

## ANNEX TO COMMISSIONER LETTER TO CREDITORS

### CLAIMS APPLICATIONS DOCUMENTS RECOMMENDED

#### **Judicial Costs:**

- minutes of securities foreclosure

#### **Employees:**

- cash settlement monthly pay out for arrears wages;
- Calculation T.F.R., with separate indication of the total sum possibly accrued at 31.12.2000 and the next, specifying what is required for end-of-relationship treatment and how much as a monetary revaluation;
- quantifying the credit by monetary revaluation from the maturity date of the same until the date of verification of the claims set in the judgment and the credit for legal interest on the revalued sum, on the same date;

#### **Professional advisors:**

- expense and skills report for the amount of credit with the indication of the down payments previously received;
- letter of assignment and/or consulting or collaboration contract, with a certain date prior to bankruptcy;
- detailed report of the actual work carried out, complete with the evidentiary documentation or the most significant acts;

#### **Agents:**

- C.C.I.A.A. registration certificate from which the qualification of agent is found;
- copy of the agency contract with certain date former art. 2704 c.c. and 45 L.F.;
- copy of invoices issued by the bankrupt company that originated the provisional credits or analytic sales statement;
- statement of individual credit entries;

#### **Craftsmen:**

- certificate issued by the C.C.I.A.A. of registration to the register of craftsmen
- copy of the "Single Model" (VAT turnover framework) for the years in which the reasons for the credit arose
- declaration confirming the number of employees at the time when the reasons for the credit arose
- "It's a good idea to have a say in the business," he said.

#### **Production bodies or cooperatives:**

- certificate of prefecture and C.C.I.A.A. attesting to the qualification of cooperative production and work;
- a full copy of the charter and the social statute in force at the time of the onset of the credit, with the list of employees of the cooperative;
- Full copy of the balance sheet, with supplementary note and report from the directors, relating to the period in which the credit was;
- copy of the freshman book to verify the nature of the members' employment relationship
- copy of the "Unique Model" for the years in which credit reasons arose;

**Temporary work supply company:**

- temporary employment supply contract;
- copy of performance invoices;
- copying workers' pay slips;

**Suppliers:**

- copying sales invoices and delivery bubbles;
- copy of performance invoices;
- freight packing documents;
- statement of the transactions;

**Granting leasing companies:**

- lease agreement with certain date prior to insolvency;
- copy of invoices for the purchase of leased goods;
- statement of the transactions that have taken place up to the time of termination of the contract or the declaration of bankruptcy;
- documents confirming any resolution with a certain date prior to the declaration of bankruptcy;

**Bank and Credit Institutions:**

- copy of the current account contract;
- copy of statements of the transactions made in the year prior to the declaration of bankruptcy;

**Mortgage lenders:**

- copy of the mortgage registration note;
  - copy of the contract or act that originated the mortgage registration;
  - act of disbursement of the sum and accounting of credit;
  - amortization plan that results in the outstanding instalments of the principal share and interest rate, so as to clearly highlight the remaining interest and the related interest shares also for determining the temporality of the privilege ex art. 2855 c.c.
- For this purpose, mortgage lenders are recommended to indicate, in the application for admission, in separate items:
- a) the capital to be admitted on a mortgage basis and, therefore, the capital shares of the outstanding instalments as well as the outstanding capital after the last outstanding instalment;
  - b) the amount of interest accrued over the three-year period;
  - c) interest to be admitted chirograph, and therefore interest (fees and moratoriums) accrued before the three-year period, the interest accrued over the three-year period on the outstanding instalments' capital shares and the remaining capital.

Therefore, if there are **overdue and unpaid** semi-annualities, the creditor must indicate the composition of the above six-monthly rates, i.e. it must indicate the part attributable to capital, that attributable to **conventional** interest and that attributable to interest **moratoriums**.

**Seized creditors:**

- copy of the contract or pledge
- proof of the validity of the title in relation to the good or the right on which the pledge is burdened