B1 (Official Form 1) (1/08)

United States Bankruptcy Court District of Arizona				Vol	untary Petition
Name of Debtor (if individual, enter Last, First, Middle): Demoff, Tonja Lynn		Name of Joint De	Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 ye (include married, maiden, and trade names):	ars		used by the Joint Debtor i maiden, and trade names)		years
Last four digits of Soc. Sec. or Individual-Taxpayer EIN (if more than one, state all): 2160	I.D. (ITIN) No./Complete	Last four digits of EIN (if more than	Soc. Sec. or Individual-T one, state all):	axpayer I.I	D. (ITIN) No./Complete
Street Address of Debtor (No. & Street, City, State 220 Disney	& Zip Code):	Street Address of	Joint Debtor (No. & Stree	et, City, Sta	tte & Zip Code):
Sedona, AZ	ZIPCODE 86336				ZIPCODE
County of Residence or of the Principal Place of Bu Yavapai	siness:	County of Resider	County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street a	address)	Mailing Address	of Joint Debtor (if differen	nt from stre	et address):
	ZIPCODE				ZIPCODE
Location of Principal Assets of Business Debtor (if	different from street address	above):			
					ZIPCODE
Type of Debtor (Form of Organization) (Check one box.) Individual (includes Joint Debtors)	(Form of Organization) (Check one (Check one box.) Health Care Business			n is Filed (Code Under Which (Check one box.) pter 15 Petition for ognition of a Foreign
Individual (Includes Joint Detoits) Single Asset Real Estates			Chapter 11 Main Proceeding Chapter 12 Chapter 15 Petition for Chapter 13 Recognition of a Foreign Nonmain Proceeding		
check this box and state type of entity below.)		Nature of Debts (Check one box.) ✓ Debts are primarily consumer □ Debts are primarily			
Tax-Exempt E (Check box, if app ☐ Debtor is a tax-exempt or Title 26 of the United Stat Internal Revenue Code).		f applicable.) ot organization under States Code (the	debts, defined in 1 § 101(8) as "incurrindividual primaril personal, family, o hold purpose."	red by an y for a	business debts.
Filing Fee (Check one b	Filing Fee (Check one box)			Debtors	
Full Filing Fee attached	Check one box: ☐ Debtor is a sma ☐ Debtor is not a	Check one box: ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).			
Filing Fee to be paid in installments (Applicable attach signed application for the court's consideration is unable to pay fee except in installments. Rule 13A.	Check if: Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000.				
Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		Check all applicable boxes: A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).			
Statistical/Administrative Information ✓ Debtor estimates that funds will be available for □ Debtor estimates that, after any exempt property distribution to unsecured creditors.		e will be no funds availab	le for	THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors					1
	5,001-	0,001- 25,00 25,000 50,000		Over 100,000	
Estimated Assets	000,001 to \$10,000,001 \$		000,001 \$500,000,001	More than	
Estimated Liabilities		550,000,001 to \$100,	00 million to \$1 billion	More than	1

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]	B1 (Official Form 1) (1/08)
	Voluntary Petition
l	(This page must be completed
	Prior B
	Location Where Filed: Central District
	Location Where Filed: N/A
t	

B1 (Official Form 1) (1/08)		Page 2	
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Demoff, Tonja Lynn		
Prior Bankruptcy Case Filed Within Last	8 Years (If more than two, attach	additional sheet)	
Location Where Filed: Central District Of California	Case Number: 03-18553-VZ	Date Filed: 7/25/2003	
Location Where Filed: N/A	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner of	r Affiliate of this Debtor (If mor	re than one, attach additional sheet)	
Name of Debtor: None	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) Exhibit A is attached and made a part of this petition.	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.		
	X /s/ Pernell W. McGuire Signature of Attorney for Debtor(s)	1/06/10 Date	
Does the debtor own or have possession of any property that poses or is or safety? ☐ Yes, and Exhibit C is attached and made a part of this petition. ▼ No Exh (To be completed by every individual debtor. If a joint petition is filed, of which is Exhibit D completed and signed by the debtor is attached and made is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached.	aibit D each spouse must complete and attanade a part of this petition.		
Information Regarding the Debtor - Venue (Check any applicable box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
(Name of landlord or less	sor that obtained judgment)		
·	ndlord or lessor)		
Debtor claims that under applicable nonbankruptcy law, there at the entire monetary default that gave rise to the judgment for po	ssession, after the judgment for pos	session was entered, and	
Debtor has included in this petition the deposit with the court of filing of the petition.	any rent that would become due du	aring the 30-day period after the	

 \square Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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А	, U	iuniai v	

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

Name of Debtor(s):

Demoff, Tonja Lynn

(Check only **one** box.)

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 State 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.

X /s/ Tonja Lynn Demoff

Signature of Debtor

Tonja Lynn Demoff

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

January 6, 2010

Date

Χ

Signature of Foreign Representative

§ 1515 are attached.

Printed Name of Foreign Representative

Date

X

Signature of Attorney*

X /s/ Pernell W. McGuire

Signature of Attorney for Debtor(s)

Pernell W. McGuire 015909 MCGUIRE GARDNER, PLLC 320 North Leroux, Suite A Flagstaff, AZ 86001 (928) 779-1173 Fax: (928) 779-1175 pmcguire@mcguiregardner.com

January 6, 2010

Date

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

Printed Name of Authorized Individual

Title of Authorized Individual

Signature of Non-Attorney Petition Preparer

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

☐ I request relief in accordance with chapter 15 of title 11, United

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the

States Code. Certified copies of the documents required by 11 U.S.C.

chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

in a foreign proceeding, and that I am authorized to file this petition.

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); 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 bankruptcy 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

Χ

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

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 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.

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Date: January 6, 2010

United States Bankruptcy Court District of Arizona

Dist	TICL OF ATIZOHA
IN RE:	Case No
Demoff, Tonja Lynn	Chapter 11
	BTOR'S STATEMENT OF COMPLIANCE SELING REQUIREMENT
do so, you are not eligible to file a bankruptcy case, and the whatever filing fee you paid, and your creditors will be ab	five statements regarding credit counseling listed below. If you cannot ne court can dismiss any case you do file. If that happens, you will lose to resume collection activities against you. If your case is dismissed equired to pay a second filing fee and you may have to take extra steps
Every individual debtor must file this Exhibit D. If a joint petitione of the five statements below and attach any documents as	ion is filed, each spouse must complete and file a separate Exhibit D. Check s directed.
the United States trustee or bankruptcy administrator that our	cy case, I received a briefing from a credit counseling agency approved by tlined the opportunities for available credit counseling and assisted me ir rom the agency describing the services provided to me. Attach a copy of the through the agency.
the United States trustee or bankruptcy administrator that our performing a related budget analysis, but I do not have a certification of the control of the	cy case, I received a briefing from a credit counseling agency approved by tlined the opportunities for available credit counseling and assisted me in ficate from the agency describing the services provided to me. You must file a provided to you and a copy of any debt repayment plan developed through is filed.
	an approved agency but was unable to obtain the services during the seven exigent circumstances merit a temporary waiver of the credit counseling ze exigent circumstances here.]
you file your bankruptcy petition and promptly file a certification of any debt management plan developed through the agent case. Any extension of the 30-day deadline can be granted also be dismissed if the court is not satisfied with your recounseling briefing.	still obtain the credit counseling briefing within the first 30 days after icate from the agency that provided the counseling, together with a copy cy. Failure to fulfill these requirements may result in dismissal of your only for cause and is limited to a maximum of 15 days. Your case may easons for filing your bankruptcy case without first receiving a credit
4. I am not required to receive a credit counseling briefing motion for determination by the court.]	because of: [Check the applicable statement.] [Must be accompanied by a
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impart of realizing and making rational decisions with respec	nired by reason of mental illness or mental deficiency so as to be incapable to financial responsibilities.);
 Disability. (Defined in 11 U.S.C. § 109(h)(4) as phy participate in a credit counseling briefing in person, by Active military duty in a military combat zone. 	visically impaired to the extent of being unable, after reasonable effort, to by telephone, or through the Internet.);
5. The United States trustee or bankruptcy administrator hadoes not apply in this district.	as determined that the credit counseling requirement of 11 U.S.C. § 109(h)
I certify under penalty of perjury that the information pr	ovided above is true and correct.
Signature of Debtor: /s/ Tonja Lynn Demoff	

Certificate Number:	02910-AZ-CC-009506763
---------------------	-----------------------

CERTIFICATE OF COUNSELING

I CERTIFY that on January 6, 2010	, at	o'clock PM EST,		
Tonja Demoff		received from		
InCharge Education Foundation, Inc.				
an agency approved pursuant to 11 U.S.C. §	111 to	provide credit counseling in the		
District of Arizona	, ar	n individual [or group] briefing that complied		
with the provisions of 11 U.S.C. §§ 109(h) and 111.				
A debt repayment plan was not prepared If a debt repayment plan was prepared, a copy of				
the debt repayment plan is attached to this c	ertificat	e.		
This counseling session was conducted by i	nternet	·		
Date: January 6, 2010	By	/s/Esana Anderson		
	Name	Esana Anderson		
	Title	Certified Bankruptcy Counselor		

^{*} Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

United States Bankruptcy Court District of Arizona

IN RE:		Case No.
Demoff, Tonja Lynn		Chapter 11
	Debtor(s)	•

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 and Fed. R. Bankr. P. 1007(m).

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Kemery Day Re/Max College Park 2160 Los Coyotes Diagonal Long Beach, CA 90815				1,600,000.00
Misso / Sharp C/O Michael Sachs Of Callahan & Blain 3 Hutton Center Dr. Santa Ana, CA 92707				1,000,000.00
Bayview Financial Loan 4425 Ponce De Leon Blvd Coral Gables, FL 33146				630,000.00
Sharon Dezutti 601 Ultimo Long Beach, CA 90814				480,000.00 Collateral: 0.00 Unsecured: 480,000.00
Peter J. Gyben 4040 MacArthur Blvd., Ste. 350 Newport Beach, CA 92660	(949) 271-9300			80,000.00
Rod Hatter & Associates 1301 Dove St., Suite 900 Newport Beach, CA 92660	(714) 384-6540			45,000.00
Gordon & Rees, LLP 4675 MacArthur Court Suite 800 Newport Beach, CA 92660	(949) 255-6950			25,000.00
Francorp, Inc. 20200 Governors Drive Olympia Fields, IL 60461	(708) 481-2900			18,700.00
Richard Hamilton Unknown				17,000.00
Atherton Plaza, LP C/O Positive Investme Rao Yalamanchili 224 S. Santa Anita Ave. Arcadia, CA 91006	(626) 254-9800			6,300.00
Hart, King & Coldren Bill Hart 200 Sandpointe 4th Floor Santa Ana, CA 92707	(714) 432-8700			2,500.00
PC Onsite, LLC Casey Hagon 4060 W. Clarendon Ave. Phoenix, AZ 85019	(602) 442-5454			600.00

441.00

306.79

Authorize.Net Merchant Plus, LLC (801) 492-6450

808 East Utah Valley Drive American Fork, UT 84003

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: January 6, 2010	Signature /s/ Tonja Lynn Demoff of Debtor	Tonja Lynn Demoff
Date:	Signature	
	of Joint Debtor	
	(if any)	

United States Bankruptcy Court District of Arizona

IN RE:		Case No
Demoff, Tonja Lynn		Chapter 11
	Debtor(s)	
	DECLARATION	
	erjury, that the Master Mailing List, consischedules pursuant to Local Bankruptcy Rul	
Date: January 6, 2010	Signature: /s/ Tonja Lynn Demoff Tonja Lynn Demoff	Debtor
Date:	Signature:	Joint Debtor, if any
Date: January 6, 2010	Signature: /s/ Pernell W. McGuire Pernell W. McGuire 015909	Attorney (if applicable)

Demoff, Tonja Lynn

ATHERTON PLAZA LP C/O POSITIVE INVESTME RAO YALAMANCHILI 224 S SANTA ANITA AVE ARCADIA CA 91006

AUTHORIZENET
MERCHANT PLUS LLC
808 EAST UTAH VALLEY DRIVE
AMERICAN FORK UT 84003

BATAGLIA ROSS WACHOVIA BANK BLDG-980 TYRONE BOULEVARD PO BOX 41100 ST. PETERSBURG FL 33743

BAYVIEW FINANCIAL LOAN 4425 PONCE DE LEON BLVD CORAL GABLES FL 33146

FRANCORP INC 20200 GOVERNORS DRIVE OLYMPIA FIELDS IL 60461

GORDON & REES LLP 4675 MACARTHUR COURT SUITE 800 NEWPORT BEACH CA 92660

HART KING & COLDREN
BILL HART
200 SANDPOINTE 4TH FLOOR
SANTA ANA CA 92707

KEMERY DAY
RE/MAX COLLEGE PARK
2160 LOS COYOTES DIAGONAL
LONG BEACH CA 90815

MISSO / SHARP C/O MICHAEL SACHS OF CALLAHAN & BLAIN 3 HUTTON CENTER DR SANTA ANA CA 92707 Demoff, Tonja Lynn

NCO FINANCIAL SERVICES
2920 PROSPECT PARK DR SUITE 200
RANCHO CORDOVA CA 95670

PC ONSITE LLC
CASEY HAGON
4060 W CLARENDON AVE
PHOENIX AZ 85019

PETER J GYBEN 4040 MACARTHUR BLVD STE 350 NEWPORT BEACH CA 92660

REMAX COLLEGE PARK 2160 LOS COYOTES DIAGONAL LONG BEACH CA 90815

ROD HATTER & ASSOCIATES 1301 DOVE ST SUITE 900 NEWPORT BEACH CA 92660

SHARON DEZUTTI 601 ULTIMO LONG BEACH CA 90814

TIMOTHY TUTTLE & ASSOCIATES 31351 RANCO VIEJO RD SAN JUAN CAPISTRANO CA 92675