Case 2:10-bk-52091-VZ Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc

B1 (Official Form 1) (4/10)	Mai	in Do	ocume	ent Pag	e 1 of	f 10			
United S Centra	tates Ba l Distric							Vol	untary Petition
Name of Debtor (if individual, enter Last, First, M Osborne, Mark Duncan	iddle):			Name of Jo	oint Debto	or (Spou	ise) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): aw Osborne Transportation Svcs, Inc.,					All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Taxpaye EIN (if more than one, state all): 7394	r I.D. (ITIN)) No./C	omplete		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):				
Street Address of Debtor (No. & Street, City, State & Zip Code): 6225 W. 77th St.				Street Add	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):				
Los Angeles, CA	ZIPCOD	е 900	945		ZIPCODE				ZIPCODE
County of Residence or of the Principal Place of B Los Angeles	usiness:			County of	Residence	e or of t	he Principal Pla	ce of Busi	ness:
Mailing Address of Debtor (if different from street	address)			Mailing Ad	dress of	Joint De	ebtor (if differer	nt from stre	eet address):
	ZIPCOD	ЭE						Г	ZIPCODE
Location of Principal Assets of Business Debtor (i	f different fr	om stre	et address	s above):					
									ZIPCODE
Type of Debtor (Form of Organization)	(Form of Organization) (Check one box.) (Check one (Check one box.) ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Single Asset Real Estate U.S.C. § 101(51B) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) Commodity Broker			one box.)			the Petitio	n is Filed	Code Under Which (Check one box.)
 ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entities, 				state as defined i	Image: Chapter 11 Main Proceeding Image: Chapter 12 Chapter 15 Petition for Image: Chapter 13 Recognition of a Foreign Nonmain Proceeding Nonmain Proceeding Image: Nature of Debts (Check one box.) Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer Image: Debts are primarily consumer			originition of a Foreign in Proceeding upter 15 Petition for rognition of a Foreign main Proceeding ? Debts e box.) er	
	Tit	(C btor is le 26 of	heck box, a tax-exer	if applicable.) npt organization ed States Code (th		ind per	01(8) as "incurr ividual primaril sonal, family, o d purpose."	y for a	
Filing Fee (Check one box)				,		Chaj	oter 11 Debtors	8	
Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's Check if:				or is a small busin or is not a small b :	s a small business debtor as defined in 11 U.S.C. § 101(51D). s not a small business debtor as defined in 11 U.S.C. § 101(51D). aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less				
except in installments. Rule 1006(b). See Offici	al Form 3A.			\$2,343,300 (amo					very three years thereafter).
☐ Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Check all application application for the court's A plan is Acceptant A			n is being filed w ptances of the pla	pplicable boxes: being filed with this petition nees of the plan were solicited prepetition from one or more classes of creditors, in ce with 11 U.S.C. § 1126(b).					
Statistical/Administrative Information THIS SPACE IS FOR ✓ Debtor estimates that funds will be available for distribution to unsecured creditors. COURT USE ONLY Obstribution to unsecured creditors. COURT USE ONLY									
] ,000- ,000	5,001 10,00		10,001- 25,000	25,001- 50,000		50,001- 100,000	Over 100,000	_
] 1,000,001 to 10 million			50,000,001 to \$100 million	\$100,00 to \$500		5500,000,001 to \$1 billion	More tha \$1 billion	
Estimated Liabilities Image: Stress of the stress				\$50,000,001 to \$100 million	□ \$100,00 to \$500		500,000,001 to \$1 billion		

Voluntary Petition	Name of Debtor(s):			
(This page must be completed and filed in every case)	Osborne, Mark Duncan			
Prior Bankruptcy Case Filed Within Last 8				
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 r	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.)	whose debts are primarily consumer debts.)			
	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? Yes, and Exhibit C is attached and made a part of this petition. You way the set of the set o				
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 a made a part of this petition.				
Information Regardin (Check any ap ✓ Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180	oplicable box.) of business, or principal assets in			
☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.				
 Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. 				
in this District, or the interests of the parties will be served in rega				
in this District, or the interests of the parties will be served in rega Certification by a Debtor Who Reside (Check all app. Landlord has a judgment against the debtor for possession of debtor	licable boxes.)			

(Address of landlord or lessor)

- 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(l)).

	0/30/10 Entered 09/30/10 19:21:24 Desc t, Page 3 of 10 Page 3
Voluntary Petition	Name of Debtor(s):
(This page must be completed and filed in every case)	Osborne, Mark Duncan
Signa	atures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	 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 /s/ Mark Duncan Osborne	X Signature of Foreign Representative
Signature of Debtor Mark Duncan Osborne	- Summe ere er Be erkenninge
Signature of Joint Debtor	Printed Name of Foreign Representative
	Date
Telephone Number (If not represented by attorney)	
June 30, 2010	
Signature of Attorney*	Signature of Non-Attorney Petition Preparer
X /s/ Dennis McGoldrick	I declare under penalty of perjury that: 1) I am a bankruptcy petition
Signature of Attorney for Debtor(s)	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
Dennis McGoldrick 97720 McGoldrick 350 S. Crenshaw Bl., #A207B Torrance, CA 90503 (310) 328-1001 Fax: (310) 328-0332	and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
	Printed Name and title, if any, of Bankruptcy Petition Preparer
June 30, 2010	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.)
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.	Address
Signature of Debtor (Corporation/Partnership)] X
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.	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	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:
Signature of Authorized Individual	
Printed Name of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Title of Authorized Individual	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.
Date	

Case 2:10-bk-52091-VZ	Doc 1	Filed 09/30/10	Entered 09/30/10 19:21:24	Desc

Atterney or Perty Name Address Telephone & Fax Num Main Document Page 4 c	f 10			
Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number Dennis McGoldrick 97720 McGoldrick 350 S. Crenshaw Bt., #A2078 Torrance, CA 90503 Tele: (310) 328-1001 Fax: (310) 328-0332	FOR COURT USE ONLY			
Attorney for				
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA				
	CASE NO.:			
Osborne, Mark Duncan	CHAPTER: 11			
Debtor(s).	ADV. NO.:			

(INDIVIDUAL)

Petition, statement of affairs, schedules or lists
Amendments to the petition, statement of affairs, schedules or lists
Other:

Date Filed:	*** *** *******************************
Date Filed	
Date Filed:	

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

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 tomy attomey; 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.

Signature of Signing Party	June 3, 2010 Date
Mark Duncan Osborne Printed Name of Signing Party	
Signature of Joint Debtor (if applicable)	Date

Printed Name of Joint Debtor (if applicable)

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 "/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.

June 3, 2010 Signature of Attorney, for Signing P <u>Krtv</u> Date Dennis McGoldrick Printed Name of Attorney for Signing Party

ŝ

Case 2:10-bk-52091-VZ B1D (Official Form 1, Exhibit D) (12/09)

Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc Main Document Page 5 of 10 United States Bankruptcy Court Central District of California

IN RE:

Case No. _____

Osborne, Mark Duncan

Chapter 11

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

Debtor(s)

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.

 \mathbf{M} 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*.

 \Box 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.*

 \Box 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.

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: /s/ Mark Duncan Osborne

Date: June 30, 2010

B4 (Official Form 4) (2:10-bk-52091-VZ

Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc Main Document Page 6 of 10 United States Bankruptcy Court Central District of California

IN RE:

Case No.

Osborne, Mark Duncan

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Debtor(s)

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

(1) Name of creditor and complete mailing address including zip code	 (2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted 	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Wells Fargo Po Box 30427 Los Angeles, CA 90030	Wells Fargo PO Box 10335 Des Moines, IA 50306			292,000.00 Collateral: 110,000.00 Unsecured: 182,000.00
Bank Of America Po Box 5170 Simi Valley, CA 93062				245,670.91 Collateral: 120,000.00 Unsecured: 145,670.91
Citibank Po Box 790110 Ms 504a Saint Louis, MO 63179				83,853.00 Collateral: 110,000.00 Unsecured: 83,853.00
Chase PO Box 78035 Phoenix, AZ 85062-8035				73,024.55 Collateral: 110,000.00 Unsecured: 73,024.55
Chase PO Box 78035 Phoenix, AZ 85062-8035	Professional Recovery Svcs PO Box 1880 Vorhees, NJ 08043			31,672.68
Citi Flexline Citibank Attn Payments Columbus, OH 43218	Hunt And Henriques 151 Bernal Rd, Suite B San Jose, CA 95119			18,203.43
Ford Motor Credit PO Box 542000 Omaha, NE 68154				25,448.14 Collateral: 13,000.00 Unsecured: 12,448.14
Bank Of America Po Box 851001 Dallas, TX 75285				9,221.56
Stor-stuff 42133 Challenger Way Lancaster, CA 93535				300.00

Case 2:10-bk-52091-VZ Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc Main Document Page 7 of 10 DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

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

Date: June 30, 2010	Signature /s/ Mark Duncan Osborne of Debtor	Mark Duncan Osborne
Date:	Signature	

Case 2:10-bk-52091-VZ Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc Main Document Page 8 of 10

Mark Duncan Osborne 6225 W 77th St Los Angeles, CA 90045

McGoldrick 350 S Crenshaw Bl #A207B Torrance, CA 90503

Case 2:10-bk-52091-VZ Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc Main Document Page 9 of 10

Bank Of America Po Box 5170 Simi Valley, CA 93062

Bank Of America Po Box 851001 Dallas, TX 75285

Carmen Cooper Marquise & Ernest Lo 12100 Sheldon Ave #316 Sun Valley, CA 91352

Chase PO Box 78035 Phoenix, AZ 85062-8035

Citi Flexline Citibank Attn Payments Columbus, OH 43218

Citibank Po Box 790110 Ms 504a Saint Louis, MO 63179

Credit Bureau Of Palmdale/lancaster 1014 Lancaster Way Lancaster, CA 93534

Credit Bureau Of Palmdale/Lancaster PO Box 2067 Lancaster, CA 93539-2062

Ford Motor Credit PO Box 542000 Omaha, NE 68154

Case 2:10-bk-52091-VZ Doc 1 Filed 09/30/10 Entered 09/30/10 19:21:24 Desc Main Document Page 10 of 10

Hunt And Henriques 151 Bernal Rd Suite B San Jose, CA 95119

Jack L Schwartz 12121 Wilshire Blvd Suite 900 Los Angeles, CA 90025

Professional Recovery Svcs PO Box 1880 Vorhees, NJ 08043

Snyder & Dorenfeld LLP 5010 Chesebro Road Agoura Hills, CA 91301

Stor-stuff 42133 Challenger Way Lancaster, CA 93535

Wells Fargo Po Box 30427 Los Angeles, CA 90030

Wells Fargo PO Box 10335 Des Moines, IA 50306