

4-8-08

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 7
)	
CRIS ALAN PARTAIN,)	CASE NO. 07-79992-MHM
TERESA HUBBARD PARTAIN,)	
)	
Debtors.)	

ORDER STRIKING CORPORATION FROM DEBTOR'S PETITION

This case commenced November 30, 2007. On Debtors' bankruptcy petition, in the box for "All Other Names used by the Debtor in the last 8 years," Debtors' inserted "DBA Telco Associates, Inc." A search of the records of the Secretary of State for the state of Georgia shows that Telco Associates, Inc. is an active domestic corporation registered as required by law. Debtor Cris Partain is listed as Registered Agent and Debtor Teresa Partain is shown as CEO, CFO, and Secretary.


A corporation is a separate legal entity from the officers or shareholders of the corporation. An individual cannot "do business as" a corporation. Inclusion in the bankruptcy petition of another name for a debtor is legally ineffective to accord any benefit or burden associated with the bankruptcy case upon the corporation but inclusion of the name could be confusing for creditors or parties in interest.

Accordingly, it is hereby

ORDERED that "DBA Telco Associates, Inc." is *stricken* from Debtors' petition and all subsequent documents filed in this case. Debtors and Trustee are instructed to discontinue inserting "d/b/a [or DBA] Telco Associates, Inc." in the caption on any document filed in this case. It is further

ORDERED that Debtors' attorney is directed to serve a copy of this order upon the Chapter 7 Trustee, the U.S. Trustee, and all creditors or parties in interest within 10 days of the date of entry of this order and to file a certificate of such service within three days thereafter.

IT IS SO ORDERED, this the 7th day of April, 2008.



MARGARET H. MURPHY
UNITED STATES BANKRUPTCY JUDGE