

BANKRUPTCY ^{UP}DATE

February 28, 2024

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Sole Proprietorships on Petition and SOFA

Counsel for debtors, please remember to set forth in the answer to question 2 of the petition all trade names and doing business as names (i.e., sole proprietorships) used by an individual debtor in the last 8 years and list any associated employer identification numbers in the answer to question 4. In the answer to question 12 set forth whether the individual debtor is **currently** a sole proprietor of a business and include the name and address of each business. As stated in Bankr. D.S.D. R. 1002-1(b), any sole proprietorship listed in the answer to question 12 should also be listed in the answer to question 2. If an individual debtor is or was operating a business solely in his or her own name, it is **not** necessary to include a dba or an fdba consisting only of the debtor's name on the petition. An individual debtor's interest in a corporation or a partnership should **not** be listed on the petition. If an individual debtor has been the sole proprietor of a business in the last 4 years, please make sure the first box is checked in the answer to question 27 of the statement of financial affairs and provide the requested details for each business.

Link

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