the Block 229 property, if possible, and return its ownership to the Trust.

4 The Superior Court may, in its discretion, order costs, including attorneys' fees, to be  
5 paid by any party to the proceedings or out of the assets of the estate or trust, as justice may require.  
6 RCW 11.96A.150. Where, as in the instant case, there is a breach of fiduciary duties, plaintiff has  
7 the right to recover fees against the trustee personally. RCW 11.96A.150, *In re Estate of Cooper*,  
8 81 Wn. App. 79, 913 P.2d 393, (review denied, 130 Wn. 2d 1011, 928 P.2d 414) (1996). A finding  
9 of bad faith or self-dealing is not required to support an award of attorney fees to the beneficiaries  
10 for breach of trust. *Gillespie v. Seattle-First National Bank*, 70 Wn. App. 150, 855 P.2d 680 (1993),  
11 amended sub nom *Gillespie v. Security Pacific Bank*, 855 P. 2d 680 (Court of Appeals of  
12 Washington) (1994), *reconsideration filed, review denied* 123 Wn. 2d 1012, 869 P.2d 1084 (1993).  
13 In an action regarding a trust, the court may properly award attorney's fees to the respective parties  
14 payable out of the trust estate, except for the fees the beneficiary incurred in establishing the  
15 trustee's breach of fiduciary duty, which should be assessed against the trustee personally (or in this  
16 case, his estate). *In re Estate of Cooper*, supra.

17 In addition, in any probate proceeding, where a beneficiary is required to employ legal  
18 counsel to institute proceedings to compel an accounting, the court may, in its discretion, enter  
19 judgment for reasonable attorney's fees in favor of the person or persons instituting said  
20 proceedings. RCW 11.76.070.

21 Plaintiff should be awarded its attorney fees and costs in addition to the other relief sought.  
22 There should be an apportionment between the trust and the Estate of Chester Z. Harper, if indeed  
23 the court finds that any of the attorney fees incurred were not due to Chester Harper's breach of his  
24 fiduciary duty. In the event the court finds that all attorney fees incurred were as a result of Chester  
25

1 Harper's breach of his fiduciary duties, then all fees and costs should be assessed against his estate  
2 rather than the trust.

3 4. Admissibility of extrinsic evidence.

4 A revocable living trust, like a will, is a testamentary document. Therefore the cases on  
5 interpretation of wills, as well as trusts, are instructive. The general principles which apply are that  
6 extrinsic evidence is admissible to clear up an ambiguity in a testamentary document. Put another  
7 way, extrinsic evidence may be used to illuminate what was written, but not to supply what was  
8 intended to be written. Admissible extrinsic evidence does not include:

- 9
- Evidence of a party's unilateral or subjective intent;
  - Evidence that would show an intention independent of the instrument; or
  - Evidence that would vary, contradict or modify the writing.
- 10  
11

12 The leading case in Washington is *Estate of Bergau*, 103 Wn. 2d 431 (1985). In *Bergau*, the  
13 court explained that a will may contain three species of ambiguities, called patent ambiguities,  
14 latent ambiguities, and equivocations. The court also clearly stated that extrinsic evidence is  
15 admissible upon finding any one of the species of ambiguities. In *Bergau*, the will used the term  
16 "assessed fair market value." This created a latent ambiguity, because upon examination of the  
17 RCW, there could be two assessed fair market values for the parcel of real estate in question. One  
18 possibility was the county assessor's appraised fair market value, and the other possibility was the  
19 assessor's current use value. The trial court admitted the testimony of the attorney who drafted the  
20 will concerning what the testator intended by using the words in question. The court held that the  
21 term used was ambiguous and therefore the trial court properly admitted the testimony of the  
22 scrivener to determine the meaning of the words used in the will.

23 Thus, for example, Marie Briner's Trust leaves to Richard Harper certain real property  
24 described as follows, "Eisenbeis Block 228 1 to 8." This is an incomplete legal description which  
25 could be construed as creating an ambiguity. Extrinsic evidence would show that Marie Briner had

1 lived in Port Townsend, Jefferson County, Washington, for decades and that she owned the property  
2 which is legally described as follows: "Lots 1 to 8 inclusive in Block 228 of the Eisenbeis Addition  
3 to the City of Port Townsend, as recorded in Volume 2 of Plats, page 24, records of Jefferson  
4 County, Washington." Plaintiffs do not dispute that extrinsic evidence is admissible to identify the  
5 property Marie Briner was attempting to legally describe in her trust.

6 Illustrating the same principles is the earlier case of *In re Torando's Estate*, 38 Wn. 2d 642  
7 (1951). In that case, the court was called upon to interpret the following language: "I give and  
8 bequeath to her all the household goods, furniture and personal property excepting my personal  
9 effects, clothing, jewelry and money." Because of the circumstances, the court held that this  
10 language was ambiguous and the court considered the testimony of the scrivener as to what was  
11 intended. Interestingly, though, the court noted it was not bound by the testimony of the scrivener,  
12 and in fact, gave the will what the court described as, "its most reasonable construction as written,"  
13 which was contrary to the testimony provided by the scrivener. The converse of the foregoing is  
14 that if a testamentary document is not ambiguous, then extrinsic evidence is not admissible. This  
15 principle is well illustrated in *Vadman v. American Cancer Society*, 26 Wn. App. 697 (1980). In  
16 *Vadman*, the will established a testamentary trust and directed that one-third (1/3) of the income  
17 from the trust be distributed to the "National Cancer Foundation." Affidavits submitted to the trial  
18 court strongly suggested that the testatrix had intended the bequest to go to the American Cancer  
19 Society, as opposed to the American Cancer Foundation. Since there was, in fact, an American  
20 Cancer Foundation, both the trial court and the Court of Appeals held that this provision was not  
21 ambiguous and therefore extrinsic evidence was not admissible.

22 In interpreting documents (not just testamentary ones), the Washington Courts have arrived  
23 at certain general principles regarding the use of extrinsic evidence. In 1999, interpreting a  
24 restrictive covenant, the Washington Supreme Court stated that extrinsic evidence could be used to  
25 illuminate the meaning of specific words or terms used in the covenant. The court held, however,



1 that certain kinds of extrinsic evidence may not be admitted. These are: 1) evidence of a party's  
2 unilateral or subjective intent; 2) evidence that would show an intention independent of the writing;  
3 and 3) evidence that would vary, contradict or modify the writing. *Hollis v. Garwall*, 137 Wn. 2d  
4 683 (1999). In *Hollis*, the court rejected the proffered testimony concerning the unilateral and  
5 subjective intent of 1 of the 10 original contracting parties. In accord is the very recent case of  
6 *GO2NET v. C I HOST*, 2003 WL 103401 (Wn. App. Div. 1), January 13, 2003. This case  
7 concerned the interpretation of a contract. The Court of Appeals adhered to the principles discussed  
8 earlier, namely that extrinsic evidence is admissible for the purpose of aiding in the interpretation of  
9 what is in the instrument, and not for the purpose of showing intention independent of the  
10 instrument.

11 Applying the foregoing principles to the case at bar, we see that extrinsic evidence can be  
12 used to flesh out the incomplete legal descriptions used in Marie Briner's trust instrument.  
13 However, it is anticipated Defendants will argue that extrinsic evidence, in the form of scrivener's  
14 testimony, can be admitted to show that Marie Briner intended to leave Lots 5 through 8 of Block  
15 230 of the Eisenbeis Addition to her son Chester. Clearly, this would not be an interpretation of  
16 what is in the trust instrument. It would, instead, constitute an intention independent of the  
17 instrument. Further, it would vary, contradict or modify the written language of the trust, because  
18 under language of the trust Lots 5 through 8 of the Block 230 property clearly would be part of the  
19 residue. Such testimony quite simply is not admissible and the trust must be interpreted as it was  
20 written.

## 21 CONCLUSION

22 Chester Z. Harper breached his fiduciary duty as trustee in a number of ways. He deeded  
23 the Block 230 property to himself contrary to the terms of the trust. He devalued the property left to  
24 another beneficiary by the trust when he sold the Block 229 property. He ignored the fact that  
25 Marie Briner had a beneficial interest in the Lowell Day Property. The trust is entitled to be made  
whole, not only by reversing the results of Chester Harper's self-dealing, but also by reimbursing

PLAINTIFF'S TRIAL BRIEF

Page 11 of 12

O:\KENT\WPDOCS\13609\Plaintiff's Trial Brief.doc

**HALL, PINCKNEY,  
KINTNER & WEST, P.S.**  
Attorneys at Law  
2135 6<sup>th</sup> Street, Bremerton, WA 98312-3957  
(360) 373-9515 FAX (360) 479-1090

1 Marie Briner's trust for its costs, including attorney fees, incurred in establishing Chester Harper's  
2 breach of his trust.

3 Respectfully submitted this 14 day of February, 2003.

4 

5 DAVID I. WEST, WSBA #13220  
6 of HALL, PINCKNEY, KINTNER & WEST, P.S.  
7 Attorneys for Plaintiff  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**FILED**  
JAN 31 2005  
JEFFERSON COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF JEFFERSON

CARLINE ROADS, a single person )  
Plaintiff )

vs. )

No. **05 2 00040 5**  
COMPLAINT FOR DAMAGES

JOSEPH HARPER, individually in his capacity as )  
personal representative of the Estate of Chester )  
Zane Harper and Trustee of the Chester Z. )  
Harper Revocable Trust dated January 18, 2000, )  
and JANE DOE HARPER, his wife; and )  
DOMONIC HARPER, individually and in his )  
capacity as former personal representative of the )  
Estate of Chester Zane Harper and Trustee of the )  
Chester Z. Revocable Trust dated January 18, 2000 )  
Defendants

1. Plaintiff and defendants Joseph Harper and Domonic Harper are children of Chester Z. Harper, deceased, who died an unmarried man and whose will was admitted to probate May 7, 2001 under Cause Number 01-4-00063-9 in the Superior Court in and for Jefferson County Washington.

2. The beneficiary of the residual bequest under said Last Will and Testament was the Chester Z. Harper Revocable Trust, which was dated January 18, 2000.

COMPLAINT FOR DAMAGES - 1

Harry Holloway III  
Attorney at Law  
P.O. Box 596  
2326 Washington Street  
Port Townsend, WA 98368  
(360) 385-1400  
Facsimile (360) 385-1317

1       3. Under ARTICLE SIXTH of the Chester Z. Harper Revocable Trust, one-third of the trust  
2 assets were to go to plaintiff.

3       4. On February 1, 2002 plaintiff learned that her deceased father had placed \$67,442.39 in a  
4 North Sound bank account in the name of his contractors Little and Little.

5       5. Plaintiff discovered that the proceeds of that account were paid by Little and Little to the  
6 defendant Domonic Harper, who divided the money into two equal shares, keeping one-half for  
7 himself and delivering one-half to his brother defendant Joseph Harper.

8       6. The \$67,442.39 was the property of the decedent's and should have been placed in the  
9 decedent's trust through the probate process or distribution of three equal shares of \$22,480.79 in  
10 favor of the plaintiff and defendants Joseph Harper and Domonic Harper.

11       7. The distribution of the \$67,442.39 by the defendant Domonic Harper and retention of one-  
12 half of that amount by the defendant Joseph Harper constituted a conversion of the decedent's trust  
13 and/or estate assets by these two defendants.

14       8. The defendants are liable in both their individual and representative capacities as both  
15 personal representatives of their father's estate and successor trustees of the father's trust for  
16 \$22,480.79 together with interest at 12% per annum from the date of conversion.

17       9. Defendant Domonic Harper is now and was at all times material to this case, a single man  
18 and resident of Jefferson County Washington. The defendant Joseph Harper was at all times  
19 material hereto a married man and was acting for the benefit of his spouse and their marital  
20 community. Though the defendant Joseph Harper is not a resident of the State of Washington, he  
21 has accepted responsibility in the State of Washington as personal representative of his father's estate  
22 and as successor trustee of his father's trust, all of which assets are within the State of Washington,  
23 and therefore, has acquiesced to the jurisdiction of the State of Washington.

24       Wherefore, plaintiff prays for judgment as follows:

25  
26  
27  
28 COMPLAINT FOR DAMAGES - 2

**Harry Holloway III**  
**Attorney at Law**  
**P.O. Box 596**  
**2326 Washington Street**  
**Port Townsend, WA 98368**  
**(360) 385-1400**  
**Facsimile (360) 385-1317**

1           1. Judgement against the defendants in both their individual and representative capacities, in  
2 the amount of \$22,480.79 .

3           2. For interest on said amount at the rate of 12% per annum since the date of conversion.

4           3. For attorney fees and costs incurred herein.

5           4. For such other relief as the court deems just and equitable.

6  
7 Dated this 31 day of January, 2005

8  
9  
10   
11 Harry Holloway III, WSBA 0253

12 Attorney for Plaintiff  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COMPLAINT FOR DAMAGES - 3

Harry Holloway III  
Attorney at Law  
P.O. Box 596  
2326 Washington Street  
Port Townsend, WA 98368  
(360) 385-1400  
Facsimile (360) 385-1317

**United States Bankruptcy Court**  
**Western District of Washington**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Harper, Dominic Z</b>	Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Harper, Kristie A</b>
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>AKA Domonic Z Harper; FDBA Macadoo's</b>	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): <b>FKA Kristie A Panattoni</b>
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-5595</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-5934</b>
Street Address of Debtor (No. and Street, City, and State): <b>736 Reed St</b> <b>Port Townsend, WA</b> <div style="text-align: right; font-size: small;">ZIP Code <b>98368</b></div>	Street Address of Joint Debtor (No. and Street, City, and State): <b>736 Reed St</b> <b>Port Townsend, WA</b> <div style="text-align: right; font-size: small;">ZIP Code <b>98368</b></div>
County of Residence or of the Principal Place of Business: <b>Jefferson</b>	County of Residence or of the Principal Place of Business: <b>Jefferson</b>
Mailing Address of Debtor (if different from street address): <b>PO BOX 466</b> <b>Port Townsend, WA</b> <div style="text-align: right; font-size: small;">ZIP Code <b>98368</b></div>	Mailing Address of Joint Debtor (if different from street address): <b>PO BOX 466</b> <b>Port Townsend, WA</b> <div style="text-align: right; font-size: small;">ZIP Code <b>98368</b></div>
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
--	---	---

<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <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 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
---	---

<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <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.  <table style="width:100%; font-size: x-small;"> <tr> <td colspan="10">Estimated Number of Creditors</td> </tr> <tr> <td><input type="checkbox"/> 1-49</td> <td><input checked="" type="checkbox"/> 50-99</td> <td><input type="checkbox"/> 100-199</td> <td><input type="checkbox"/> 200-999</td> <td><input type="checkbox"/> 1,000-5,000</td> <td><input type="checkbox"/> 5,001-10,000</td> <td><input type="checkbox"/> 10,001-25,000</td> <td><input type="checkbox"/> 25,001-50,000</td> <td><input type="checkbox"/> 50,001-100,000</td> <td><input type="checkbox"/> OVER 100,000</td> </tr> </table> <table style="width:100%; font-size: x-small;"> <tr> <td colspan="10">Estimated Assets</td> </tr> <tr> <td><input type="checkbox"/> \$0 to \$50,000</td> <td><input type="checkbox"/> \$50,001 to \$100,000</td> <td><input type="checkbox"/> \$100,001 to \$500,000</td> <td><input type="checkbox"/> \$500,001 to \$1 million</td> <td><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</td> <td><input type="checkbox"/> \$10,000,001 to \$50 million</td> <td><input type="checkbox"/> \$50,000,001 to \$100 million</td> <td><input type="checkbox"/> \$100,000,001 to \$500 million</td> <td><input type="checkbox"/> \$500,000,001 to \$1 billion</td> <td><input type="checkbox"/> More than \$1 billion</td> </tr> </table> <table style="width:100%; font-size: x-small;"> <tr> <td colspan="10">Estimated Liabilities</td> </tr> <tr> <td><input type="checkbox"/> \$0 to \$50,000</td> <td><input type="checkbox"/> \$50,001 to \$100,000</td> <td><input type="checkbox"/> \$100,001 to \$500,000</td> <td><input type="checkbox"/> \$500,001 to \$1 million</td> <td><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</td> <td><input type="checkbox"/> \$10,000,001 to \$50 million</td> <td><input type="checkbox"/> \$50,000,001 to \$100 million</td> <td><input type="checkbox"/> \$100,000,001 to \$500 million</td> <td><input type="checkbox"/> \$500,000,001 to \$1 billion</td> <td><input type="checkbox"/> More than \$1 billion</td> </tr> </table>	Estimated Number of Creditors										<input type="checkbox"/> 1-49	<input checked="" type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000	Estimated Assets										<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input checked="" type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion	Estimated Liabilities										<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input checked="" type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion	THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors																																																													
<input type="checkbox"/> 1-49	<input checked="" type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000																																																				
Estimated Assets																																																													
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input checked="" type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion																																																				
Estimated Liabilities																																																													
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input checked="" type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion																																																				

**Voluntary Petition**

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

Name of Debtor(s):

**Harper, Dominic Z****Harper, Kristie A****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

**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:

**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. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X /s/ HUGH HAFFNER****January 1, 2009**

Signature of Attorney for Debtor(s)

(Date)

**HUGH HAFFNER 23600****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 or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No.**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☒ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - 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.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition**

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

Name of Debtor(s):

**Harper, Dominic Z****Harper, Kristie A****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. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

**X /s/ Dominic Z Harper**Signature of Debtor **Dominic Z Harper****X /s/ Kristie A Harper**Signature of Joint Debtor **Kristie A Harper**

Telephone Number (If not represented by attorney)

**January 1, 2009**

Date

**Signature of Attorney\*****X /s/ HUGH HAFFNER**

Signature of Attorney for Debtor(s)

**HUGH HAFFNER 23600**

Printed Name of Attorney for Debtor(s)

**HUGH HAFFNER PS**

Firm Name

**PO BOX 2788  
SEQUIM, WA 98382**

Address

**Email: HHAFFNER@MSN.COM****360-681-2493**

Telephone Number

**January 1, 2009**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**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

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X**

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

**X**

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

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

*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  
Western District of Washington**

In re Dominic Z Harper  
Kristie A Harper

Debtor(s)

Case No. \_\_\_\_\_  
Chapter 7

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Dominic Z Harper  
 Dominic Z Harper

Date: January 1, 2009

**United States Bankruptcy Court  
Western District of Washington**

In re Dominic Z Harper  
Kristie A Harper

Debtor(s)

Case No. \_\_\_\_\_  
Chapter 7

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Kristie A Harper  
Kristie A Harper

Date: January 1, 2009

**United States Bankruptcy Court**  
**Western District of Washington**

In re **Dominic Z Harper,**  
**Kristie A Harper**

Debtors

Case No. \_\_\_\_\_

Chapter 7

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in 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 of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	<b>Yes</b>	<b>1</b>	<b>939,000.00</b>		
B - Personal Property	<b>Yes</b>	<b>4</b>	<b>128,400.00</b>		
C - Property Claimed as Exempt	<b>Yes</b>	<b>1</b>			
D - Creditors Holding Secured Claims	<b>Yes</b>	<b>3</b>		<b>1,378,624.00</b>	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	<b>Yes</b>	<b>2</b>		<b>0.00</b>	
F - Creditors Holding Unsecured Nonpriority Claims	<b>Yes</b>	<b>9</b>		<b>288,293.00</b>	
G - Executory Contracts and Unexpired Leases	<b>Yes</b>	<b>1</b>			
H - Codebtors	<b>Yes</b>	<b>1</b>			
I - Current Income of Individual Debtor(s)	<b>Yes</b>	<b>1</b>			<b>4,760.00</b>
J - Current Expenditures of Individual Debtor(s)	<b>Yes</b>	<b>1</b>			<b>6,833.00</b>
Total Number of Sheets of ALL Schedules		<b>24</b>			
Total Assets			<b>1,067,400.00</b>		
Total Liabilities				<b>1,666,917.00</b>	

**United States Bankruptcy Court**  
**Western District of Washington**

In re **Dominic Z Harper,  
Kristie A Harper**

Debtors

Case No. \_\_\_\_\_

Chapter 7

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

- ☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	<b>0.00</b>
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	<b>0.00</b>
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	<b>0.00</b>
Student Loan Obligations (from Schedule F)	<b>0.00</b>
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	<b>0.00</b>
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	<b>0.00</b>
TOTAL	<b>0.00</b>

**State the following:**

Average Income (from Schedule I, Line 16)	<b>4,760.00</b>
Average Expenses (from Schedule J, Line 18)	<b>6,833.00</b>
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	<b>4,850.00</b>

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		<b>394,924.00</b>
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	<b>0.00</b>	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		<b>0.00</b>
4. Total from Schedule F		<b>288,293.00</b>
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		<b>683,217.00</b>

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**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 husband, wife, both, or the marital community 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, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
<b>WILDWOOD ADDITION BLK 8 LTS 2,3,4and BLK 9 LTS 1-4 FMV 19000 50% OWNERSHIP LESS LOAN 25000 NET EQUITY NEG 6000</b>	<b>50% OWNER IN FEE SIMPLE</b>	<b>C</b>	<b>19,000.00</b>	<b>25,000.00</b>
<b>736 REED ST/ PT TOWNSEND WA</b>	<b>FEE SIMPLE</b>	<b>C</b>	<b>500,000.00</b>	<b>765,124.00</b>
<b>1182 25 TH ST PT TOWNSEND WA</b>	<b>FEE SIMPLE SUBJECT TO DEED OF TRUST</b>	<b>C</b>	<b>275,000.00</b>	<b>327,800.00</b>
<b>204 PARK AVE YAKIMA WA FMV 170000 LESS MTG 185000 NET EQUITY NEG 25000</b>	<b>FEE SIMPLE SUBJECT TO DEED OF TRUST</b>	<b>C</b>	<b>145,000.00</b>	<b>167,000.00</b>

Sub-Total > **939,000.00** (Total of this page)Total > **939,000.00**0 continuation sheets attached to the Schedule of Real Property

(Report also on Summary of Schedules)

E-10

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**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, both, or the marital community own the 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." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	<b>X</b>			
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.		<b>WAMU CHECKING ACCT</b>	<b>C</b>	<b>3,000.00</b>
3. Security deposits with public utilities, telephone companies, landlords, and others.	<b>X</b>			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>FURNITURE HHG</b>	<b>C</b>	<b>3,000.00</b>
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		<b>PAINTINGS LOCAL ARTIST</b>	<b>C</b>	<b>400.00</b>
6. Wearing apparel.		<b>CLOTHING</b>	<b>C</b>	<b>200.00</b>
7. Furs and jewelry.		<b>JEWELRY</b>	<b>C</b>	<b>3,000.00</b>
8. Firearms and sports, photographic, and other hobby equipment.	<b>X</b>			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>HUS FACE 400 K TERM HUS FACE 100K AHOLE LIFE WIFE FACE 250K TERM</b>	<b>C</b>	<b>1,000.00</b>
10. Annuities. Itemize and name each issuer.	<b>X</b>			

Sub-Total > **10,600.00**  
(Total of this page)



In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		<b>WINDEMEERE RETIREMENT ACCT</b>	<b>C</b>	<b>1,500.00</b>
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.		<b>LOANS TO MACADOWS BBQ 250000 UNCOLLECTABILITY</b>	<b>C</b>	<b>0.00</b>
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.		<b>80000 UNCOLLECTED CHILD SUPPORT PROBABLY UNCOLLECTABLE PATRICK SHAUN MONOHAN</b>	<b>C</b>	<b>80,000.00</b>
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. 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.	<b>X</b>			

Sub-Total > **81,500.00**  
(Total of this page)

Sheet 1 of 3 continuation sheets attached  
to the Schedule of Personal Property

E-12

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2006 TOYOTO TUNDRA REPOSESED</b>	<b>C</b>	<b>12,000.00</b>
		<b>2005 HARLEY SOFTTAIL REPOSESED</b>	<b>C</b>	<b>14,000.00</b>
		<b>2006 TOYOTA SIENNA</b>	<b>C</b>	<b>10,000.00</b>
		<b>1991 JEEP WRANGLER PURCHASED BY DEBTORS SON UNDER 18</b>	<b>C</b>	<b>300.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.	<b>X</b>			
29. Machinery, fixtures, equipment, and supplies used in business.		<b>BBQ EQUIPMENT USED IN BUSINESS SECURED BY BANK UCC EQUIP SOLD AND PROCEEDS PAID TO BANK FMV 8000 LOAN 8000</b>	<b>C</b>	<b>0.00</b>
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			

Sub-Total > **36,300.00**  
(Total of this page)

Sheet 2 of 3 continuation sheets attached  
to the Schedule of Personal Property

E-13

In re     **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)☒ 11 U.S.C. § 522(b)(2)☐ 11 U.S.C. § 522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds  
\$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</u></b>			
<b>WAMU CHECKING ACCT</b>	<b>11 U.S.C. § 522(d)(5)</b>	<b>3,000.00</b>	<b>3,000.00</b>
<b><u>Household Goods and Furnishings</u></b>			
<b>FURNITURE HHG</b>	<b>11 U.S.C. § 522(d)(3)</b>	<b>3,000.00</b>	<b>3,000.00</b>
<b><u>Books, Pictures and Other Art Objects; Collectibles</u></b>			
<b>PAINTINGS LOCAL ARTIST</b>	<b>11 U.S.C. § 522(d)(3)</b>	<b>400.00</b>	<b>400.00</b>
<b><u>Wearing Apparel</u></b>			
<b>CLOTHING</b>	<b>11 U.S.C. § 522(d)(3)</b>	<b>200.00</b>	<b>200.00</b>
<b><u>Furs and Jewelry</u></b>			
<b>JEWELRY</b>	<b>11 U.S.C. § 522(d)(4)</b>	<b>2,700.00</b>	<b>3,000.00</b>
	<b>11 U.S.C. § 522(d)(5)</b>	<b>300.00</b>	
<b><u>Interests in Insurance Policies</u></b>			
<b>HUS FACE 400 K TERM</b>	<b>11 U.S.C. § 522(d)(7)</b>	<b>1,000.00</b>	<b>1,000.00</b>
<b>HUS FACE 100K AHOLE LIFE</b>			
<b>WIFE FACE 250K TERM</b>			
<b><u>Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans</u></b>			
<b>WINDEMEERE RETIREMENT ACCT</b>	<b>11 U.S.C. § 522(d)(10)(E)</b>	<b>1,500.00</b>	<b>1,500.00</b>
<b><u>Alimony, Maintenance, Support, and Property Settlements</u></b>			
<b>80000 UNCOLLECTED CHILD SUPPORT</b>	<b>11 U.S.C. § 522(d)(10)(D)</b>	<b>80,000.00</b>	<b>80,000.00</b>
<b>PROBABLY UNCOLLECTABLE</b>			
<b>PATRICK SHAUN MONOHAN</b>			
<b><u>Automobiles, Trucks, Trailers, and Other Vehicles</u></b>			
<b>2006 TOYOTO TUNDRA REPOSESED</b>	<b>11 U.S.C. § 522(d)(2)</b>	<b>0.00</b>	<b>12,000.00</b>
<b>2005 HARLEY SOFTTAIL REPOSESED</b>	<b>11 U.S.C. § 522(d)(2)</b>	<b>1,300.00</b>	<b>14,000.00</b>
<b>2006 TOYOTA SIENNA</b>	<b>11 U.S.C. § 522(d)(2)</b>	<b>5,150.00</b>	<b>10,000.00</b>
	<b>11 U.S.C. § 522(d)(5)</b>	<b>4,850.00</b>	
<b>1991 JEEP WRANGLER PURCHASED BY</b>	<b>11 U.S.C. § 522(d)(5)</b>	<b>300.00</b>	<b>300.00</b>
<b>DEBTORS SON UNDER 18</b>			
<b><u>Machinery, Fixtures, Equipment and Supplies Used in Business</u></b>			
<b>BBQ EQUIPMENT USED IN BUSINESS</b>	<b>11 U.S.C. § 522(d)(5)</b>	<b>0.00</b>	<b>0.00</b>
<b>SECURED BY BANK UCC EQUIP SOLD AND</b>			
<b>PROCEEDS PAID TO BANK FMV 8000 LOAN</b>			
<b>8000</b>			

Total:	<b>103,700.00</b>	<b>128,400.00</b>
--------	-------------------	-------------------

0 continuation sheets attached to Schedule of Property Claimed as Exempt

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**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. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. 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 a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). 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 labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the 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.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ 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, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	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 WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. <b>XXXXX0308</b>	C	<b>FIRST MTG</b>					
<b>CHEVY CHASE FED SAV</b> <b>6200 CHEVY CHASE DR</b> <b>Laurel, MD 20707</b>		<b>736 REED ST/ PT TOWNSEND WA</b>					
Value \$ <b>500,000.00</b>					<b>690,124.00</b>	<b>190,124.00</b>	
Account No.	C	<b>SEC MTG</b>					
<b>GMAC MORTGAGE</b> <b>1100 VIRGINIA DR</b> <b>Fort Washington, PA 19034</b>		<b>1182 25 TH ST PT TOWNSEND WA</b>					
Value \$ <b>275,000.00</b>					<b>65,000.00</b>	<b>0.00</b>	
Account No. <b>3538</b>	C	<b>FIRST MTG</b>					
<b>GREEN POINT SAVINGS</b> <b>PO BOX 84013</b> <b>Columbus, GA 31908</b>		<b>1182 25 TH ST PT TOWNSEND WA</b>					
Value \$ <b>275,000.00</b>					<b>262,800.00</b>	<b>52,800.00</b>	
Account No.	C	<b>LIEN TITLE</b>					
<b>HARLEY DAVIDSON CREDIT</b> <b>PO BOX 21908</b> <b>Carson City, NV 89721-1908</b>		<b>2005 HARLEY SOFTTAIL REPOSESED</b>					
Value \$ <b>14,000.00</b>					<b>12,700.00</b>	<b>0.00</b>	
Subtotal (Total of this page)						<b>1,030,624.00</b>	<b>242,924.00</b>

2 continuation sheets attached

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	Husband, Wife, Joint, or Community	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 WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No.							
<b>JAY AND PAULA CLARK</b>		<b>LIEN TITLE</b>					
		<b>WILDWOOD ADDITION BLK 8 LTS 2,3,4and BLK 9 LTS 1-4 FMV 19000 50% OWNERSHIP LESS LOAN 25000 NET EQUITY NEG 6000</b>					
		Value \$ <b>19,000.00</b>				<b>25,000.00</b>	<b>6,000.00</b>
Account No.		<b>SEC MTG</b>					
<b>LITTON LOAN SERV 4828 LOOP CENTRAL DR Houston, TX 77081-2166</b>		<b>204 PARK AVE YAKIMA WA FMV 170000 LESS MTG 185000 NET EQUITY NEG 25000</b>					
		Value \$ <b>145,000.00</b>				<b>31,000.00</b>	<b>0.00</b>
Account No.		<b>LIEN TITLE</b>					
<b>PENINSULA CREDIT UNION PO BOX 2150 Shelton, WA 98584</b>		<b>2006 TOYOTO TUNDRA REPOSESED</b>					
		Value \$ <b>12,000.00</b>				<b>32,000.00</b>	<b>20,000.00</b>
Account No.		<b>FIRST MTG</b>					
<b>SAXON MORTGAGE PO BOX 161489 Fort Worth, TX 76161-1489</b>		<b>204 PARK AVE YAKIMA WA FMV 170000 LESS MTG 185000 NET EQUITY NEG 25000</b>					
		Value \$ <b>145,000.00</b>				<b>136,000.00</b>	<b>22,000.00</b>
Account No.		<b>LIEN TITLE</b>					
<b>WATERMARK CREDIT UNION 800 STEWART ST Seattle, WA 98101-1362</b>		<b>2007 YUKON DENALLI</b>					
		Value \$ <b>20,000.00</b>				<b>49,000.00</b>	<b>29,000.00</b>
Subtotal						<b>273,000.00</b>	<b>77,000.00</b>
(Total of this page)							

Sheet 1 of 2 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

In re     **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community	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 WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
			DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No.			<b>SEC MTG</b>					
<b>WATERMARK CREDIT UNION</b> <b>800 STEWART ST</b> <b>Seattle, WA 98101-1362</b>		<b>C</b>	<b>736 REED ST/ PT TOWNSEND WA</b>					
			Value \$ <b>500,000.00</b>				<b>75,000.00</b>	<b>75,000.00</b>
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Subtotal (Total of this page)							<b>75,000.00</b>	<b>75,000.00</b>
Total (Report on Summary of Schedules)							<b>1,378,624.00</b>	<b>394,924.00</b>

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

## 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, 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. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

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 the 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 "Subtotals" 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. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ 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)

☐ **Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **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)(3).

☐ **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 \$10,950\* per person earned 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).

☐ **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)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,425\* 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)(7).

☒ **Taxes and certain other debts owed to governmental units**

Taxes, customs 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 the 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).

☐ **Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.



In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

(Continuation Sheet)

**Taxes and Certain Other Debts  
Owed to Governmental Units**

## TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E R T O R	Husband, Wife, Joint, or Community	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	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM					AMOUNT ENTITLED TO PRIORITY
Account No.							
<b>INTERNAL REVENUE SERVICE PO BOX 21126 Philadelphia, PA 19114</b>		<b>C</b>	<b>CORP CONTIG</b>				<b>Unknown</b>
						<b>Unknown</b>	<b>0.00</b>
Account No.							
<b>WASHINGTON DEPT LABOR AND IND PO BOX 34974 Seattle, WA 98124-1974</b>		<b>C</b>	<b>CORP CONT</b>				<b>Unknown</b>
						<b>Unknown</b>	<b>0.00</b>
Account No.							
<b>WASHINGTON DEPT OF REVENUE 2101 4 TH AVE #1400 Seattle, WA 98121</b>		<b>C</b>	<b>CORP CONTIG</b>				<b>Unknown</b>
						<b>Unknown</b>	<b>0.00</b>
Account No.							
<b>WASHINGTON EMPLOY SEC PO BOX 34949 Seattle, WA 98124-1949</b>		<b>C</b>	<b>CORP CONT MACADOOS</b>				<b>Unknown</b>
						<b>Unknown</b>	<b>0.00</b>
Account No.							
Subtotal							<b>0.00</b>
(Total of this page)						<b>0.00</b>	<b>0.00</b>
Total							<b>0.00</b>
(Report on Summary of Schedules)						<b>0.00</b>	<b>0.00</b>

Sheet **1** of **1** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, 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. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). 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 the 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 schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	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 W J C				
Account No. xxxxxxxxxxxx0933  <b>American Express c/o Becket and Lee Po Box 3001 Malvern, PA 19355</b>		C	Opened 1/01/06 Last Active 6/19/08 CreditCard			34,110.00
Account No.  <b>AUTO CHLOR PO BOX 94263 Seattle, WA 98124</b>		C	CORP DEBT			2,000.00
Account No.  <b>BAKER COMMODITIES PO BOX 58368 Seattle, WA 98124</b>		C	CORP DEBT			Unknown
Account No. xxxxxxxx4013  <b>Chase Attn: Bankruptcy Dept Po Box 100018 Kennesaw, GA 30156</b>		C	Opened 9/01/03 Last Active 7/08/08 CreditCard			13,125.00
Subtotal (Total of this page)						<b>49,235.00</b>

8 continuation sheets attached

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	H W J C	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.  <b>CHASE</b> <b>PO BOX 15298</b> <b>WILMINGTON, DE</b>	C	CREDIT LINE ON MACADOOS REST						50,000.00
Account No.  <b>CHASE</b> <b>PO BOX 94014</b> <b>Palatine, IL 60094-4014</b>	C	CORP DEBT						Unknown
Account No. <b>xxxxxx5680</b>  <b>Chase Na</b> <b>Attn: Bankruptcy Dept</b> <b>Po Box 100018</b> <b>Kennesaw, GA 30156</b>	C	Opened 9/22/03 Last Active 2/22/05 CreditCard						Unknown
Account No.  <b>CINTAS</b> <b>630 VALLEY AVE NW</b> <b>Puyallup, WA 98371</b>	C	CORP DEBT						500.00
Account No.  <b>CITY OF PORT TOWNSEND</b> <b>250 MADISON ST</b> <b>Port Townsend, WA 98368-5738</b>	C	CORP DEBT						Unknown
Sheet no. <u>1</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims								Subtotal (Total of this page) <b>50,500.00</b>

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	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.  <b>CITY OF YAKIMA</b> <b>129 N 2 ND ST</b> <b>Yakima, WA 98901</b>	C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.  <b>CORP CONTIG</b>				Unknown
Account No.  <b>DEX MEDIA</b> <b>PO BOX 79167</b> <b>Phoenix, AZ 85062-9167</b>	C	<b>CORP CONTIG</b>				Unknown
Account No.  <b>DISH NETWORK</b> <b>DEPT 0063</b> <b>Palatine, IL 60055-0063</b>	C	<b>CORP CONTIG</b>				250.00
Account No.  <b>DM DISPOSAL</b> <b>2153 4 TH STREET</b> <b>Port Townsend, WA 98368</b>	C	<b>CORP CONTIG</b>				300.00
Account No. <b>xxxxxxxxxxxx8977</b>  <b>Elan Financial Service</b> <b>777 E Wisconsin Ave</b> <b>Milwaukee, WI 53202</b>	C	<b>Opened 6/01/04 Last Active 6/19/08</b> <b>CreditCard</b>				3,689.00
Sheet no. <u>2</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) <b>4,239.00</b>

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I G U 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.  <b>EVO MERCHANT SERV</b> <b>515 ROADHOLLOW RD</b> <b>Melville, NY 11747</b>	<b>C</b>	<b>CORP CONTIG</b>				<b>2,500.00</b>
Account No.  <b>FRONTIER BANK</b> <b>PO BOX 3850</b> <b>Sequim, WA 98382</b>	<b>C</b>	<b>GUARNATOR ON MACADOO LOAN</b>				<b>99,000.00</b>
Account No. <b>xxxxxxxxx6289</b>  <b>GEMB / Old Navy</b> <b>Attention: Bankruptcy</b> <b>Po Box 103106</b> <b>Roswell, GA 30076</b>	<b>C</b>	<b>Opened 8/01/06 Last Active 6/06/08</b> <b>ChargeAccount</b>				<b>400.00</b>
Account No. <b>xxxxxxxxx0128</b>  <b>Gemb/gap</b> <b>Attention: Bankruptcy</b> <b>Po Box 103106</b> <b>Roswell, GA 30076</b>	<b>C</b>	<b>Opened 8/01/06 Last Active 10/11/06</b> <b>ChargeAccount</b>				<b>400.00</b>
Account No.  <b>GROUP HEALTH</b> <b>PO BOX 34365</b> <b>Seattle, WA 98124</b>	<b>C</b>	<b>MED</b>				<b>Unknown</b>
Sheet no. <b>3</b> of <b>8</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) <b>102,300.00</b>

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	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					
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.									
Account No. xxxxxxxxxx1227	H	Opened 4/01/05 Last Active 6/23/08 Automobile				12,702.00					
Harley Davidson Financial Po Box 21970 Carson City, NV 89721											
Account No.	C					4,000.00					
HARRISON MEMORIAL HOSPITAL 2520 CHERRY AVE Bremerton, WA 98310-4270											
Account No.	C	MED				1,500.00					
JEFFERSON COUNTY AMBULATORY PO BOX 3510 Port Townsend, WA 98368											
Account No.	C	CORP CONTIG				400.00					
JEFFERSON COUNTY PUBLIC WORK PO BOX 2070 Port Townsend, WA 98368											
Account No.	C	INVESTOR				30,000.00					
JENNIFER PEDERSON SHERIDON AVE Port Townsend, WA 98368											
Sheet no. <u>4</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)					
						<b>48,602.00</b>					



In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	H W J C	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.  <b>PENINSULA CREDIT UNION</b> <b>PO BOX 2150</b> <b>Shelton, WA 98584</b>	C	AUTO DEFICIENCY						10,000.00
Account No.  <b>PINNACLE BUSINESS FINANCE</b> <b>PO BOX 1817</b> <b>Tacoma, WA 98401</b>	C	CORP CONTIG						7,000.00
Account No.  <b>PUGET SOUND ENERGY</b> <b>PO BOX 91269</b> <b>Bellevue, WA 98009-9269</b>	C	CORP CONTIG						800.00
Account No.  <b>QWEST</b> <b>PO BOX 91155</b> <b>Seattle, WA 98111-9255</b>	C	CORP CONTIG						300.00
Account No.  <b>R L SCHREIBER</b> <b>1741 NW 33 RD ST</b> <b>POMPANO BEACH, FL</b>	C	corp contig						Unknown
Sheet no. <u>6</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims								Subtotal (Total of this page) <b>18,100.00</b>



In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	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
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		<b>CORP CONTIG</b>				<b>Unknown</b>
<b>SOS PRINTING 2319 WASHINGTON ST Port Townsend, WA 98368</b>	<b>C</b>					
Account No.		<b>CORP CONTIG</b>				<b>13,000.00</b>
<b>SYSCO FOOD SERV 22820 54 TH AVE SOUTH Kent, WA 98032</b>	<b>C</b>					
Account No. <b>xxxxxxxxxxxx8031</b>		<b>Opened 6/01/03 Last Active 6/22/07 CreditCard</b>				<b>0.00</b>
<b>Visdsnb Bankruptcy 6356 Corley Rd Norcross, GA 30071</b>	<b>H</b>					
Account No. <b>xxxxxx0309</b>		<b>Opened 7/01/04 Last Active 7/26/05 CreditLineSecured</b>				<b>0.00</b>
<b>Watermark Credit Union 800 Stewart St Seattle, WA 98101</b>	<b>H</b>					
Account No. <b>xxxxxxxxxxxx0001</b>		<b>Opened 1/01/02 Last Active 7/17/08 Educational</b>				<b>687.00</b>
<b>Wells Fargo Attn: Collection Servicing, 1st Floor, M 1 Home Campus Des Moines, IA 50328</b>	<b>C</b>					
Sheet no. <u>7</u> of <u>8</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						<b>13,687.00</b>

In re **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I G U 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
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		<b>MED</b>				
<b>WEST SOUND EMERGENCY PHYS PO BOX 11539 Westminster, CA 92685-1539</b>	<b>C</b>					<b>300.00</b>
Account No.		<b>CORP CONTIG</b>				
<b>XM SATELITE PO BOX 33174 Detroit, MI 48232</b>	<b>C</b>					<b>150.00</b>
Account No.						
Account No.						
Account No.						
Sheet no. <b>8</b> of <b>8</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						<b>450.00</b>
Subtotal (Total of this page)						
Total (Report on Summary of Schedules)						<b>288,293.00</b>

In re     **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

**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 interest 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. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if 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     **Dominic Z Harper,  
Kristie A Harper**

Case No. \_\_\_\_\_

Debtors

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. 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 eight 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, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
------------------------------	------------------------------

In re **Dominic Z Harper**  
**Kristie A Harper**

Case No. \_\_\_\_\_

Debtor(s) \_\_\_\_\_

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:  <b>Married</b>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S):	AGE(S):
	<b>Daughter</b> <b>Daughter</b> <b>Son</b> <b>Daughter</b> <b>Son</b>	<b>11</b> <b>12</b> <b>15</b> <b>2</b> <b>9</b>
<b>Employment:</b>	DEBTOR	SPOUSE
Occupation	<b>3 YRS</b>	<b>RECEPTIONIST</b>
Name of Employer	<b>REALESTATE/RESTAURANT</b>	<b>URGENT CARE</b>
How long employed		
Address of Employer	<b>PT TOWNSEND, WA</b>	<b>PT TOWNSEND, WA</b>

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)  
2. Estimate monthly overtime

DEBTOR	SPOUSE
\$ <b>0.00</b>	\$ <b>1,100.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

3. SUBTOTAL

\$ <b>0.00</b>	\$ <b>1,100.00</b>
----------------	--------------------

4. LESS PAYROLL DEDUCTIONS

- a. Payroll taxes and social security  
b. Insurance  
c. Union dues  
d. Other (Specify): \_\_\_\_\_

\$ <b>0.00</b>	\$ <b>90.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ <b>0.00</b>	\$ <b>90.00</b>
----------------	-----------------

6. TOTAL NET MONTHLY TAKE HOME PAY

\$ <b>0.00</b>	\$ <b>1,010.00</b>
----------------	--------------------

7. Regular income from operation of business or profession or farm (Attach detailed statement)  
8. Income from real property  
9. Interest and dividends  
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above  
11. Social security or government assistance (Specify): \_\_\_\_\_

\$ <b>3,000.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>250.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

12. Pension or retirement income

13. Other monthly income

(Specify): **COACHING**

\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>
\$ <b>500.00</b>	\$ <b>0.00</b>
\$ <b>0.00</b>	\$ <b>0.00</b>

14. SUBTOTAL OF LINES 7 THROUGH 13

\$ <b>3,500.00</b>	\$ <b>250.00</b>
--------------------	------------------

15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

\$ <b>3,500.00</b>	\$ <b>1,260.00</b>
--------------------	--------------------

16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ <b>4,760.00</b>
--------------------

(Report also on Summary of Schedules and, if applicable, on  
Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

In re **Dominic Z Harper**  
**Kristie A Harper**

Debtor(s)

Case No. \_\_\_\_\_

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ 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."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<b>1,200.00</b>
a. Are real estate taxes included? Yes _____ No <u><b>X</b></u>		
b. Is property insurance included? Yes _____ No <u><b>X</b></u>		
2. Utilities:		
a. Electricity and heating fuel	\$	<b>250.00</b>
b. Water and sewer	\$	<b>85.00</b>
c. Telephone	\$	<b>100.00</b>
d. Other <u><b>CELL</b></u>	\$	<b>350.00</b>
3. Home maintenance (repairs and upkeep)	\$	<b>0.00</b>
4. Food	\$	<b>1,800.00</b>
5. Clothing	\$	<b>165.00</b>
6. Laundry and dry cleaning	\$	<b>55.00</b>
7. Medical and dental expenses	\$	<b>225.00</b>
8. Transportation (not including car payments)	\$	<b>500.00</b>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<b>125.00</b>
10. Charitable contributions	\$	<b>0.00</b>
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	<b>60.00</b>
b. Life	\$	<b>200.00</b>
c. Health	\$	<b>233.00</b>
d. Auto	\$	<b>150.00</b>
e. Other _____	\$	<b>0.00</b>
12. Taxes (not deducted from wages or included in home mortgage payments) (Specify) _____	\$	<b>0.00</b>
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	<b>0.00</b>
b. Other _____	\$	<b>0.00</b>
c. Other _____	\$	<b>0.00</b>
14. Alimony, maintenance, and support paid to others	\$	<b>0.00</b>
15. Payments for support of additional dependents not living at your home	\$	<b>900.00</b>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<b>0.00</b>
17. Other <u><b>MISC EXP</b></u>	\$	<b>135.00</b>
Other <u><b>EDUC EXP</b></u>	\$	<b>300.00</b>

18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

\$ **6,833.00**

19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:

**20. STATEMENT OF MONTHLY NET INCOME**

a. Average monthly income from Line 15 of Schedule I	\$	<b>4,760.00</b>
b. Average monthly expenses from Line 18 above	\$	<b>6,833.00</b>
c. Monthly net income (a. minus b.)	\$	<b>-2,073.00</b>

**United States Bankruptcy Court**  
**Western District of Washington**

In re **Dominic Z Harper**  
**Kristie A Harper**

Debtor(s)

Case No.  
Chapter

**7**

**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

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

Date January 1, 2009

Signature /s/ Dominic Z Harper  
**Dominic Z Harper**  
Debtor

Date January 1, 2009

Signature /s/ Kristie A Harper  
**Kristie A Harper**  
Joint Debtor

*Penalty for making a false statement or concealing property:* 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  
Western District of Washington**

In re **Dominic Z Harper  
Kristie A Harper**

Debtor(s)

Case No.  
Chapter

**7**

**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. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

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 an applicable question is "None," 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 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 full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"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 corporate 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**

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or 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
<b>\$-15,000.00</b>	<b>2008 SCH C NET 0 RE AND REST RENTAL LOSS 15000</b>
<b>\$68,167.00</b>	<b>2007 BUS INC 92167 RE LOSS 25000</b>
<b>\$51,672.00</b>	<b>2006 BUS INC 97672 RE LOSS 46000</b>



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

None ☐ 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.)

AMOUNT

SOURCE

## 3. Payments to creditors

None ☐ *Complete a. or b., as appropriate, and c.*

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (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.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
---------------------------------	----------------------	-------------	-----------------------

None ☐ b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (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.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
------------------------------	------------------------------------	--	-----------------------

None ☐ c. *All debtors:* 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.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
--	-----------------	-------------	-----------------------

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

None ☐ 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.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
------------------------------------	----------------------	---------------------------------	--------------------------

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.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
---	-----------------	--------------------------------------

### 5. Repossessions, foreclosures and returns

- None ☐ 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
PENINSULA CREDIT UNION PO BOX 2150 Shelton, WA 98584	OCT 2008	REPOED CHEV DENALLI
WATERMARK CREDIT UNION 800 STEWART ST Seattle, WA 98101-1362	OCT 2008	TUNDRA
HARLEY FINANCIAL	NOV 2008	HARLEY SOFTTAIL

### 6. Assignments and receiverships

- None ☒ 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.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
------------------------------	--------------------	-----------------------------------

- 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.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
-------------------------------	---	---------------	-----------------------------------

### 7. Gifts

- None ☒ 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.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
--	--------------------------------	--------------	-------------------------------

### 8. Losses

- None ☒ 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.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
-----------------------------------	--	--------------

### 9. Payments related to debt counseling or bankruptcy

- None ☒ 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 the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
------------------------------	---	--

### 10. Other transfers

- None ☐ a. 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 **two years** 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
AUTO MAX		DEBTORS PURCHASED 2006 TOYOTA SIENNA FOR 14 K SINCE ALL THEIR OTHER AUTOS WERE BEING SURRENDERED
JAY AND PAULA CLARK	MAR 2008	DEBTORS DID A SHORT SALE ON PROP AT SOUTH JACOB MILLER RD DEFICIENCY WAS 25K , DEBTORS GAVE CREDITOR SUBSTITUTE COLLATERAL IN WILD WOOD EDITION LISTED ON SCH D
NONE		

- None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
----------------------------------	---------------------------	---

### 11. Closed financial accounts

- None ☐ 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 the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
FRONTIER BANK PO BOX 3850 Sequim, WA 98382	CHECKING CLOSED SEP 08 NO MONEY	

## 12. Safe deposit boxes

- None ☐ 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.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
FRONTIER BANK PO BOX 3850 PORT TOWNSEND, WA 98382	EMPTY		

## 13. Setoffs

- None ☒ 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.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF

## 14. Property held for another person

- None ☒ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY

## 15. Prior address of debtor

- None ☒ If the debtor has moved within **three 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.

ADDRESS	NAME USED	DATES OF OCCUPANCY

## 16. Spouses and Former Spouses

- None ☒ 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 **eight years** 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.

NAME

## 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, releases 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 a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

- None ☐ 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:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	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.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

- 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.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------

### 18 . Nature, location and name of business

- None ☐ 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, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **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 **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 **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 **six years** immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
MACADOOS BBQ		PORT TOWNSEND, WA	BBQ RESTAURANT SUB S CORP	OPENED OCT 31 2003 CLOSED SEP 7 2008

- None ☐ 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.

NAME	ADDRESS
------	---------

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 or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

*(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 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**

- None ☐ a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS  
**GOODING OHARA**  
**PORT TOWNSEND, WA**

DATES SERVICES RENDERED

- 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.

NAME

ADDRESS

DATES SERVICES RENDERED

- 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

ADDRESS

- None ☒ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE ISSUED

**20. Inventories**

- None ☒ 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.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
 (Specify cost, market or other basis)

- 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.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY  
 RECORDS

**21 . Current Partners, Officers, Directors and Shareholders**

- None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

- 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.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE  
 OF STOCK OWNERSHIP

**22 . Former partners, officers, directors and shareholders**

- None ☒ 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.

NAME

ADDRESS

DATE OF WITHDRAWAL

- 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.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

**23 . Withdrawals from a partnership or distributions by a corporation**

- None ☐ 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.

NAME & ADDRESS  
OF RECIPIENT,  
RELATIONSHIP TO DEBTOR

DATE AND PURPOSE  
OF WITHDRAWAL

AMOUNT OF MONEY  
OR DESCRIPTION AND  
VALUE OF PROPERTY

**24. Tax Consolidation Group.**

- None ☐ 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 **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

**25. Pension Funds.**

- None ☐ 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 **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

**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.

Date January 1, 2009

Signature /s/ Dominic Z Harper  
**Dominic Z Harper**  
Debtor

Date January 1, 2009

Signature /s/ Kristie A Harper  
**Kristie A Harper**  
Joint Debtor

*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**  
**Western District of Washington**

In re **Dominic Z Harper**  
**Kristie A Harper**

Debtor(s)

Case No. \_\_\_\_\_  
 Chapter **7**

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

**PART A** - Debts secured by property of the estate. (Part A must be fully completed for **EACH** debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
<b>Creditor's Name:</b> <b>CHEVY CHASE FED SAV</b>	<b>Describe Property Securing Debt:</b> <b>736 REED ST/</b> <b>PT TOWNSEND WA</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 150px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 150px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 2	
<b>Creditor's Name:</b> <b>GMAC MORTGAGE</b>	<b>Describe Property Securing Debt:</b> <b>1182 25 TH ST</b> <b>PT TOWNSEND WA</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 150px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 150px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	



Property No. 3	
<b>Creditor's Name:</b> <b>GREEN POINT SAVINGS</b>	<b>Describe Property Securing Debt:</b> <b>1182 25 TH ST</b> <b>PT TOWNSEND WA</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 150px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 150px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 4	
<b>Creditor's Name:</b> <b>HARLEY DAVIDSON CREDIT</b>	<b>Describe Property Securing Debt:</b> <b>2005 HARLEY SOFTTAIL REPOSESED</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 150px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input checked="" type="checkbox"/> Claimed as Exempt <span style="margin-left: 150px;"><input type="checkbox"/> Not claimed as exempt</span>	

Property No. 5	
<b>Creditor's Name:</b> <b>JAY AND PAULA CLARK</b>	<b>Describe Property Securing Debt:</b> <b>WILDWOOD ADDITION BLK 8 LTS 2,3,4and BLK 9 LTS 1-4</b> <b>FMV 19000 50% OWNERSHIP</b> <b>LESS LOAN 25000</b> <b>NET EQUITY NEG 6000</b>
Property will be (check one): <input type="checkbox"/> Surrendered <span style="margin-left: 150px;"><input checked="" type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input checked="" type="checkbox"/> Claimed as Exempt <span style="margin-left: 150px;"><input type="checkbox"/> Not claimed as exempt</span>	

Property No. 6	
<b>Creditor's Name:</b> <b>LITTON LOAN SERV</b>	<b>Describe Property Securing Debt:</b> <b>204 PARK AVE</b> <b>YAKIMA WA</b> <b>FMV 170000</b> <b>LESS MTG 185000</b> <b>NET EQUITY NEG 25000</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input checked="" type="checkbox"/> Not claimed as exempt</span>	

Property No. 7	
<b>Creditor's Name:</b> <b>PENINSULA CREDIT UNION</b>	<b>Describe Property Securing Debt:</b> <b>2006 TOYOTO TUNDRA REPOSESED</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <span style="margin-left: 200px;"><input type="checkbox"/> Retained</span>	
If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).	
Property is (check one): <input checked="" type="checkbox"/> Claimed as Exempt <span style="margin-left: 200px;"><input type="checkbox"/> Not claimed as exempt</span>	

Property No. 8	
<b>Creditor's Name:</b> <b>SAXON MORTGAGE</b>	<b>Describe Property Securing Debt:</b> <b>204 PARK AVE</b> <b>YAKIMA WA</b> <b>FMV 170000</b> <b>LESS MTG 185000</b> <b>NET EQUITY NEG 25000</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained  If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).  Property is (check one): <input type="checkbox"/> Claimed as Exempt <input checked="" type="checkbox"/> Not claimed as exempt	

Property No. 9	
<b>Creditor's Name:</b> <b>WATERMARK CREDIT UNION</b>	<b>Describe Property Securing Debt:</b> <b>2007 YUKON DENALLI</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained  If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).  Property is (check one): <input type="checkbox"/> Claimed as Exempt <input checked="" type="checkbox"/> Not claimed as exempt	

Property No. 10	
<b>Creditor's Name:</b> <b>WATERMARK CREDIT UNION</b>	<b>Describe Property Securing Debt:</b> <b>736 REED ST/ PT TOWNSEND WA</b>
Property will be (check one): <input checked="" type="checkbox"/> Surrendered <input type="checkbox"/> Retained  If retaining the property, I intend to (check at least one): <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)).  Property is (check one): <input type="checkbox"/> Claimed as Exempt <input checked="" type="checkbox"/> Not claimed as exempt	

**PART B** - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 1		
<b>Lessor's Name:</b> <b>-NONE-</b>	<b>Describe Leased Property:</b>	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): <input type="checkbox"/> YES <input type="checkbox"/> NO

**I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.**

Date January 1, 2009

Signature /s/ Dominic Z Harper  
**Dominic Z Harper**  
 Debtor

Date January 1, 2009

Signature /s/ Kristie A Harper  
**Kristie A Harper**  
 Joint Debtor

**United States Bankruptcy Court  
Western District of Washington**

In re **Dominic Z Harper  
Kristie A Harper**

Debtor(s)

Case No.

Chapter **7**

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	\$	<u><b>3,000.00</b></u>
Prior to the filing of this statement I have received.....	\$	<u><b>3,000.00</b></u>
Balance Due.....	\$	<u><b>0.00</b></u>

2. The source of the compensation paid to me was:

☒ Debtor      ☐ Other (specify):

3. The source of compensation to be paid to me is:

☒ Debtor      ☐ Other (specify):

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding. motions to avoid liens on household goods,**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: **January 1, 2009**

**/s/ HUGH HAFFNER**  
**HUGH HAFFNER 23600  
HUGH HAFFNER PS  
PO BOX 2788  
SEQUIM, WA 98382  
360-681-2493  
HHAFFNER@MSN.COM**

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

### **1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### **2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

#### **Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

#### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### **Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### **3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

**HUGH HAFFNER 23600**

Printed Name of Attorney

Address:

**PO BOX 2788**

**SEQUIM, WA 98382**

**360-681-2493**

**HHAFFNER@MSN.COM**

X **/s/ HUGH HAFFNER**

Signature of Attorney

**January 1, 2009**

Date

#### **Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

**Dominic Z Harper**

**Kristie A Harper**

Printed Name(s) of Debtor(s)

X **/s/ Dominic Z Harper**

Signature of Debtor

**January 1, 2009**

Date

Case No. (if known) \_\_\_\_\_

X **/s/ Kristie A Harper**

Signature of Joint Debtor (if any)

**January 1, 2009**

Date

Hearing Date: July 15, 2009

Hearing Time: 1:30 p.m.

Location: Port Orchard

Hon. Thomas T. Glover

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE:

No. 09-10001

DOMINIC & KRISTIE HARPER,  
Debtors.

ORDER COMPELLING TURNOVER

THIS MATTER having come on regularly for hearing before the above entitled Court on the motion of the Trustee for an order compelling turnover of records, no response to the motion having been received by the Court or the Trustee, now, therefore, it is hereby

ORDERED that the Debtors, Dominic and Kristie Harper, shall immediately turnover to the Trustee the following:

1. Declaration of Trust by Chester Harper on January 18, 2000.
2. Tax returns of the debtors from 2003-2006 and 2008.

DATED as "Entered on Docket" date above.



Thomas T. Glover

United States Bankruptcy Judge

(Dated as of "Entered on Docket" date above)

Presented by:

/s/ JOHN S. PETERSON

JOHN S. PETERSON

Trustee

WSBA #13985

**JOHN S. PETERSON**

ATTORNEY AT LAW

P.O. Box 829

Kingston, WA 98346

(360)297-3194



- ADVERTISEMENT -

[Click here to print the obituary below](#)

---

**Stephen G. Pothier** POTHIER, Stephen G. Age 52, died Monday, November 30, 2009, of brain cancer at George Washington University Hospital in D.C. Steve was a Delta Airline Pilot and Senior Research Scientist at George Washington University. Steve (formerly of Charlestown, MA) is preceeded by his parents Ethel and Ernie Pothier. He is survived by his siblings, Terry, John, Sandy, Bill, and his brothers-in-law Arthur McGeown and Ken Mills. He has also left behind his sister-in-law Nancy Kelly and her two children Michelle and Stephen. Out of respect for Steve's love of science his body will be donated to GWU Medical School, there will be no memorial service. In lieu of flowers, donations may be sent to the National Brain Tumor Society, East Coast Office, 124 Watertown Street, Suite D, Watertown, MA 02474 or the Port Townsend High School Wrestling Club, 1865 West Uncas Rd., Port Townsend, WA 98368. These two organizations were near and dear to Steve's heart.

---

**Published in The Boston Globe on December 6, 2009**

---

☐ COMPLAINANT REQUEST DISCLOSURE  
☐ COMPLAINANT REQUEST NONDISCLOSURE  
☒ NOT DISCUSSED  
☐ CONFIDENTIAL/INVESTIGATION

PORT TOWNSEND POLICE DEPT.  
Incident Report

INCIDENT NUMBER:

08-1604

Orig  
☒

Supp  
☐

Page  
1 of 3

Month	Day	Year	Time	DOW	Month	Day	Year	Time	DOW	Month	Day	Year	Time	DOW
05	08	08	0700	Thu	05	08	08	0000	Thu	05	08	08	0824	Thu

Type of Incident:  
Burglary 2<sup>nd</sup> RCW.9A.52.030 (F)  
Theft 1<sup>st</sup> RCW.9A.56.030 (F)

Type of Premises:  
Commercial  
Address/Location of Incident:  
600 W. Sims Way

Type of Weapon/Instrument/Force Used:  
Unk  
Business/Apartment Name:  
Macadoos

Last Name:  
Macadoos

First Name:

Middle Name:

Alias:

NA

Residency:

☒ F ☐ P ☐ N

Address: 600 W. Sims Way City: Port Townsend State: WA 98368

Telephone: 360-379-1619

Ethnicity/Tribe  
☐ H ☐ N-H ☐ U

DOB	Age	Race	Sex	Ht	Wt	Eyes	Hair	Fac Hair	Type/Extent of Injuries:	Hate/Bias?
										<input type="checkbox"/> Yes

Employer/School:	Address:	Relation to Victim/Suspect:	Citation No:

Position/Grade:	Telephone:	ID No (OLN or OTH ID):	SS#:

Charges:	Arrest Date/Time:	Location of Arrest:	Incarcerated:
<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Y <input type="checkbox"/> N
<input type="checkbox"/> M <input type="checkbox"/> F			
<input type="checkbox"/> M <input type="checkbox"/> F			

Incarceration location:  
☐ JCCF ☐ YC ☐ OTHER

Statement:  
☐ Written ☐ Oral ☐ Rec

Charges:  
☐ Admitted  
☐ Denied

Parent/Gdn Notified	Name/Relationship of Person Notified:	Date/Time Notified:	Notified By:	Disposition of Juvenile:
<input type="checkbox"/> Yes <input type="checkbox"/> No				

Last Name:  
Harper

First Name:  
Domonic

Middle Name:  
Z

Alias:  
Nick

Residency:

☒ F ☐ P ☐ N

Address: 736 Reed St City: Port Townsend WA 98368

Telephone: 360-774-1763

Ethnicity/Tribe  
☐ H ☒ N-H ☐ U

DOB	Age	Race	Sex	Ht	Wt	Eyes	Hair	Fac Hair	Type/Extent of Injuries:	Hate/Bias?
1964	42	W	M	510	280	Blu	Brn	No	NA	<input type="checkbox"/> Yes

Employer/School:	Address:	Relation to Victim/Suspect:	Citation No:
Macadoos	600 W. Sims Way	Owner	NA

Position/Grade:	Telephone:	ID No (OLN or OTH ID):	SS#:
Owner/operator	360-379-1619		

Charges:	Arrest Date/Time:	Location of Arrest:	Incarcerated:
<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Y <input type="checkbox"/> N
<input type="checkbox"/> M <input type="checkbox"/> F			
<input type="checkbox"/> M <input type="checkbox"/> F			

Incarceration location:  
☐ JCCF ☐ YC ☐ OTHER

Statement:  
☐ Written ☒ Oral ☐ Rec

Charges:  
☐ Admitted  
☐ Denied

Parent/Gdn Notified	Name/Relationship of Person Notified:	Date/Time Notified:	Notified By:	Disposition of Juvenile:
<input type="checkbox"/> Yes <input type="checkbox"/> No				

SYNOPSIS

I certify (or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Written and signed in Port Townsend, WA

Reporting Officer's Signature:

ID#  
711

Date:  
050808

☐ COMPLAINANT REQUEST DISCLOSURE  
☐ COMPLAINANT REQUEST NONDISCLOSURE  
☒ NOT DISCUSSED  
☐ CONFIDENTIAL/INVESTIGATION

PORT TOWNSEND POLICE DEPT

10-00000000

INCIDENT NUMBER:

08-2201

Orig  
☒

Supp  
☐

Page  
1 of 2

Month Day Year Time DOW Month Day Year Time DOW Month Day Year Time DOW  
06 19 2008 0635 Thur 08 18 2008 2200 Wed 08 19 2008 0600 Thur

Type of Incident:  
Crim. Trespass I - RCW 9A.52.070 (GM)  
Burglary II - 9A.52.030 (F)  
Mal. Misch II - 9A.48.080 (F)  
Theft III - 9A.56.050

Type of Premises:  
Restaurant

Address/Location of Incident:  
600 Sims Way

Type of Weapon/Instrument/Force Used:  
Hands, pry tool

Business/Apartment Name:  
McAdoo's Barbeque

Last Name: First Name: Middle Name: Alias: Residency:  
Harper Dominic Z Nick ☒ F ☐ P ☐ N  
Address: City: State: Telephone: Ethnicity/Tribe  
St. Port Townsend WA 98368 360- [REDACTED] ☐ H ☒ N-H ☐ U

DOB: Age: Race: Sex: Ht: Wt: Eyes: Hair: Fac Hair: Type/Extent of Injuries: Hate/Bias?  
[REDACTED]-64 43 W M 510 220 Blue Brn No [REDACTED] ☐ Yes

Employer/School: Address: Relation to Victim/Suspect: Citation No:

Position/Grade: Telephone: ID No (OLN or OTH ID): SS#:

Charges: Arrest Date/Time: Location of Arrest: Incarcerated:  
☐ M ☐ F [REDACTED] [REDACTED] ☐ Y ☐ N

Charges: Incarceration location: Statement: Charges:  
☐ M ☐ F ☐ JCCF ☐ YC ☐ OTHER ☐ Written ☐ Oral ☐ Rec ☐ Admitted  
☐ Denied

Parent/Gdn Notified: Name/Relationship of Person Notified: Date/Time Notified: Notified By: Disposition of Juvenile:

☐ Yes ☐ No

Last Name: First Name: Middle Name: Alias: Residency:  
McAdoo's Barbeque [REDACTED] ☐ F ☐ P ☐ N  
Address: City: State: Telephone: Ethnicity/Tribe  
600 Sims Way Port Townsend WA 98368 360-379-1619 ☐ H ☐ N-H ☐ U

DOB: Age: Race: Sex: Ht: Wt: Eyes: Hair: Fac Hair: Type/Extent of Injuries: Hate/Bias?  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] ☐ Yes

Employer/School: Address: Relation to Victim/Suspect: Citation No:

Position/Grade: Telephone: ID No (OLN or OTH ID): SS#:

Charges: Arrest Date/Time: Location of Arrest: Incarcerated:  
☐ M ☐ F [REDACTED] [REDACTED] ☐ Y ☐ N

Charges: Incarceration location: Statement: Charges:  
☐ M ☐ F ☐ JCCF ☐ YC ☐ OTHER ☐ Written ☐ Oral ☐ Rec ☐ Admitted  
☐ Denied

Parent/Gdn Notified: Name/Relationship of Person Notified: Date/Time Notified: Notified By: Disposition of Juvenile:

☐ Yes ☐ No

I certify (or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Written and signed in Port Townsend, WA

Reporting Officer's Signature: ID# Date:  
William R. Corrigan 745 06-19-2008

2009 ADM 001334 IN RE: POTHIER, STEPHEN G // PERS. REP: POTHIER, KARA R

<b>File Date</b>	12/30/2009	<b>Case Status</b>	Open	<b>Case Status Date</b>	12/30/2009
		<b>Case Disposition</b>	Undisposed	<b>Case Disposition Date</b>	

### Party Information

Party Name	Party Alias(es)	Party Type	Attorney(s)
POTHIER, STEPHEN G		Decedent	
POTHIER, KARA R		Personal Representative	REINER, Mr ROBERT M

### Docket Entries

Date	Text
01/05/2010	Letters of Administration Issued, entered on the docket and mailed to attorney Robert M. Reiner on 1-5-10.
01/05/2010	Notice of Appointment - first day of publication 1-14-10 in Daily Washington Law Reporter and Washington Jewish Week newspapers; entered on the docket and sent to publishers on 1-5-10.
01/05/2010	Order Appointing PR UNSUPERVISED (Kara R. Pothier). Order signed by Judge Christian on 1-4-10; entered on the docket and copies mailed to parties on 1-5-10.
12/30/2009	Petition Unsupervised Probate Without Will (w/proposed Order); CPS; dod 11/30/09; filed & entered on docket 12/30/09. Attorney: REINER, ROBERT M (240168).