

United States Bankruptcy Court Central District of California				Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Kelly, Thomas Patrick			Name of Joint Debtor (Spouse) (Last, First, Middle): Kelly, Lee Ann		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): DBA Diamond & Jewelry Exchange			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): AKA Lee Ann Gressman; DBA Diamond & Jewelry Exchange		
Last four digits of Social Security or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): xxx-xx-1821 EIN 330714958			Last four digits of Social Security or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): xxx-xx-0762		
Street Address of Debtor (No. & Street, City, and State): 29733 Tierra Shores Lane Menifee, CA 92584 <div style="border: 1px solid black; padding: 2px; float: right; margin-top: 5px;">ZIP CODE 92584-0000</div>			Street Address of Joint Debtor (No. & Street, City, and State): 29733 Tierra Shores Lane Menifee, CA 92584 <div style="border: 1px solid black; padding: 2px; float: right; margin-top: 5px;">ZIP CODE 92584-0000</div>		
County of Residence or of the Principal Place of Business: Riverside			County of Residence or of the Principal Place of Business: Riverside		
Mailing Address of Debtor (if different from street address): <div style="border: 1px solid black; padding: 2px; float: right; margin-top: 5px;">ZIP CODE</div>			Mailing Address of Joint Debtor (if different from street address): <div style="border: 1px solid black; padding: 2px; float: right; margin-top: 5px;">ZIP CODE</div>		
Location of Principal Assets of Business Debtor (if different from street address above): 525 E. Hospitality Lane, Suite B San Bernardino, CA 92408					
Type of Debtor (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.	
Filing Fee (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			Chapter 11 Debtors Check one box: <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000 Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000					
Estimated Assets <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					
Estimated Debts <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Kelly, Thomas Patrick Kelly, Lee Ann	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: - None -	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: - 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.) <input type="checkbox"/> 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 11 U.S.C. §342(b). X _____ Signature of Attorney for Debtor(s) (Date)		
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? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input checked="" type="checkbox"/> 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)			
<input checked="" type="checkbox"/> 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.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> 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)			
<input type="checkbox"/> 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)			
<input type="checkbox"/> 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			
<input type="checkbox"/> Debtor has included in 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.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

B1 (Official Form 1)(1/08)

Page 3

Voluntary Petition

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

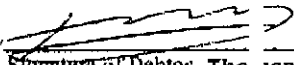
Name of Debtor(s):

Kelly, Thomas Patrick
Kelly, Lee Ann**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 has chosen to file 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, 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 Thomas Patrick Kelly

X 
Signature of Joint Debtor Lee Ann Kelly

Telephone Number (If not represented by attorney)

October 27, 2009
Date

Signature of Attorney*

X 
Signature of Attorney for Debtor(s)

Robert B. Rosenstein 90036
Printed Name of Attorney or Debtor(s)

Rosenstein & Hiltzema, LLP
Firm Name
28600 Mercedes Street
Suite 100
Temecula, CA 92590

Address

951-296-3888 Fax: 951-296-3889

Telephone Number

October 27, 2009 90036
Date

*In a case in which § 707(b)(1)(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.

X
Signature of Authorized Individual

Printed Name of Authorized Individual

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.)

- ☐ 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 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.

Attorney or Party Name, Address, Telephone Robert B. Rosenstein Rosenstein & Hitzeman, AAI -C 28600 Mercedes Street Suite 100 Temecula, CA 92590 951-286-3888 Fax: 951-286-3 89 90036 <input checked="" type="checkbox"/> Attorney for Debtors	FAX Numbers, and California State Bar Number 	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA		
In re: Thomas Patrick Kelly Lee Ann Kelly dba Diamond & Jewelry Exchange Debtor(s).		CASE NO.: CHAPTER: 11 ADV. NO.:

**ELECTRONIC FILING DECLARATION
(INDIVIDUAL)**

PART I - DECLARATION OF DEBTOR(S) OR OTHER PARTY

<input checked="" type="checkbox"/>	Petition, statement of affairs, schedules or lists	Date Filed: <u>10/27/09</u>
<input type="checkbox"/>	Amendments to the petition, statement of affairs, schedules or lists	Date Filed: _____
<input type="checkbox"/>	Other: _____	Date Filed: _____

I (We), the undersigned Debtor(s) or other party on whose behalf the above-referenced document is being filed (Signing Party), hereby declare under penalty of perjury that: (1) I have read and understand the above-referenced document being filed electronically (Filed Document); (2) the information provided in the Filed Document is true, correct and complete; (3) the "/s/," followed by my name, on the signature line(s) for the Signing Party in the Filed Document serves as my signature and denotes the making of such declarations, requests, statements, verifications and certifications to the same extent and effect as my actual signature on such signature line(s); (4) I have actually signed a true and correct hard copy of the Filed Document in such places and provided the executed hard copy of the Filed Document to my attorney; and (5) I have authorized my attorney to file the electronic version of the Filed Document and this Declaration with the United States Bankruptcy Court for the Central District of California. If the Filed Document is a petition, I further declare under penalty of perjury that I have completed and signed a statement of Social Security Number(s) (Form B21) and provided the executed original to my attorney.

<i>[Signature]</i>	<u>10-27-09</u>
Signature of Signing Party	Date
Thomas Patrick Kelly	
Printed Name of Signing Party	
<i>[Signature]</i>	<u>10-27-09</u>
Signature of Joint Debtor	Date
Lee Ann Kelly	
Printed Name of Joint Debtor	

PART II - DECLARATION OF ATTORNEY FOR SIGNING PARTY

I, the undersigned Attorney for the Signing Party, hereby declare under penalty of perjury that: (1) the "/s/," followed by my name, on the signature line in the Filed Document serves as my signature and denotes the making of such declarations, requests, statements, verifications and certifications to the same extent and effect as my actual signature on such signature line; (2) the Signing Party signed the Declaration of Debtor(s) or Other Party before I electronically submitted the Filed Document for filing with the United States Bankruptcy Court for the Central District of California; (3) I have actually signed a true and correct hard copy of the Filed Document in the locations that are indicated by "/s/," followed by my name, and have obtained the signature(s) of the Signing Party in the locations that are indicated by "/s/," followed by the Signing Party's name, on the true and correct hard copy of the Filed Document; (4) I shall maintain the executed originals of this Declaration, the Declaration of Debtor(s) or Other Party, and the Filed Document for a period of five years after the closing of the case in which they are filed; and (5) I shall make the executed originals of this Declaration, the Declaration of Debtor(s) or Other Party, and the Filed Document available for review upon request of the Court or other parties. If the Filed Document is a petition, I further declare under penalty of perjury that: (1) the Signing Party completed and signed the Statement of Social Security Number(s) (Form B21) before I electronically submitted the Filed Document for filing with the United States Bankruptcy Court for the Central District of California; (2) I shall maintain the executed original of the Statement of Social Security Number(s) (Form B21) for a period of five years after the closing of the case in which they are filed; and (3) I shall make the executed original of the Statement of Social Security Number(s) (Form B21) available for review upon request of the Court.

<i>[Signature]</i>	<u>10/27/09</u>
Signature of Attorney for Signing Party	Date
Robert B. Rosenstein 90036	
Printed Name of Attorney for Signing Party	

This filing is mandatory by Order of the United States Bankruptcy Court for the Central District of California.

**United States Bankruptcy Court
Central District of California**

In re **Thomas Patrick Kelly
Lee Ann Kelly**

Debtor(s)

Case No. _____

Chapter **11**

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* _____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Real Case Bankruptcy

Certificate Number: 00252-CAC-CC-008811483

CERTIFICATE OF COUNSELING

I CERTIFY that on October 27, 2009, at 12:52 o'clock PM EDT,

Thomas P Kelly received from

Institute for Financial Literacy, Inc.,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Central District of California, an 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 certificate.

This counseling session was conducted by internet and telephone.

Date: October 27, 2009

By /s/Mary Aubele

Name Mary Aubele

Title Credit 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
Central District of California

In re Thomas Patrick Kelly
Lee Ann Kelly

Debtor(s)

Case No. _____
Chapter

11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* _____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);


☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor:


Lee Ann Kelly

Date: October 27, 2009

Certificate Number: 00252-CAC-CC-008811775

CERTIFICATE OF COUNSELING

I CERTIFY that on October 27, 2009, at 1:11 o'clock PM EDT,

Lee A Kelly received from

Institute for Financial Literacy, Inc.,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

Central District of California, an 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 certificate.

This counseling session was conducted by internet and telephone.

Date: October 27, 2009

By /s/Elana Viner

Name Elana Viner

Title Credit 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
Central District of California

In re **Thomas Patrick Kelly**
Lee Ann Kelly

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) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Bank of America P.O. Box 851001 Dallas, TX 75285-1001	Bank of America P.O. Box 851001 Dallas, TX 75285-1001	Business Expenses	Unliquidated	28,500.00
Capital One Bank (USA) PO Box 60599 City Of Industry, CA 91716-0599	Capital One Bank (USA) PO Box 60599 City Of Industry, CA 91716-0599	Business Expenses		6,600.00
Carey Buckles P.O. Box 1545 Highland, CA 92346	Carey Buckles P.O. Box 1545 Highland, CA 92346	Partner Buy-Out		31,000.00
Chase Auto Finance P.O. Box 78067 Phoenix, AZ 85062-8067	Chase Auto Finance P.O. Box 78067 Phoenix, AZ 85062-8067	Auto Loan		24,000.00 (0.00 secured)
Chase Cardmember Services PO Box 94014 Palatine, IL 60094	Chase Cardmember Services PO Box 94014 Palatine, IL 60094	Business Expenses	Contingent	14,052.45
Chase Cardmember Services PO Box 94014 Palatine, IL 60094	Chase Cardmember Services PO Box 94014 Palatine, IL 60094	Business Expenses	Contingent Unliquidated	9,200.00
Citibank P.O. Box 6940 The Lakes, NV 88901-6940	Citibank P.O. Box 6940 The Lakes, NV 88901-6940	Business Expenses	Contingent	12,218.72
Citibank P.O. Box 6401 The Lakes, NV 88901-6401	Citibank P.O. Box 6401 The Lakes, NV 88901-6401	Business Expenses	Contingent	19,021.69
Citibank P.O. Box 6411 The Lakes, NV 88901-6411	Citibank P.O. Box 6411 The Lakes, NV 88901-6411	Business Expenses	Contingent	16,500.00
Discover Card P.O. Box 30937 Salt Lake City, UT 84130-0937	Discover Card P.O. Box 30937 Salt Lake City, UT 84130-0937	Business Expenses	Contingent	1,400.00
FIA Card Services P.O. Box 851001 Dallas, TX 75285-1001	FIA Card Services P.O. Box 851001 Dallas, TX 75285-1001	Business Expenses	Contingent Unliquidated	43,700.00

In re **Thomas Patrick Kelly**
Lee Ann Kelly

Debtor(s)

Case No. _____

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

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Financial Pacific Leasing 3455 S. 344th Way, #300 Auburn, WA 98001-9546	Financial Pacific Leasing 3455 S. 344th Way, #300 Auburn, WA 98001-9546	Flower Cooler	Contingent Unliquidated	20,000.00 (0.00 secured)
Indy Mac Bank/One West Bank 6900 Beatrice Drive P.O. Box 4045 Kalamazoo, MI 49003-4045	Indy Mac Bank/One West Bank 6900 Beatrice Drive P.O. Box 4045 Kalamazoo, MI 49003-4045	Home	Contingent	418,000.00 (0.00 secured)
Jale International P.O. Box 3359 Citrus Heights, CA 95611	Jale International P.O. Box 3359 Citrus Heights, CA 95611	Inventory	Contingent	3,000.00
LA Papers San Bernardino Sun 4030 N. Georgia Blvd. San Bernardino, CA 92407	LA Papers San Bernardino Sun 4030 N. Georgia Blvd. San Bernardino, CA 92407	Business Expenses		Unknown
Midwest Candles 32057 64th Avenue Cannon Falls, MN 55009	Midwest Candles 32057 64th Avenue Cannon Falls, MN 55009	Business Expenses		800.00
Riverside County Treasurer P.O. Box 12010 Riverside, CA 92502-2210	Riverside County Treasurer P.O. Box 12010 Riverside, CA 92502-2210	Property Taxes		4,899.76
State Board of Equalization Attn: Bankruptcy P.O. Box 942879 Sacramento, CA 94279-0001	State Board of Equalization Attn: Bankruptcy P.O. Box 942879 Sacramento, CA 94279-0001	Sales Taxes	Contingent	52,000.00
Wells Fargo P.O. Box 54180 Los Angeles, CA 90054-0180	Wells Fargo P.O. Box 54180 Los Angeles, CA 90054-0180	Home		78,000.00 (0.00 secured)

B4 (Official Form 4) (12/07) - Cont.

Thomas Patrick Kelly

In re Lee Ann Kelly

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**

We, Thomas Patrick Kelly and Lee Ann Kelly, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date 10-27-09

Signature


Thomas Patrick Kelly
DebtorDate 10-27-09

Signature


Lee Ann Kelly
Joint Debtor

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.


STATEMENT OF RELATED CASES
INFORMATION REQUIRED BY LOCAL BANKRUPTCY RULE 1015-2
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA


1. A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, his/her spouse, an affiliate of the debtor, any copartnership or joint venture of which debtor is or formerly was a general or limited partner, or member, or any corporation of which the debtor is a director, officer, or person in control, as follows: (Set forth the complete number and title of each such of prior proceeding, date filed, nature thereof, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
 None.
2. (If petitioner is a partnership or joint venture) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor or an affiliate of the debtor, or a general partner in the debtor, a relative of the general partner, general partner of, or person in control of the debtor, partnership in which the debtor is a general partner, general partner of the debtor, or person in control of the debtor as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of the proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
 None.
3. (If petitioner is a corporation) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, or any of its affiliates or subsidiaries, a director of the debtor, an officer of the debtor, a person in control of the debtor, a partnership in which the debtor is general partner, a general partner of the debtor, a relative of the general partner, director, officer, or person in control of the debtor, or any persons, firms or corporations owning 20% or more of its voting stock as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
 None.
4. (If petitioner is an individual) A petition under the Bankruptcy Reform Act of 1978, including amendments thereof, has been filed by or against the debtor within the last 180 days: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
 None.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed at Tamecula, FL, California.

Dated x 10-21-09

x 
 Thomas Patrick Kelly
 Debtor

x 
 Lee Ann Kelly
 Joint Debtor

This form is mandatory by Order of the United States Bankruptcy Court for the Central District of California.

Revised May 2004

F 1015-2.1

Verification of Creditor Mailing List - (Rev. 10/05)

2005 USBC, Central District of California

MASTER MAILING LIST **Verification Pursuant to Local Bankruptcy Rule 1007-2(d)**

Name Robert B. Rosenstein 90036

Address 28600 Mercedes Street Suite 100 Temecula, CA 92590

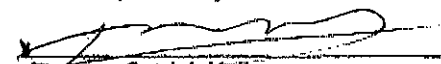
Telephone 951-296-3888 Fax: 951-296-3889


- ☒ Attorney for Debtor(s)
☐ Debtor in Pro Per

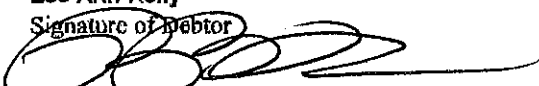
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	
List all names including the names used by Debtor(s) within last 8 years: Thomas Patrick Kelly Lee Ann Kelly DBA Diamond & Jewelry Exchange AKA Lee Ann Gressman; DBA Diamond & Jewelry Exchange	Case No.:
	Chapter: 11

VERIFICATION OF CREDITOR MAILING LIST

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of 4 sheet(s) is complete, correct, and consistent with the debtor's schedules pursuant to Local Rule 1007-2(d) and I/we assume all responsibility for errors and omissions.

Date: 10-27-09 
 Thomas Patrick Kelly
 Signature of Debtor

Date: 10-27-09 
 Lee Ann Kelly
 Signature of Debtor

Date: 10-27-09 
 Signature of Attorney
 Robert B. Rosenstein 90036
 Rosenstein & Hitzeman, AAPLC
 28600 Mercedes Street
 Suite 100
 Temecula, CA 92590
 951-296-3888 Fax: 951-296-3889

Thomas Patrick Kelly
29733 Tierra Shores Lane
Menifee, CA 92584

Lee Ann Kelly
29733 Tierra Shores Lane
Menifee, CA 92584

Robert B. Rosenstein
Rosenstein & Hitzeman, AAPLC
28600 Mercedes Street
Suite 100
Temecula, CA 92590

Bank of America
P.O. Box 851001
Dallas, TX 75285-1001

Capital One Bank USA
PO Box 60599
City Of Industry, CA 91716-0599

Carey Buckles
P.O. Box 1545
Highland, CA 92346

Chase Auto Finance
P.O. Box 78067
Phoenix, AZ 85062-8067

Chase Cardmember Services
PO Box 94014
Palatine, IL 60094

Citibank
P.O. Box 6940
The Lakes, NV 88901-6940

Citibank
P.O. Box 6411
The Lakes, NV 88901-6411

Citibank
P.O. Box 6401
The Lakes, NV 88901-6401

Client Services, Inc./Citicards
P.O. Box 1503
Saint Peters, MO 63376-0027

Discover Card
P.O. Box 30937
Salt Lake City, UT 84130-0937

FIA Card Services
P.O. Box 851001
Dallas, TX 75285-1001

Financial Pacific Leasing
3455 S. 344th Way, #300
Auburn, WA 98001-9546

Glenborough/Rancon Realty Fund
P.O. Box 82562
Goleta, CA 93118-2562

Indy Mac Bank/One West Bank
6900 Beatrice Drive
P.O. Box 4045
Kalamazoo, MI 49003-4045

Jale International
P.O. Box 3359
Citrus Heights, CA 95611

JPMorgan Chase Legal Department
300 S. Grand Avenue - 4th Floor
Los Angeles, CA 90071

LA Papers
San Bernardino Sun
4030 N. Georgia Blvd.
San Bernardino, CA 92407

Midwest Candles
32057 64th Avenue
Cannon Falls, MN 55009

Northland Group, Inc.
P.O. Box 390905
Mail Code CBM1
Minneapolis, MN 55439

Riverside County Treasurer
P.O. Box 12010
Riverside, CA 92502-2210

State Board of Equalization
Attn: Bankruptcy
P.O. Box 942879
Sacramento, CA 94279-0001

United Recovery Systems, LP
P.O. Box 722910
Houston, TX 77272-2910

Wells Fargo
P.O. Box 54180
Los Angeles, CA 90054-0180