Case 2:10-bk-20208-AA Doc 1 Filed 03/19/10 Entered 03/19/10 08:30:22 Page 1 of 12 Main Document B1 (Official Form 1)(1/08) **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): Diamond Distribution, Inc. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): 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) 65-1174091 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 1667Mt. Vernon Pomona, CA ZIP Code ZIP Code 91768 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: 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 1667 Mt. Location of Principal Assets of Business Debtor Vernon (if different from street address above): Pomona, CA 91768 Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box) ☐ Health Care Business ☐ Chapter 7 Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) ☐ Chapter 15 Petition for Recognition ☐ Chapter 9 ☐ Individual (includes Joint Debtors) of a Foreign Main Proceeding Chapter 11 See Exhibit D on page 2 of this form. □ Railroad ☐ Chapter 15 Petition for Recognition ☐ Chapter 12 □ 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.) **Tax-Exempt Entity** ☐ Debts are primarily consumer debts, Debts are primarily (Check box, if applicable) defined in 11 U.S.C. § 101(8) as business debts. ☐ Debtor is a tax-exempt organization under Title 26 of the United States "incurred by an individual primarily for Code (the Internal Revenue Code). a personal, family, or household purpose.' 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). \square 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 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY ■ 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 50-99 200-999 5,001-10,000 100-1,000-10,001-25,001-50,001-OVER 1-49 50,000

25,000

\$50,000,001

\$50,000,001

million

\$10,000,001 to \$50

\$10,000,001 to \$50

million

\$1,000,001

\$1,000,001 to \$10 million

100,000

\$500,000,001 to \$1 billion

\$100,000,001 \$500,000,001 More than to \$500 to \$1 billion \$1 billion

\$100,000,001

199

\$100,001 to \$500,000

\$100,001 to \$500,000

\$500,001

million

\$500,001

Estimated Assets

Estimated Liabilities

\$0 to \$50,000

\$50,001 to \$100,000

\$50,001 to

\$100,000

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Page 2 of 12 Main Document B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Diamond Distribution, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. 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? 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. П 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 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. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Voluntary Petition

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

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

f X /s/ Mark E. Brenner, Esq. Signature of Attorney for Debtor(s)

Mark E. Brenner, Esq. 106962

Printed Name of Attorney for Debtor(s)

Mark E. Brenner PC

Firm Name

Brenner Law Group 7009 Owensmouth, No. 102 Canoga Park,, CA 91303

Address

Email: mb@brennerlex.com

(818)313-9966 Fax: (818)313-9772

Telephone Number

March 19, 2010

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 \mathbf{X} /s/ Jose Castellanos

Signature of Authorized Individual

Jose Castellanos

Printed Name of Authorized Individual

Title of Authorized Individual

March 19, 2010

Name of Debtor(s):

Diamond Distribution, Inc.

Signatures

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 Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Date

Address

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

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court Central District of California

In re	Diamond Distribution,	Inc.	Case No.	
		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]
1st Choice Staffing 1 Southern Oaks Court Ste#500 Bellevue, WA 31405	1st Choice Staffing 1 Southern Oaks Court Ste#500 Bellevue, WA 31405	Buisness Expense		17,939.80
Aetna 1385 E.Shaw Ave Cincinnati, OH 93710	Aetna 1385 E.Shaw Ave Cincinnati, OH 93710	Buisness Expense		3,566.00
American Express (Card) P.O. BOX 981540 Pomona, CA 79998-1540	American Express (Card) P.O. BOX 981540 Pomona, CA 79998-1540	Buisness Expense		4,990.86
Bullet Transportation 11190 White Birch Drive Ste#200 Rialto, CA 91730	Bullet Transportation 11190 White Birch Drive Ste#200 Rialto, CA 91730	Buisness Expense		4,123.00
Calif Franchise Tax Board PO BOX 942857 Rosemead, CA 94257-0511	Calif Franchise Tax Board PO BOX 942857 Rosemead, CA 94257-0511	Buisness Expense		5,067.23
CDC/SBA Small Business Finance 2448 Historic Decatur Road Ste#200 Sacramento, CA 92106	CDC/SBA Small Business Finance 2448 Historic Decatur Road Ste#200 Sacramento, CA 92106	Buisness Expense		1,575,000.00
Ch Robinson Worldwide 1840 N. Marcey New Berlin, WI 60614	Ch Robinson Worldwide 1840 N. Marcey New Berlin, WI 60614	Buisness Expense		4,500.00
CIT Small Business Lending P.O Box 1529 Orange, CA 07039-1529	CIT Small Business Lending P.O Box 1529 Orange, CA 07039-1529	Buisness Expense		1,978,692.57
Dock & Doors Doctors Ontario, CA	Dock & Doors Doctors Ontario, CA	Buisness Expense		6,550.00
Employment Development Dept PO BOX 826203. MIC 92D Hacienda Heights, CA 94230-6203	Employment Development Dept PO BOX 826203. MIC 92D Hacienda Heights, CA 94230-6203	Buisness Expense		4,347.16

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In re	Diamond Distribution, Inc.	Case No.	
	Debtor(s)	•	

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
ESSEX Insurance Company PO Box 2010 Fullerton, CA 23058-2010	ESSEX Insurance Company PO Box 2010 Fullerton, CA 23058-2010	Buisness Expense		3,214.53
Excel National Bank 43385 Business Park Drive Ste#160 Herndon, VA 92590	Excel National Bank 43385 Business Park Drive Ste#160 Herndon, VA 92590	Buisness Expense		225,000.00
Health Net P.O. BOX 9103 Rancho Cucamonga, CA 91409-9103	Health Net P.O. BOX 9103 Rancho Cucamonga, CA 91409-9103	Buisness Expense		6,175.50
IRS P.O.BOX 80110 Chicago, IL 45280-0010	IRS P.O.BOX 80110 Chicago, IL 45280-0010	Buisness Expense		20,580.43
Los Angeles County Tax Collector 225 North Hill Street Fresno, CA 90012	Los Angeles County Tax Collector 225 North Hill Street Fresno, CA 90012	Buisness Expense		199,423.66
Los Angeles County Tax Collector 225 North Hill Street Lodi, CA 90012	Los Angeles County Tax Collector 225 North Hill Street Lodi, CA 90012	Buisness Expense		2,816.01
Mercedes Benz Financial 13650 Heritage Parkway Los Angeles, CA 76177	Mercedes Benz Financial 13650 Heritage Parkway Los Angeles, CA 76177	Buisness Expense		15,788.83
Mercedes Benz Financial 13650 Heritage Parkway Van Nuys, CA 76177	Mercedes Benz Financial 13650 Heritage Parkway Van Nuys, CA 76177	Buisness Expense		9,137.38
Pacific West Asset MGMT. P.o Box 19068 Glen Allen, VA 92623-9068	Pacific West Asset MGMT. P.o Box 19068 Glen Allen, VA 92623-9068	Buisness Expense		12,061.42
Phenix Land Management, LLC 1785 Mt. Vernon Ave. Pomona, CA 91768	Phenix Land Management, LLC 1785 Mt. Vernon Ave. Pomona, CA 91768	Buisness Expense		4,607.38

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In re	Diamond Distribution,	Inc.	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

I, the CEO 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	March 19, 2010	Signature	/s/ Jose Castellanos
			Jose Castellanos
			CEO

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.

Diamond Distribution, Inc. 1667Mt. Vernon Pomona, CA 91768

Mark E. Brenner, Esq. Mark E. Brenner PC Brenner Law Group 7009 Owensmouth, No. 102 Canoga Park,, CA 91303

1st Choice Staffing 1 Southern Oaks Court Ste#500 Bellevue, WA 31405

A&F Forklift Inc 7460 Bandini Blvd. Baldwin Park, CA 90040

Aetna 1385 E.Shaw Ave Cincinnati, OH 93710

American Express (Card) P.O. BOX 981540 Pomona, CA 79998-1540

Blue Cross of California P.O. BOX 54630 Pomona, CA 90054-0630

Blue Shield of California P.O. BOX 3008 Chicago, IL 95241

Bouma Air Conditioning 12188 Central Ave #343 Downey, CA 91710

Bullet Transportation 11190 White Birch Drive Ste#200 Rialto, CA 91730

Cal-Care Industrial Medial 502 S. Garey Ave. Huntington Beach, CA 91766

Calif Franchise Tax Board PO BOX 942857 Rosemead, CA 94257-0511

California Copier 17128 Colima Road Ste#143 Mission Hills, CA 91745

CDC/SBA Small Business Finance 2448 Historic Decatur Road Ste#200 Sacramento, CA 92106

Ch Robinson Worldwide 1840 N. Marcey New Berlin, WI 60614

CIT Small Business Lending P.O Box 1529 Orange, CA 07039-1529

City of Pomona Water 505 S. Garey Ave City Of Industry, CA 91766

City of Pomona Water 505 S. Garey Ave Chino, CA 91766

Digital Graphics Service 14557 Bonelli Street Lake Elsinore, CA 91746

Dock & Doors Doctors Ontario, CA

Employment Development Dept PO BOX 826203. MIC 92D Hacienda Heights, CA 94230-6203

ESSEX Insurance Company PO Box 2010 Fullerton, CA 23058-2010

Excel National Bank 43385 Business Park Drive Ste#160 Herndon, VA 92590

Federal Express P.O.BOX 510950 Sacramento, CA 53151-0950 First Insurance Funding P.O. BOX 66468 Sacramento, CA 60666-0468

Health Net P.O. BOX 9103 Rancho Cucamonga, CA 91409-9103

IRS P.O.BOX 80110 Chicago, IL 45280-0010

Lee J. Anderson 20391 Mooncrest Circle Commerce, CA 92646

Liberty Pallets P.O. BOX 4838 Pomona, CA 91761

Los Angeles County Tax Collector 225 North Hill Street Lodi, CA 90012

Los Angeles County Tax Collector 225 North Hill Street Fresno, CA 90012

Mercedes Benz Financial 13650 Heritage Parkway Los Angeles, CA 76177 Mercedes Benz Financial 13650 Heritage Parkway Van Nuys, CA 76177

Pacific Coast Propane P.O.BOX 0427 El Paso, TX 92377-0427

Pacific West Asset MGMT. P.o Box 19068 Glen Allen, VA 92623-9068

Phenix Land Management, LLC 1785 Mt. Vernon Ave. Pomona, CA 91768

Platinum Check Cashing/Saba Hussain P.O BOX 1903 Irvine, CA 20172

So Cal Edison PO Box 300 Savannah, GA 91772-0001

Southern California Industrial Eq P.O. BOX 1093 Los Angeles, CA 92531

State of California DMV P.O. Box 997408 Los Angeles, CA 95899-7408 Topaz Alarm Corp 8041 E. Florence Ave #215 Ft. Worth, TX 90240

Tyco Simplex Grinnell 1701 W. Sequoia Ave Ft. Worth, TX

Verizon PO Box 9688 Temecula, CA 91346-9688

Verizon Wireless P.O. BOX 96088 San Diego, CA 98009

Waste Management P.O.BOX 7814 Livingston, NJ 91706-7814