

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) **CHAPTER 7**
)
CLAUDIO PABLO AVENDANO,) **CASE NO. 15-64523-PWB**
)
Debtor.)

AMENDMENT TO SCHEDULE A B & C
AMENDING ALLOWABLE EXEMPTIONS

COMES NOW, CLAUDIO PABLO AVENDANO, the debtor herein, and by and through his counsel of record, hereby, on Sunday November 15, 2015, amends his Chapter 7 schedules to address the Chapter 7 Trustee’s Objection as follows:

SCHEDULE A: Amended to update valuation of real property and remove non-real property items.

SCHEDULE B: Amended to add non-real property item, and their values, previously on Schedule A; 2010 Toyota Yaris, 1997 Toyota Tacoma, Men’s clothing (inventory), bank accounts, household furnishings and clothing, Trade Tools and cash.

SCHEDULE C: Amended to correctly claim the above real and property as exempt under the correct allowable exemptions pursuant to O.C.G.A. §44-13-100.

Attached hereto and made part of this amendment is the amended Schedules A, B, C and Summary of Schedules.

WHEREFORE, Debtors prays that this amendment be accepted and the case be administrated as amended herein.

This 15th day of November, 2015.

Valdejuli & Associates, LLC
2199 Lenox Road, Suite A
Atlanta, Georgia 30324
(404) 636-9957

_____/s/_____
Richard K. Valdejuli, Jr.
GA State Bar # 723225
Attorney for Debtor

In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended
(If known)

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, 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
<p>Commercial property located at: 155 Liberty Road, Villa Rica, GA 30180 155 Liberty Road Villa Rica, GA 30180 Douglas County</p>	<p>Fee Simple subject to two (2) deeds to secure debt</p>		<p>374,370</p>	<p>520,000</p>
<p>Huse and 1.5 Acre Lot at: 3191 Andy Mountain Road, Villa Rica, GA 30180 3191 Andy Mountain Road Villa Rica, GA 30180 Douglas County</p> <p>Valuation based on 2014 Douglas County Tax Assessors - subject to revision following Trustee's auctioneer valuation.</p>	<p>Fee Simple subject to property tax lien</p>		<p>43,410</p>	<p>534</p>
<p>Residential 4.29 Acre Lot located: 8931 Timmons Circle, Villa Rica, GA 30180</p>	<p>Fee Simple subject to property taxes</p>		<p>51,200</p>	<p>688</p>

Total

(Report also on Summary of Schedules.)

In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended
(If known)

SCHEDULE A - REAL PROPERTY
(Continuation Page)

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
<p>8931 Timmons Circle Villa Rica, GA 30180 Douglas County</p> <p>Valuation based on 2014 Douglas County Tax Assessors - subject to revision following Trustee's auctioneer valuation.</p> <p>Subdivision: 161 1/acre lots La Higuera, Chile</p>	<p>Fee Simple (No liens)</p>		<p>644,000</p>	<p>None</p>
<p>Total ></p>			<p>1,112,980</p>	

(Report also on Summary of Schedules.)

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In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended
(If known)

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, 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	H U S B A N D, W I F E, J O I N T O R C O M M U N I T Y	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.		Cash		48
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.		Single checking account Wells Fargo Bank		1,000
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Household goods and furnishings (no item exceeding \$300.00 value)		5,000
5. Books, Pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Misc. Clothing		500
6. Wearing apparel.		Books and antiques		5,000
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X	Misc. Jewelry		300
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in 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).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			

In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended
(If known)

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
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.	X			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlement to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
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.	X			
20. Contingent and noncontingent interests in estate or a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights of setoff claims. Give estimated value of each.	X			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
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.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2010 Toyota Yaris (40K miles) 1997 Toyota Tacoma (120K miles) Rusted out Ice Cream Van Rusted out GMC Trusck		5,000 2,000 500 500
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			

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In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended
(If known)

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
29. Machinery, fixtures, equipment, and supplies used in business.		Trade tools		1,500
30. Inventory.		Inventory - Men's suits, Jackets and Slacks		45,000
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			
0 continuation sheets attached Total				\$ 66,348

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

In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended
(If known)

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)

Check if debtor claims a homestead exemption that exceeds \$155,675*.

11 U.S.C. § 522(b)(3)

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
Single checking account	OCGA § 44-13-100(a)(6)	1,000	1,000
Household goods and furnishings (no item exceeding \$300.00 value)	OCGA § 44-13-100(a)(4)	5,000	5,000
2010 Toyota Yaris (40K miles)	OCGA § 44-13-100(a)(3)	5,000	5,000
1997 Toyota Tacoma (120K mils)	OCGA § 44-13-100(a)(6)	2,000	2,000
Trade tools	OCGA § 44-13-100(a)(7)	1,500	1,500
Cash	OCGA § 44-13-100(a)(6)	48	48
Misc. Clothing	OCGA § 44-13-100(a)(6)	500	500
Misc. Jewelry	OCGA § 44-13-100(a)(5)	300	300
Books and antiques	OCGA § 44-13-100(a)(6)	5,000	5,000
Rusted out Ice Cream Van	OCGA § 44-13-100(a)(6)	500	500
Rusted out GMC Trusck	OCGA § 44-13-100(a)(6)	500	500
	Total exemptions claimed:	21,348	

*Amount subject to adjustment on 4/01/16 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6 Summary (Official Form 6 - Summary) (12/14)

United States Bankruptcy Court
Northern District of Georgia - Atlanta Division

In re Claudio Pablo Avendano
Debtor

Case No. A1-64523-PWB - Proposed Amended

Chapter 13

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.

AMOUNTS SCHEDULED

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	2	\$ 1,112,980		
B - Personal Property	YES	3	\$ 66,348		
C - Property Claimed as exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 520,000	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	NO	0		\$ 0	
F - Creditors Holding Unsecured Nonpriority Claims	YES	1		\$ 0	
G - Executory Contracts and Unexpired Leases	NO	0			
H - Codebtors	NO	0			
I - Current Income of Individual Debtor(s)	YES	2			\$ 6,700
J - Current Expenditures of Individual Debtors(s)	YES	3			\$ 5,900
TOTAL		13	\$ 1,179,328	\$ 520,000	

United States Bankruptcy Court
Northern District of Georgia - Atlanta Division

In re **Claudio Pablo Avendano**
Debtor

Case No. **A1-64523-PWB - Proposed Amended**

Chapter **13**

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)	\$ 0
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0
Student Loan Obligations (from Schedule F)	\$ 0
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ 0
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ 0
TOTAL	\$ 0

State the Following:

Average Income (from Schedule I, Line 12)	\$ 6,700
Average Expenses (from Schedule J, Line 22)	\$ 5,900
Current Monthly Income (from Form 22A-1 Line 11; OR , Form 22B Line 14; OR , Form 22C-1 Line 14)	\$ 0

State the Following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column	\$ 145,630
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 0
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column	\$ 0
4. Total from Schedule F	\$ 0
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)	\$ 145,630

B6 (Official Form 6 - Declaration) (12/07)

Claudio Pablo Avendano

In re _____ Debtor

Case No. A1-64523-PWB - Proposed Amended (If known)

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 15 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date 11/6/2015

Signature: /s/ Claudio Pablo Avendano Debtor

Date _____

Signature: Not Applicable (Joint Debtor, if any)

[If joint case, both spouses must sign.]

DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

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 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 by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs this document.

Address

X _____ Signature of Bankruptcy Petition Preparer

_____ Date

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 signed 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.

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the _____ [the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership] of the _____ [corporation or partnership] named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of _____ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date _____

Signature: _____

[Print or type name of individual signing on behalf of debtor.]

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to 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.

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties in the foregoing matter with a copy of this foregoing Debtor's ***AMENDMENT TO SCHEDULES A, B&C CLAIMING ALLOWABLE EXEMPTION*** by ECF Transmission and/or by e-mail to:

Office of the United States Trustee
362 Richard B. Russell Federal Building
75 Spring Street
Atlanta, Georgia 30303

Neil C. Gordon
Arnall, Golden & Gregory, LLP
Suite 2100
171 17th Street, NW
Atlanta, GA 30363

Jerry E. Austin
c/o Victor J. Harrison
Harrison & Horan, P.C.
Suite 101, 3150 Golf Ridge Boulevard
Douglasville, GA 30135

This 15th day of November, 2015.

_____/s/_____
Richard K. Valldejuli, Jr.
GA State Bar # 723225
Attorney for Debtor

Valldejuli & Associates, LLC
2199 Lenox Road, Suite A
Atlanta, Georgia 30324
(404) 636-9957