B1 (Official Form.1)(1/08)	United S				Court	<u> </u>			Voluntary Petition
District of Arizona									
Name of Debtor (if individual, enter Last, First, Middle): Montevina Estate Homes, LLC				Name	of Joint Del	otor (Spouse)) (Last, First ·	, Middle):	
All Other Names used by the Debt (include married, maiden, and trad		years			All Otl (includ	ner Names i le married, i	ised by the J maiden, and	oint Debtor trade names	in the last 8 years):
Last four digits of Soc. Sec. or Ind (if more than one, state all) 86-1024717	ividual-Taxpa	yer I.D. (I	TIN) No./C	Complete EI		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)			
Street Address of Debtor (No. and 10115 E. Via Linda, Ste. 1 Scottsdale, AZ		nd State):			Street	Address of	Joint Debtor	(No. and St	reet, City, and State):
Scottsdale, AZ			r 	ZIP Code					ZIP Code
County of Residence or of the Prin	ncinal Place of	Business:		35258	Count	v of Resider	nce or of the	Principal Pl	ace of Business:
Maricopa	101pur 1 1400 01	D#5214051				,		F	,
Mailing Address of Debtor (if diff	erent from stre	et address	s):		Mailin	g Address o	of Joint Debt	or (if differe	ent from street address):
,	•								P.
			_	ZIP Code	_				ZIP Code
Location of Principal Assets of Bu (if different from street address ab	isiness Debtor ove):								
Type of Debtor		.,		f Business		<u> </u>			ptcy Code Under Which
(Form of Organization) (Check one box))	ПВоок	(Check th Care Bu	one box)				Petition is F	filed (Check one box)
☐ Individual (includes Joint Deb	tora)	☐ Singl	le Asset Re	al Estate as	defined	☐ Chapte			Chapter 15 Petition for Recognition
See Exhibit D on page 2 of thi.	•	in 11	. U.S.C. § 1 oad	(51B)		Chapte	er I I		f a Foreign Main Proceeding
Corporation (includes LLC and	d LLP)	☐ Stocl	kbroker modity Bro	.l.ar		☐ Chapte			Chapter 15 Petition for Recognition f a Foreign Nonmain Proceeding
☐ Partnership		☐ Clear	ring Bank	·					
Other (If debtor is not one of the check this box and state type of en	above entities, tity below.)	Othe		mpt Entity	 	Nature of Debts (Check one box)			
			(Check box	, if applicable	e)		re primarily co		
		unde	r Title 26 c	exempt org of the Unite nal Revenue	d States	tates "incurred by an individual primarily for ode). a personal, family, or household purpose."			
-	Fee (Check on	e box)	:			one box:		Chapter 11	Debtors as defined in 11 U.S.C. § 101(51D).
■ Full Filing Fee attached □ Filing Fee to be paid in install	manta (annlica	bla to ind	ividuala on	hı) Must		Debtor is			tor as defined in 11 U.S.C. § 101(51D).
attach signed application for the is unable to pay fee except in	ne court's cons	ideration (certifying t	hat the debt	or	Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed			
1					- I	to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes:			
Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.						A plan is l	being filed wees of the pla	m were solic	tion. eited prepetition from one or more with 11 U.S.C. § 1126(b).
Statistical/Administrative Inform								ТНІ	S SPACE IS FOR COURT USE ONLY
☐ Debtor estimates that funds well ☐ Debtor estimates that, after an there will be no funds available	v exempt prop	ertv is exc	cluded and	administrat		es paid,			
Estimated Number of Creditors	· 🗖]	
1- 50- 100- 49 99 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001 - 50,000	50;001 - 100,000	OVER 100.000		·
Estimated Assets		3			/	,		1	
\$0 to \$50,001 to \$100,001 to \$50,000 \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		
Estimated Liabilities	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion	More than		

*

|Voluntary Petition

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

Name of Debtor(s):

Montevina Estate Homes, LLC

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.

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

Signature of Atterney for Debtor(s)

Thomas E. Littler 006917

Printed Name of Attorney for Debtor(s)

Warnicke & Littler, PLC

Firm Name

1411 North Thrid Street Phoenix, AZ 85004

Address

Email: gayle@warnickelittler.com

602-256-0400 Fax: 602-256-0345

Telephone Number

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.

Signature of Authorized Individual

Larry Stuart Kush

Printed Name of Authorized Individual

Member

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.)

T 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.

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 bankrutpcy 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

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 District of Arizona

In re	Montevina Estate Homes, LLC			
		Debtor(s)	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, 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).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
AAA Insulation P. O. Box 1685	AAA Insulation P. O. Box 1685 Buckeye, AZ 85326			30,000.00
Buckeye, AZ 85326 Allied Stone Systems	Allied Stone Systems			30,000.00
AridScapeConcepts 7360 E. Acoma #3 Scottsdale, AZ 85260	AridScapeConcepts 7360 E. Acoma #3 Scottsdale, AZ 85260			25,000.00
Arizona Door and Trim 16508 E. Laser Dr. #103 Fountain Hills, AZ 85268	Arizona Door and Trim 16508 E. Laser Dr. #103 Fountain Hills, AZ 85268			20,000.00
Carmichael & Powell 7301 N. 16th Street, Ste. 103 Phoenix, AZ 85020	Carmichael & Powell 7301 N. 16th Street, Ste. 103 Phoenix, AZ 85020			40,330.00
CivilTec 20410 N. 19th Ave. #140 Phoenix, AZ 85027	CivilTec 20410 N. 19th Ave. #140 Phoenix, AZ 85027		Disputed	53,000.00
Creative Touch Interiors c/o Sherman & Howard, LLC 1850 N. Central Ave. #500 Phoenix, AZ 85004	Creative Touch Interiors c/o Sherman & Howard, LLC 1850 N. Central Ave. #500 Phoenix, AZ 85004		Disputed	30,000.00
Custom Tile 54196 W. Etzel Pl Chandler, AZ 85249	Custom Tile 54196 W. Etzel Pl Chandler, AZ 85249			31,200.00
Guardian Protection 174 Thorn Hill Road Warrendale, PA 15086	Guardian Protection 174 Thorn Hill Road Warrendale, PA 15086			30,000.00
Hinkley Lighting Factory 4620 N. Central Ave. Phoenix, AZ 85012	Hinkley Lighting Factory 4620 N. Central Ave. Phoenix, AZ 85012			50,000.00
John and Viktoria Alofs 9820 E. Thompson Peak Parkway	John and Viktoria Alofs 9820 E. Thompson Peak Parkway Scottsdale, AZ			70,000.00
Scottsdale, AZ				

B4 (Offi	cial Form 4) (12/07) - Cont.	
In re	Montevina Estate Homes.	LLC

Case No.	•

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Klyn's Pool Plumbing P. O. Box 37817 Phoenix, AZ 85069	Klyn's Pool Plumbing P. O. Box 37817 Phoenix, AZ 85069			25,000.00
Mavera Construction 6050 N. 55th Avenue Glendale, AZ 85301	Mavera Construction 6050 N. 55th Avenue Glendale, AZ 85301		Disputed	24,776.00
OPTCO and Vintage Millworks c/o Sherman & Howard LLC 1850 N. Central Ave. #500 Phoenix, AZ 85004	OPTCO and Vintage Millworks c/o Sherman & Howard LLC 1850 N. Central Ave. #500 Phoenix, AZ 85004		Disputed	165,000.00
PMA Consultants Attn: Patti Hensen 226 W. Liberty Street Ann Arbor, MI 48104	PMA Consultants Attn: Patti Hensen 226 W. Liberty Street Ann Arbor, MI 48104			30,000.00
Samons Bros. Framing 5139 N. Murray Ave. Glendale, AZ 85301	Samons Bros. Framing 5139 N. Murray Ave. Glendale, AZ 85301			40,000.00
Starwest LLC c/o Buchalter Nemer 16435 Scottsdale Rd. #440 Scottsdale, AZ 85254	Starwest LLC c/o Buchalter Nemer 16435 Scottsdale Rd. #440 Scottsdale, AZ 85254			45,000.00
Sun Valley Interior, Inc. c/o Cavanaugh Law Firm 1850 N. Central Ave. #2400 Phoenix, AZ 85004	Sun Valley Interior, Inc. c/o Cavanaugh Law Firm 1850 N. Central Ave. #2400 Phoenix, AZ 85004	6	Disputed	200,000.00
Trujillo Welding 1420 W. Lenora Way AZ 85240	Trujillo Welding 1420 W. Lenora Way AZ 85240		Disputed	30,406.00
Zwillinger & Greek, P.C. 2425 E. Camelback Rd. #500 Phoenix, AZ 85016	Zwillinger & Greek, P.C. 2425 E. Camelback Rd. #500 Phoenix, AZ 85016			100,000.00

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

	I, the Member of the corporation the foregoing list and that it is true and cor		ebtor in this case, declare under penalty of perjury that I have read of my information and belief.
Date	8-5-2009	Signature	Larry Stuart/Kush
	·		Member /

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.

RESOLUTION OF MONTEVINA ESTATE HOMES, LLC

RESOLVED, that it is desirable and in the best interests of the Company, its creditors and members, and other interested parties, that a Voluntary Petition be filed by the Company in the United States Bankruptcy Court for the District of Arizona, praying for relief under Chapter 11 of Title 11 of the United States Code, and it is

FURTHER RESOLVED, that Larry Stuart Kush, a Member of Montevina Estate Homes, LLC, be and he hereby is, authorized on behalf of the Company to execute, verify and file such Voluntary Petition, the Schedules and Statement of Financial Affairs required by said Code and such other papers as may be necessary or proper in such Title 11 proceedings, and to take any and all action necessary or proper therein, including retention of counsel, accountants, investment bankers and such other professional persons as may be necessary and proper, and it is

FURTHER RESOLVED, that the Company is authorized to retain the law firm of Warnicke & Littler, P.L.C., as counsel for Montevina Estate Homes, LLC.

IN WITNESS WHEREOF, the undersigned executes this document to be effective as of the date of the above-entitled meeting.

Larry Stuart Kush, Member

Montevina Estate Homes, LLC, an Arizona

Limited Liability Company

United States Bankruptcy Court District of Arizona

In re	Montevina Estate Homes, LLC		Case No.	
		Debtor(s)	Chapter	11

DECLARATION

I, the Member of the corporation named as the debtor in this case, do hereby certify, under penalty of perjury, that the Master Mailing List, consisting of <u>6</u> sheet(s), is complete, correct and consistent with the debtor(s)' schedules.

8-5-200 8-5-2009

Larry Stuaft

Signer/Titl

Signature of Attorney

Thomas E. Littler Warnicke & Littler, PLC 1411 North Thrid Street

Phoenix, AZ 85004

602-256-0400 Fax: 602-256-0345

∡ush/Member

A TO Z EQUIPMENT 4050 E. INDIAN SCHOOL ROAD PHOENIX AZ 85018

AAA INSULATION P. O. BOX 1685 BUCKEYE AZ 85326

ALLIED STONE SYSTEMS

ARIDSCAPECONCEPTS 7360 E. ACOMA #3 SCOTTSDALE AZ 85260

ARIZONA DOOR AND TRIM 16508 E. LASER DR. #103 FOUNTAIN HILLS AZ 85268

ARIZONA STAIR COMPANY, INC. 4266 S. 30TH PLACE PHOENIX AZ 85040

BORM ASSOCIATES 555 ANTON BLVD. #850 COSTA MESA CA 92626

C&M GAS PRODUCT 4821 N. PAIUTE STREET PHOENIX AZ 85044

CARMICHAEL & POWELL 7301 N. 16TH STREET, STE. 103 PHOENIX AZ 85020

CASITA CONCRETE 383 WEST CULLUMBER GILBERT AZ 85233

CHAS ROBERTS HVAC 9828 N. 19TH AVE. PHOENIX AZ 85012 CITY OF PHOENIX FINANCE DEPT. 251 W. WASHINGTON 3RD FLOOR PHOENIX AZ 85003

CIVILTEC 20410 N. 19TH AVE. #140 PHOENIX AZ 85027

COE & VAN LOO 4550 N. 12TH STREET PHOENIX AZ 85014

COOKSON DOOR COMPANY 705 W. 22ND STREET TEMPE AZ 85282

CREATIVE TOUCH INTERIORS C/O SHERMAN & HOWARD, LLC 1850 N. CENTRAL AVE. #500 PHOENIX AZ 85004

CUSTOM MARBLE 230 EAST HIGHLAND #4 CHANDLER AZ 85225

CUSTOM TILE 54196 W. ETZEL PL CHANDLER AZ 85249

DALEY ROOFING 2402 SOUTH 18TH PLACE PHOENIX AZ 85034

DEER VALLEY ELECTRIC 419 W. LONE CACTUS RD. #A PHOENIX AZ 85027

DELAGE LANDEN FINANCIAL C/O MCCARTHY BURGESS & WOLFE 26000 CANNON ROAD BEDFORD OH 44146 DUNN EDWARDS PAINTS P. O. BOX 30389 LOS ANGELES CA 90030

EAST VALLEY DISASTER SERVICES C/O JABURG & WILK 3200 N. CENTRAL AVENUE, 20TH FLOOR PHOENIX AZ 85012

FIRST INSURANCE FUNDING C/O MCCARTHY BUGESS 26000 CANNON ROAD BEDFORD OH 44146

FOOTHILLS COMMUNITY ASSOC. C/O MAXWELL & MORGAN PC 2500 S. POWER RD. #103 MESA AZ 85208

GENESIS FIRE PROTECTION
7399 E. TIERRA BUENA LANE #3
SCOTTSDALE AZ 85260

GUARDIAN PROTECTION 174 THORN HILL ROAD WARRENDALE PA 15086

HAMMOND TRAVERS & TUTTLE 6263 N. SCOTTDALE RD. #250 SCOTTSDALE AZ 85250

HINKLEY LIGHTING FACTORY 4620 N. CENTRAL AVE. PHOENIX AZ 85012

HUBBELL CONSTRUCTION C/O FOLK & ASSOCAITES 3636 N. CENTRAL AVE., STE. 600 PHOENIX AZ 85012

TNEX CREATIVE FLOORS
C/O BRITT LAW GROUP
2525 E. CAMELBACK RD. #500
PHOENIX AZ 85016

Montevina Estate Homes, LLC -

JOHN AND VIKTORIA ALOFS 9820 E. THOMPSON PEAK PARKWAY SCOTTSDALE AZ

KLYN'S POOL PLUMBING P. O. BOX 37817 PHOENIX AZ 85069

LABOR SYSTEMS
P. O. BOX 1205
CHANDLER AZ 85244-1205

LYNNDALE 5302 WEST MOHAVE PHOENIX AZ 85043

MARICOPA COUNTY AIR QUALITY DEPT. 1001 N. CENTRAL #600 PHOENIX AZ 85004

MAVERA CONSTRUCTION 6050 N. 55TH AVENUE GLENDALE AZ 85301

MEROLA MASONRY C/O LANG & BAKER 8767 E. VIA DE COMMERCIO #102 SCOTTSDALE AZ 85258

NATIVE STATE ELECTRIC 8122 NORTH 29TH DRIVE PHOENIX AZ 85051

OLD WEST CONCRETE 2741 W. SOUTHERN AVE. #19 TEMPE AZ 85282

OPTCO AND VINTAGE MILLWORKS C/O SHERMAN & HOWARD LLC 1850 N. CENTRAL AVE. #500 PHOENIX AZ 85004 PCCS C/O CONTINENTAL COMMERCIAL 317 BRAND BLVD. GLENDALE CA 91204

PMA CONSULTANTS ATTN: PATTI HENSEN 226 W. LIBERTY STREET ANN ARBOR MI 48104

ROGER FOOTE, ESQ. JACKSON WHITE 40 N. CENTER #200 MESA AZ 85201

SAMONS BROS. FRAMING 5139 N. MURRAY AVE. GLENDALE AZ 85301

SPECIALTY COMPANIES GROUP 22223 N. 16TH STREET PHOENIX AZ 85024

STARWEST LLC C/O BUCHALTER NEMER 16435 SCOTTSDALE RD. #440 SCOTTSDALE AZ 85254

SUN VALLEY INTERIOR, INC. C/O CAVANAUGH LAW FIRM 1850 N. CENTRAL AVE. #2400 PHOENIX AZ 85004

TRUJILLO WELDING 1420 W. LENORA WAY AZ 85240

TUCKER PLUMBING P. O. BOX 6812 MESA AZ 85216

WASTE MANAGEMENT C/O PARKER LAW FIRM 141 E. PALM LANE #111 PHOENIX AZ 85004 Montevina Estate Homes, LLC -

WESTCOAST SHOTCRETE P. O. BOX 6848 MESA AZ 85216

WOLFF MECHANICAL P. O. BOX 6848 PHOENIX AZ 85076

ZWILLINGER & GREEK, P.C. 2425 E. CAMELBACK RD. #500 PHOENIX AZ 85016