

United States Bankruptcy Court
Arizona

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Barnes & Mann Properties, LLC
Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):
All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) 20-3343214
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 Street, City, and State): 1980 East Fifth Street Tempe, AZ
Street Address of Joint Debtor (No. and Street, City, and State):
County of Residence or of the Principal Place of Business: Maricopa
County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): PO Box 34506 Phoenix, AZ
Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above): 1980 East Fifth Street Tempe, AZ 85281

Type of Debtor (Form of Organization) (Check one box)
Nature of Business (Check one box)
Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)
Chapter 15 Debtors
Country of debtor's center of main interests:
Each country in which a foreign proceeding by, regarding, or against debtor is pending:
Tax-Exempt Entity (Check box, if applicable)
Nature of Debts (Check one box)

Filing Fee (Check one box)
Chapter 11 Debtors
Check one box:
Check all applicable boxes:

Statistical/Administrative Information
Debtor estimates that funds will be available for distribution to unsecured creditors.
Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.
Estimated Number of Creditors
Estimated Assets
Estimated Liabilities

THIS SPACE IS FOR COURT USE ONLY

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>Barnes &amp; Mann Properties, LLC</b>
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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 11 U.S.C. §342(b).</p> <p><b>X</b> _____ Signature of Attorney for Debtor(s) (Date)</p>
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**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached and made 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 that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

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

**Voluntary Petition**

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

Name of Debtor(s):

**Barnes & Mann Properties, 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.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
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.)

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.

**X** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X** /s/ Anthony Clark  
Signature of Attorney for Debtor(s)

Anthony Clark 18279  
Printed Name of Attorney for Debtor(s)

Clark & Associates  
Firm Name

PO Box 34506  
Phoenix, AZ 85067

\_\_\_\_\_  
Address

**Email: awc@awcesq.com**

(602) 266-9596 Fax: (602) 266-6774  
Telephone Number

January 15, 2015  
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 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 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

**X** \_\_\_\_\_  
Date

\_\_\_\_\_  
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.*

**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.

**X** /s/ Jerry Barnes  
Signature of Authorized Individual

Jerry Barnes  
Printed Name of Authorized Individual

Managing Member  
Title of Authorized Individual

January 15, 2015  
Date

**United States Bankruptcy Court  
Arizona**

In re Barnes & Mann Properties, LLC

Debtor(s)

Case No. \_\_\_\_\_

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)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Arizona Department of Economic Security PO Box 6123 Phoenix, AZ 85005	Arizona Department of Economic Security PO Box 6123 Phoenix, AZ 85005		Contingent Disputed	Unknown
AZDOR Technl Compliance Svcs, BK Unit 1600 W Monroe, Rm 110 Phoenix, AZ 85007	AZDOR Technl Compliance Svcs, BK Unit 1600 W Monroe, Rm 110 Phoenix, AZ 85007	For notification purposes	Contingent Disputed	Unknown
Chester Mann 7308 W Alexandria Way Peoria, AZ 85381	Chester Mann 7308 W Alexandria Way Peoria, AZ 85381		Contingent Unliquidated Disputed Subject to Setoff	Unknown
Ciena Capital Funding LLC 212 Tyron Street Ste 1560 Charlotte, NC 28281	Ciena Capital Funding LLC 212 Tyron Street Ste 1560 Charlotte, NC 28281	Real estate and improvement located at 1980 East Fifth Street, Tempe, Arizona 85281	Disputed	645,000.00  (Unknown secured)
City of Tempe PO Box 5002 Tempe, AZ 85280-5002	City of Tempe PO Box 5002 Tempe, AZ 85280-5002	For notification purposes	Contingent Disputed	Unknown
First Fidelity PO Box 32282 Oklahoma City, OK 73123-0482	First Fidelity PO Box 32282 Oklahoma City, OK 73123-0482		Contingent Disputed	Unknown
Internal Revenue Service PO Box 7346 Attn: CIO Philadelphia, PA 19101-7346	Internal Revenue Service PO Box 7346 Attn: CIO Philadelphia, PA 19101-7346	For notification purposes	Contingent Disputed	Unknown
Jerry Barnes 195 Rupp Road Gettysburg, PA 17325	Jerry Barnes 195 Rupp Road Gettysburg, PA 17325	loans and contributions		Unknown

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Maricopa County Treasurer 222 North Central Avenue, Ste 1100 Phoenix, AZ 85004	Maricopa County Treasurer 222 North Central Avenue, Ste 1100 Phoenix, AZ 85004	For notification purposes		Unknown
US Small Business Administration 2828 North Central Ave Ste 800 Phoenix, AZ 85004	US Small Business Administration 2828 North Central Ave Ste 800 Phoenix, AZ 85004	Real estate and improvement located at 1980 East Fifth Street, Tempe, Arizona 85281	Disputed	Unknown (Unknown secured) (645,000.00 senior lien)
Yvonnda Mann 7308 W Alexandria Way Peoria, AZ 85381	Yvonnda Mann 7308 W Alexandria Way Peoria, AZ 85381		Contingent Unliquidated Disputed Subject to Setoff	Unknown

In re Barnes & Mann Properties, LLC  
Debtor(s)

Case No. \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

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

I, the Managing Member of the corporation named as the debtor in this case, 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 15, 2015

Signature /s/ Jerry Barnes  
Jerry Barnes  
Managing 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.

Barnes & Mann Properties, LLC -

ARIZONA DEPARTMENT OF ECONOMIC SECURITY  
PO BOX 6123  
PHOENIX AZ 85005

ATTORNEY GENERAL OF THE UNITED STATES  
MAIN JUSTICE BUILDING  
10TH & CONSTITUTION AVE NW  
WASHINGTON DC 20530

AZDOR  
TECHNL COMPLIANCE SVCS, BK UNIT  
1600 W MONROE, RM 110  
PHOENIX AZ 85007

BANK OF NEW YORK MELLON TRUST COMPANY  
C/O DEBORAH M SCHERER  
1225 W WASHINGTON ST #126  
TEMPE AZ 85281

BLX CAPITAL, LLC FKA BLC CAPITAL CORP  
C/O SNELL & WILMER  
ONE SOUTH CHURCH AVE STE 1500  
TUCSON AZ 85701-1630

BUSINESS LOAN EXPRESS LOAN-BACKED NOTES  
SERIES 2006-A AND THE HEDGE COUNTERPARTY

CHESTER MANN  
7308 W ALEXANDRIA WAY  
PEORIA AZ 85381

CIENA CAPITAL FUNDING LLC  
212 TYRON STREET STE 1560  
CHARLOTTE NC 28281

CITY OF TEMPE  
PO BOX 5002  
TEMPE AZ 85280-5002

CITY OF TEMPE  
31 E 5TH STREET 2ND FL  
TEMPE AZ 85281

FIRST FIDELITY  
PO BOX 32282  
OKLAHOMA CITY OK 73123-0482

INTERNAL REVENUE SERVICE  
PO BOX 7346  
ATTN: CIO  
PHILADELPHIA PA 19101-7346

JERRY BARNES  
195 RUPP ROAD  
GETTYSBURG PA 17325

Barnes & Mann Properties, LLC -

JOHN S. LEONARDO, U.S. ATTORNEY  
40 N CENTRAL AVE STE 1200  
PHOENIX AZ 85004-4408

MARICOPA COUNTY TREASURER  
222 NORTH CENTRAL AVENUE, STE 1100  
PHOENIX AZ 85004

SHELLY BARNES  
195 RUPP ROAD  
GETTYSBURG PA 17325

US SMALL BUSINESS ADMINISTRATION  
2828 NORTH CENTRAL AVE STE 800  
PHOENIX AZ 85004

YVONNDA MANN  
7308 W ALEXANDRIA WAY  
PEORIA AZ 85381