Case 1:10-bk-11670-MT Doc 1 Filed 02/16/10 Entered 02/16/10 10:08:21 Desc United States Bankruptcy Court **Voluntary Petition** Central District of California Name of Debtor (if individual, enter Last, First, Middle) Name of Joint Debtor (Spouse) (Last, First, Middle): Aviezer, Maritza Aviezer, Tsafrir All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names) (include married, maiden, and trade names) AKA Herran Santiago Libertad **AKA Jeff Aviezer** Last four digits of Soc. Sec. or Individual-Taxpayer I D. (ITIN) No. Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN if more than one, state all) (if more than one, state all) xxx-xx-2476 xxx-xx-4751 Street Address of Joint Debtor (No. and Street, City, and State): Street Address of Debtor (No. and Street, City, and State) 27934 Blythedale Rd. 27934 Blythedale Rd. Agoura Hills, CA Agoura Hills, CA ZIP Code ZIP Code 91301 91301 ounty of Residence or of the Principal Place of Business County of Residence or of the Principal Place of Business: Los Angeles Los Angeles Mailing Address of Debtor (if different from street address) Mailing Address of Joint Debtor (if different from street address): ZIP Code ZIP Code Location of Principal Assets of Business Debtor (if different from street address above) Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) (Form of Organization) (Check one box) (Check one box) ☐ Health Care Business ☐ Chapter 7 ☐ Single Asset Real Estate as defined ☐ Chapter 15 Petition for Recognition ☐ Chapter 9 Individual (includes Joint Debtors) in T1 U.S.C. § 101 (51B). of a Foreign Main Proceeding Chapter 11 See Exhibit D on page 2 of this form. □ Railroad ☐ Chapter 12 ☐ Chapter 15 Petition for Recognition ☐ Stockbroker ☐ Corporation (includes LLC and LLP) of a Foreign Nonmain Proceeding ☐ Chapter 13 ☐ Commodity Broker □ Partnership □ Clearing Bank Other (If debtor is not one of the above entities ☐ Other Nature of Debts check this box and state type of entity below 1 (Check one box) Tax-Exempt Entity ☐ Debts are primarily Debts are primarily consumer debts (Check box it applicable) defined in 11 U.S.C. \$ 101(8) as business debts. □ Debtor is a tax-exempt organization "incurred by an individual primarily for under Title 26 of the United States a personal, family, or household purpose Code (the Internal Revenue Code) Chapter 11 Debtors Filing Fee (Check one box) Check one box: Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Full Filing Fee attached Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). ☐ Filing Fee to be paid in installments (applicable to individuals only). Must Check if attach signed application for the court's consideration certifying that the debtor Debtor's aggregate noncontingent liquidated debts (excluding debts owed is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes attach signed application for the court's consideration. See Official Form 3B 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 H U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information \*\*\* M. Jonathan Hayes 90388 \*\*\* **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 П П П 5,001-10.000 10,001-25,000 1,000-5,000 25 001 50:001-OVER 50-100 200 49 50,000 Estimated Assets П П \$100,001 to \$500,000 \$500,001 \$1, washingthell to \$500 More than \$1 billion \$1 - 8 80 1 83 Storogeomia \$50 (comme) \$500 DOCUMENT \$0 to \$50,000 to \$1 billion \$100,000 million militor million million Estimated Liabilities П \$100,001 to \$500,000 \$1,000,001 to \$10 STOUCHOUGHT to \$500 \$500,000,001 More than to \$1 billion \$0 to \$50,000 \$500,001 to \$1 \$50 000 001 \$50,001 to \$10 (800,00) \$100,000 to \$100

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Ca 31 (Official For	ase 1:10-bk-11670-MT Doc 1 Filed 02		/16/10 10:08:21 Desc Page 2	
	y Petition	Name (196-b) (17)  Aviezer, Tsafrir		
(This page mı	ust be completed and filed in every case)	Aviezer, Maritza		
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two,	attach additional sheet)	
Location Where Filed:	- None -	Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If r	nore than one, attach additional sheet)	
Name of Deb - None -	tor:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
<del>-</del> · ·	Exhibit A		Exhibit B individual whose debts are primarily consumer debts.)	
forms 10K a pursuant to and is reque	bleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)  A is attached and made a part of this petition.	I, the attorney for the petition have informed the petitioner 12, or 13 of title 11. United 5	that [he or she] may proceed under chapter 7, 11, States Code, and have explained the relief available or the certify that I delivered to the debtor the notice by Debtors) (Date)	
	rl	I		
■ No.  (To be comp ■ Exhibit If this is a jo	pleted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.		
EXIIIOR				
	Information Regardin			
	(Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or princ		
	There is a bankruptev case concerning debtor's affiliate, go			
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	cipal place of business or principal the United States but is a	ncipal assets in the United States in defendant in an action or	
	Certification by a Debtor Who Reside		l Property	
	(Check all app Landlord has a judgment against the debtor for possession		checked, complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment f			
	Debtor has included in this petition the deposit with the co- after the filing of the petition.		•	
п	Dobtor partition that haveha how can ad the Landlard with the	inic contification (11 F.C. 8	262/10	

## Case 1:10-bk-11670-MT $\underline{\text{B1 (Official Form 1)}}(1/08)$ Voluntary Petition (This page must be completed and filed in every case)

Name of Bestors 1.17 Aviezer, Tsafrir Aviezer, Maritza

Signatures

C! <b>4</b> (a) .	f Dahtan(a)	(Individual/Igint)
Signature(s) (	)1 1/60/01(3)	(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 Attorney\*

vieze Signature Mohtor Maritza AvAezer Signature of Joint D

Telephone Number (If not represented by attorney)

Date

M. Jonatt/an Hayes 90388

Printed Name of Attorney for Debtor(s)

M. Jonathan Hayes

Firm Name

9700 Reseda Blvd. Suite 201 Northridge, CA 91324

Address

Email: jhayes@polarisnet.net

818 882-5600 Fax: 818 882-5610

Telephone Number

90388

\*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

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

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 Bankruptev 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 Bankruptev 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 hankruptcy 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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Main Document Page 4 of 17

Filed 02/16/10 Entered 02/16/10 10:08:21

2/15/10 7.10PM

B 1D (Official Form 1, Exhibit D) (12/09)

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

In re	Tsafrir Aviezer Maritza Aviezer		Case No.	
		Debtor(s)	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 bankruptey 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 14 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 seven 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.

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B 1D (Official Form 1, Exhibit D) (12/09) - Cont.

Page 2

☐ 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
Tsafrir Aviezer
Date: <u>Z/15/2010</u> ,

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B 1D (Official Form 1, Exhibit D) (12/09)

### United States Bankruptcy Court Central District of California

In re	Tsafrir Aviezer Maritza Aviezer		Case No.	
		Debtor(s)	Chapter	11

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

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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 14 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 seven 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.

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B 1D (Official Form 1, Exhibit D) (12/09) - Cont.

Page 2

☐ 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:
Maritza Aviezer
Date: 2/15/10

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B4 (Official Form 4) (12/07)

### United States Bankruptcy Court Central District of California

In re	Tsafrir Aviezer  Maritza Aviezer		Case No.	ase No.	
	Maritza Aviozor	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]
Arche Plaza Las Puentes 135 N. Los Angeles Ave Pasadena, CA 91101	Arche Plaza Las Puentes 135 N. Los Angeles Ave Pasadena, CA 91101	payment & performance bond		160,000.00
Bank of America Visa	Bank of America Visa			7,000.00
Cal National 221 South Figueroa Los Angeles, CA 90012	Cal National 221 South Figueroa Los Angeles, CA 90012			2,700,000.00
Cal National Bank	Cal National Bank	27934 Blythedale Rd. Agoura Hills, CA 91301 single-family residence		700,000.00 (1,700,000.00 secured) (1,500,000.00 senior lien)
Chase Mastercard PO Box 94014	Chase Mastercard PO Box 94014 Palatine, IL 60094-4014	business mastercard		63,480.00
Palatine, IL 60094-4014 EDD	EDD EDD			1,108,931.42
Hartford Financial Services Hartford Plaza 690 Asylum Ave. Hartford, CT 06115	Hartford Financial Services Hartford Plaza 690 Asylum Ave. Hartford, CT 06115	payment & performance bond	Unliquidated	120,000.00
IRS 6430 Variel Ave Woodland Hills, CA 91367	IRS 6430 Variel Ave Woodland Hills, CA 91367			1,500,000.00
Liberty Mutual Interchange Corporate Center 450 Plymouth Rd. Ste 400 Plymouth Meeting, PA 19462	Liberty Mutual Interchange Corporate Center 450 Plymouth Rd. Ste 400 Plymouth Meeting, PA 19462	payment & performance bond	Contingent Unliquidated	1,000,000.00
Lincoln General 3501 Concord Road York, PA 17402-8607	Lincoln General 3501 Concord Road York, PA 17402-8607	payment & performance bond	Contingent Unliquidated	750,000.00

B4 (Office	cial Form 4) (12/07) - Cont.		
	Tsafrir Aviezer	Case No.	
In re	Maritza Aviezer	Cuse 110.	
	Debto	r(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]
Lipman & Associates 1451 E. Chevy Chase Dr. #210 Glendale, CA 91206	Lipman & Associates 1451 E. Chevy Chase Dr. #210 Glendale, CA 91206	business line of credit	Unliquidated	400,000.00
Martin J. Marietta 300 Esplanada Drive No. 250 Oxnard, CA 93036	Martin J. Marietta 300 Esplanada Drive No. 250 Oxnard, CA 93036	СРА		2,647.00
Michelman & Robinson, LLP 15760 Ventura Boulvevard Suite 500 Encino, CA 91436	Michelman & Robinson, LLP 15760 Ventura Boulvevard Suite 500 Encino, CA 91436			360,000.00
Prudential Mastercard PO Box 15026 Wilmington, DE 19850-5056	Prudential Mastercard PO Box 15026 Wilmington, DE 19850-5056	business mastercard		76,000.00
S.J. Amoroso c/o Leonidou & Rosin 777 Cuesta Drive Suite 200 Mountain View, CA 94040	S.J. Amoroso c/o Leonidou & Rosin 777 Cuesta Drive Mountain View, CA 94040	Case No. CGC-07-469490		5,000,000.00
Safco Insurance 1191 Second Ave. Seattle, WA 98101	Safco Insurance 1191 Second Ave. Seattle, WA 98101	payment & performance bond	Contingent Unliquidated	300,000.00
XL Surety 2 Logan Square Suite 2001 Philadelphia, PA 19103	XL Surety 2 Logan Square Suite 2001 Philadelphia, PA 19103	payment and performance bond		2,686,894.63

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B4 (Office	cial Form 4) (12/07) - Cont.			
	Tsafrir Aviezer		Case No.	
In re	Maritza Aviezer		- Case No.	
		Debtor(s)		

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

We, **Tsafrir Aviezer** and **Maritza Aviezer**, 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 _	2/15/2010	Signature	
	1		Tsafrir Aviezer
			Debtor /
	1 /		
	2/15/2010		/ Ma 6 / /
Date _	1 2010,	Signature	- lue
	·		Maritza Aviezer
			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, his or her current or former domestic partner, 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 periury, that the foregoing is true and correct.

Executed at

California

Dated

Maritza Aviezer

Joint Debtor

Tsafrir Aviezer

Debtor\_

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Name: M. Jonathan Hayes 90388

Address: 9700 Reseda Blvd.

Suite 201

Northridge, CA 91324

Telephone: 818 882-5600 Fax: 818 882-5610

■ Attorney for Debtor

□ Debtor in Pro Per

# UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA

List all names including trade names, used by Debtor(s) Case No.: within last 8 years:

Tsafrir Aviezer Maritza Aviezer AKA Jeff Aviezer AKA Herran Santiago Libertad

NOTICE OF AVAILABLE

CHAPTERS

(Notice to Individual Consumer Debtor Under § 342(b) of the Bankruptcy Code)

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations: most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

### <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### Certificate of the Debtor

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Tsafrir Aviezer Maritza Aviezer	X P	> 2/15/2010
Printed Name of Debtor	Signature of Debtor	Date
Case No. (if known)	×/man Very	2/15/2010
	Signature of Joint Debtor (it my)	Date

Case 1:10-bk-11670-MT Doc 1 Filed 02/16/10 Entered 02/16/10 10:08:21 Desc 2/15/10 7:10F Verification of Creditor Mailing List - (Rev. 10/05) Main Document Page 14 of 17 2005 USBC, Central District of California

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

Name	dress 9700 Reseda Blvd. Suite 201 Northridge, CA 91324				
Address					
Telephone					
■Attorney fo □ Debtor in	· ·				
	UNITED STATES CENTRAL DISTR				
List all names including trade names used by Debtor(s) within last 8 years: Tsafrir Aviezer Maritza Aviezer AKA Jeff Aviezer AKA Herran Santiago Libertad		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 <u>2</u> 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 ornissions.

Data

ate: 2/15/2510.

Date: 15/2010

Date: 2/15/2010

Tsafrir Aviezer
Signature of Debto

Maritza Aviezer

Signature of Debtor

Signature of Attorney

M. Jonathan Hayes 90388

M. Jonathan Hayes 9700 Reseda Blvd.

Suite 201

Northridge, CA 91324

818 882-5600 Fax: 818 882-5610

Arche 135 N. Los Robles Ave Suite 825 Pasadena, CA 91101

Cal National 221 South Figueroa Los Angeles, CA 90012

Carpernter's Southwest Admin Corp. c/o DeCarlo, Connor & Shanley 533 S. Fremont Ave. 9th Floor Los Angeles, CA 90071

Chase Mastercard PO Box 94014 Palatine, IL 60094-4014

Hartford Financial Services Hartford Plaza 690 Asylum Ave. Hartford, CT 06115

Hartford Surety 701 South Parker Suite 825 Orange, CA 92868

TRS 6430 Variel Ave Woodland Hills, CA 91367

Joshua Wayser Katten Muchin Rosenman LLP 2029 Century Park E Los Angeles, CA 90067

Liberty Mutual Interchange Corporate Center 450 Plymouth Rd. Ste 400 Plymouth Meeting, PA 19462

Liberty Mutual Insurance 701 South Parker Suite 6500 Orange, CA 92868

Lincoln General 3501 Concord Road York, PA 17402-8607

Lincoln General Insurance Co. 4902 Eisenhower Blvd.

Suite 155 Tampa, FL 33634

Lipman & Associates 1451 E. Chevy Chase Dr. #210 Glendale, CA 91206

Martin J. Marietta 300 Esplanada Drive No. 250 Oxnard, CA 93036

Michelman & Robinson, LLP 15760 Ventura Boulvevard Suite 500 Encino, CA 91436

Prudential Mastercard PO Box 15026 Wilmington, DE 19850-5056

Robins, Kaplan, Miller, Cires LLP 2049 Century Park East Suite 3400 Los Angeles, CA 90067

S.J. Amoroso c/o Leonidou & Rosin 777 Cuesta Drive Suite 200 Mountain View, CA 94040

Safco Insurance 1191 Second Ave. Seattle, WA 98101

Wells Fargo Bank, N.A. PO Box 3908114 Portland, OR 97208

Westside Building Material Corp/ c/o Robert N. Campbell 135 Yorba Street Tustin, CA 92780

XL Surety 2 Logan Square Suite 2001 Philadelphia, PA 19103

Case 1:10-bk-11670-MT Filed 02/16/10 Entered 02/16/10 10:08:21 Doc 1 Main Document Page 17 of 17 Attorney or Party Name, Address, Telephone & FAX Numbers, and Cal M. Jonathan Haves M. Jonathan Hayes 9700 Reseda Blvd. Suite 201 Northridge, CA 91324 818 882-5600 Fax: 818 882-5610 90388 Attorney for. UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA CASE NO In re: CHAPTER: 11 Tsafrir Aviezer ADV. NO Maritza Aviezer Debtor(s) ELECTRONIC FILING DECLARATION (INDIVIDUAL) PART I - DECLARATION OF DEBTOR(S) OR OTHER PARTY Petition, statement of affairs, schedules or lists Date Filed: Amendments to the petition, statement of affairs, schedules or lists Date Filed: 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. 2/15/2010.
2/15/2010 Stenature of Stentne Tsafrir/Aviezer Maritza Aviezer 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 lines for the Attorney 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 lines; (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 "ss." 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. Signature of Attorney for Signing Party Date M. Jonathan Hayes 90388 Printed Name of Attorney for Signing Party