Case 2:10-bk-57493-AA Doc 1 Filed 11/04/10 Entered 11/04/10 09:40:43

Main Document Page 1 of 11 Official Form 1 (04/10) **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) SHAPPHIRE RESOURCES LLC, a California Corporation 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): NONE Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) Complete EIN Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) Complete EIN (if more than one, state all): 26-3187427 (if more than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 2770 Cold Plains Drive Hacienda Heights CA ZIPCODE ZIPCODE 91745 County of Residence or of the County of Residence or of the Principal Place of Business: Principal Place of Business: Los Angeles Mailing Address of Joint Debtor (if different from street address): Mailing Address of Debtor (if different from street address): SAME ZIPCODE ZIPCODE Location of Principal Assets of Business Debtor ZIPCODE (if different from street address above): **Nature of Business Chapter of Bankruptcy Code Under Which** Type of Debtor (Form of organization) (Check one box.) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition ☐ Individual (includes Joint Debtors) Chapter 9 of a Foreign Main Proceeding Single Asset Real Estate as defined See Exhibit D on page 2 of this form. X Chapter 11 in 11 U.S.C. § 101 (51B) ☐ Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Railroad of a Foreign Nonmain Proceeding Chapter 13 Partnership Stockbroker Other (if debtor is not one of the above Nature of Debts (Check one box) Commodity Broker entities, check this box and state type of Debts are primarily consumer debts, defined Debts are primarily entity below Clearing Bank in 11 U.S.C. § 101(8) as "incurred by an business debts. Other individual primarily for a personal, family, or household purpose" Tax-Exempt Entity Chapter 11 Debtors: (Check box, if applicable.) Check one box: Debtor is a tax-exempt organization Debtor is a small business as defined in 11 U.S.C. § 101(51D). under Title 26 of the United States Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Code (the Internal Revenue Code) Filing Fee (Check one box) Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts Full Filing Fee attached owed to insiders or affiliates) are less than \$2,343,300 (amount Filing Fee to be paid in installments (applicable to individuals only). Must subject to adjustment on 4/01/13 and every three years thereafter). 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. Check all applicable boxes: A plan is being filed with this petition Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Acceptances of the plan were solicited prepetition from one or more attach signed application for the court's consideration. See Offi cial Form 3B. classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 25,001- \boxtimes 1,000 5,001-10,001-50-99 100-199 200-999 50,001-Over 1-49 50,000 5,000 10,000 25,000 100,000 100 000 Estimated Assets \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 More than \$50,000,001 \$100,000,001 \$500,000,001 \$500,000 \$1 billion \$50,000 \$100,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion million million million million Estimated Liabilities \$500,001 \$1,000,001 \$0 to \$50,001 to \$100,001 to \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$500,000 to \$10 to \$100 to \$500 \$50,000 \$100,000 to \$1 to \$50 to \$1 billion \$1 billion million million

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Case 2:10-bk-57493-AA Doc 1 Filed 11/04/10 Entered 11/04/10 09:40:43 Desc

Official Form 1 (04/10) Main Document Page 2 of 11 FORM B1, Page

Name of Debtor(s): Voluntary Petition SHAPPHIRE RESOURCES LLC, (This page must be completed and filed in every case) a California Corporation All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: NONE Location Where Filed: Date Filed: Case Number: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Date Filed: NONE District: Relationship: Judge: Exhibit A Exhibit B (To be completed if debtor is required to file periodic reports (To be completed if debtor is an individual (e.g., forms 10K and 10Q) with the Securities and Exchange whose debts are primarily consumer debts) Commission pursuant to Section 13 or 15(d) of the Securities I, the attorney for the petitioner named in the foregoing petition, declare that I Exchange Act of 1934 and is requesting relief under Chapter 11) 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 have delivered to the debtor the notice required by 11 U.S.C. §342(b). X Exhibit A is attached and made a part of this petition 11/04/2010 Signature of Attorney for Debtor(s) 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. \boxtimes 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 part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Case 2:10-bk-57493-AA Doc 1 Fi	iled 11/04/10 Entered 11/04/10 09:40:43 Desc cument Page 3 of 11 FORM B1, Page 3
Voluntary Petition	Name of Debtor(s): SHAPPHIRE RESOURCES LLC,
(This page must be completed and filed in every case)	a California Corporation
	Signatures
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 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.	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	$- \mid \mathbf{x}$
Signature of Debtor X Signature of Joint Debtor Telephone Number (if not represented by attorney) Date Signature of Attorney*	(Signature of Foreign Representative) (Printed name of Foreign Representative) 11/04/2010 (Date)
X /s/ Jaime G Monteclaro	Signature of Non-Attorney Bankruptcy Petition Preparer
Signature of Attorney for Debtor(s) Jaime G Monteclaro 183387 Printed Name of Attorney for Debtor(s) JAIME G MONTECLARO ESQ Firm Name LAW OFFICES OF JAIME G MONTECL Address 640 S Sunset Avenue Ste 206	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 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.
West Covina CA 91790	Printed Name and title, if any, of Bankruptcy Petition Preparer
(626) 960-3200 Telephone Number 11/04/2010 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.	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.)
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	X
authorized to file this petition on behalf of the debtor. The debtor requests the relief in accordance with the chapter of	Date Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided

title 11, United States Code, specified in this petition.

X /s/ Susana Tubianosa

Signature of Authorized Individual

Susana Tubianosa

Printed Name of Authorized Individual

President

Title of Authorized Individual

11/04/2010

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.

	Entered 11/04/10 09:40:43 Desc
Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number Jamie G Monteclaro, SBN 183387 640 South Sunset Avenue Suite 206 West Covina, California 91790 Tel: 626.960.3200; Fax: 626.960.3220	FOR COURT USE ONLY
☑ Attorney for: SHAPPHIRE RESOURCES LLC	
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	
In re: SHAPPHIRE RESOURCES LLC	CASE NO.:
	CHAPTER: 11
Debtor(s).	ADV. NO.:
ELECTRONIC FILING DECL (CORPORATION/PARTNE	
 ☑ Petition, statement of affairs, schedules or lists ☐ Amendments to the petition, statement of affairs, schedules or list ☐ Other:	Date Filed: bate Filed: Date Filed:
PART I - DECLARATION OF AUTHORIZED SIGNATORY OF DEBTOR	R OR OTHER PARTY
document being filed electronically (Filed Document); (2) I have read and under in the Filed Document is true, correct and complete; (4) the "/s/," followed by refiled Document serves as my signature on behalf of the Filing Party and statements, verifications and certifications by me and by the Filing Party to the signature lines; (5) I have actually signed a true and correct hard copy of the Filand provided the executed hard copy of the Filed Document to the Filing Party authorized the Filing Party's attorney to file the electronic version of the Filed Bankruptcy Court for the Central District of California. Signature of Authorized Signatory of Filing Party Title of Authorized Signatory of Filing Party Title of Authorized Signatory of Filing Party	d denotes the making of such declarations, requests a same extent and effect as my actual signature on such led Document in such places on behalf of the Filing Party, v's attorney; and (6) I, on behalf of the Filing Party, have
I, the undersigned Attorney for the Filing Party, hereby declare under per on the signature lines for the Attorney for the Filing Party in the Filed Document declarations, requests, statements, verifications and certifications to the signature lines; (2) an authorized signatory of the Filing Party signed the Declarationia; (3) I have actually signed a true and correct hard copy of the Filefollowed by my name, and have obtained the signature of the authorized sign by "/s/," followed by the name of the Filing Party's authorized signatory, on the I shall maintain the executed originals of this Declaration, the Declaration of Filed Document for a period of five years after the closing of the case in which of this Declaration the Declaration of Authorized Signatory of Debtor or Other request of the Court of other parties.	nent serves as my signature and denotes the making of a same extent and effect as my actual signature on such laration of Authorized Signatory of Debtor or Other Partitled States Bankruptcy Court for the Central District of ed Document in the locations that are indicated by "IsI, atory of the Filing Party in the locations that are indicated he true and correct hard copy of the Filed Document; (4 f Authorized Signatory of Debtor or Other Party, and the they are filed; and (5) I shall make the executed originals (Party, and the Filed Document available for review upon
Signature of Attorney for Filing Party Date	4/10
Jaime G. Monteclaro, Esq. Printed Name of Attorney for Filing Party	

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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA

In re	SHAPPHIRE RESOURCES LLC	Case No.
	a California Corporation	Chapter 11
		1
	Debtor(s)	

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 and Fed. R. Bankr. P. 1007(m).

Name of Creditor and Complete	Name, Telephone Number and	Nature of Claim	Indicate if Clain	n	Amount of Claim
Mailing Address Including	Complete Mailing Address,	(Trade Debt,	is Contingent,		(If Secured Also
Zip Code	Including Zip Code, of Employee,	Bank Loan,	Unliquidated,		State Value of
	Agent, or Department of Creditor	Government	Disputed, or		Security)
	Familiar with Claim	Contract, etc.)	Subject to		
	Who May Be Contacted		Setoff		
1	Phone:			\$	1,502,783.00
BAC Home Loan Servicing LP	BAC Home Loan Servicing LP				
Payment Processing	Payment Processing		Value:	\$	0.00
PO Box 660833	PO Box 660833	Net	Net Unsecured:		1,502,783.00
Dallas TX 75266	Dallas TX 75266				
2	Phone:			\$	857,506.00
BAC Home Loan Servicing LP	BAC Home Loan Servicing LP				
Payment Processing	Payment Processing		*Value:	\$	0.00
PO Box 660833	PO Box 660833	Net Unsecured:		\$	857,506.00
Dallas TX 75266	Dallas TX 75266	*Prior 1	Liens Exist		
3	Phone:			\$	629,813.00
Wachovia Mortgage	Wachovia Mortgage				
PO Box 60505	PO Box 60505		*Value:	\$	0.00
City of Industry CA 91716	City of Industry CA 91716	Net Unsecured: \$ 629,813		629,813.00	
		*Prior 1	Liens Exist		
4	Phone:			\$	428,655.00
Wachovia Mortgage	Wachovia Mortgage				
PO Box 60505	PO Box 60505		*Value:	\$	0.00
City of Industry CA 91716	City of Industry CA 91716	Net	Unsecured:	\$	428,655.00
		*Prior 1	Liens Exist		

Debtor(s)

Title: President

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION

I, <u>Susana Tubianosa</u>, <u>President</u> of the <u>Corporation</u> named as debtor in this case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding Twenty Largest Unsecured Claims and that they are true and correct to the best of my knowledge, information and belief.

Date: <u>11/4/2010</u> Signature <u>/s/ Susana Tubianosa</u>

Name: <u>Susana Tubianosa</u>

Case 2:10-bk-57493-AA Doc 1 Filed 11/04/10 Entered 11/04/10 09:40:43 Desc 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).)
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).)
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).)
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).)
l de	eclare, under penalty of perjury, that the foregoing is true and correct.
	ecuted at, California.
	Debtor
Da	ted

Case 2:10-bk-57493-AA Doc 1 Filed 11/04/10 Entered 11/04/10 09:40:43 Desc Statem Maior Reagens In Reagens Brook equired by F 1015-

Local Bankruptcy Rule 1015-2 - Page 2 of 3

In re

CASE NUMBER:

Debtor.

		oposed order, DO NOT list any person or entity in Category I. orders that have been entered are placed on a CM/ECF docket.
	PROOF OF SER	VICE OF DOCUMENT
I am over the age of 18	and not a party to this bankruptcy	case or adversary proceeding. My business address is:
A true and correct copy	of the foregoing document describ	oed as will be served or was served (a) on the judge
in chambers in the form	n and manner required by LBR 500	5-2(d), and (b) in the manner indicated below:
Order(s) and Local Bar the document. On	nkruptcy Rule(s) ("LBR"), the forego I chec nined that the following person(s) are	LECTRONIC FILING ("NEF") - Pursuant to controlling Generaling document will be served by the court via NEF and hyperlink to eked the CM/ECF docket for this bankruptcy case or adversary on the Electronic Mail Notice List to receive NEF transmission at
II SEDVED DVII S N	AAII OD OVEDNICHT MAII (indic	☐ Service information continued on attached page
On bankruptcy case or adv Mail, first class, postage	I served the following rersary proceeding by placing a true prepaid, and/or with an overnight r	ate method for each person or entity served): person(s) and/or entity(ies) at the last known address(es) in this and correct copy thereof in a sealed envelope in the United States nail service addressed as follow. Listing the judge here constitutes to later than 24 hours after the document is filed.
		☐ Service information continued on attached page
served): Pursuant to F and/or entity(ies) by per	R.Civ.P. 5 and/or controlling LBR, sonal delivery, or (for those who conditions the judge here constitutes	ANSMISSION OR EMAIL (indicate method for each person or entity on I served the following person(s) sented in writing to such service method) by facsimile transmissions a declaration that mailing to the judge will be completed no later
		☐ Service information continued on attached page
I declare under penalty	of perjury under the laws of the Ur	ited States of America that the foregoing is true and correct.
 Date	Type Name	Signature

Case 2:10-bk-57493-AA Doc 1 Filed 11/04/10 Entered 11/04/10 09:40:43 Desc Statem Maint Rendern Eastes In Range 19/10/10/10 by F 1015-2.1

Local Bankruptcy Rule 1015-2 - Page 3 of 3		
In re		CASE NUMBER:
	Debtor.	

ADDITIONAL SERVICE INFORMATION (if needed):

Doc 1 Filed 11/04/10 Entered 11/04/10 09:40:43 Display Document Page 10 of 11

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

2003 USBC, Central District of California

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

Name Jaime G Monteclaro	
Address <u>Law offices of Jaime G montecl 640 S Sur</u>	set Avenue Ste 206 West Covina, CA 91
Telephone <u>(626) 960-3200</u>	
[x] Attorney for Debtor(s)	
[] Debtor In Pro Per	
UNITED STATES BANKRU	JPTCY COURT
CENTRAL DISTRICT OF	CALIFORNIA
List all names including trade names, used by Debtor(s) within last 8 years:	Case No.
In re SHAPPHIRE RESOURCES LLC	Chapter 11
	·
VERIFICATION OF CREDIT	OR MAILING LIST
The above named debtor(s), or debtor's attorney if applicable, of attached Master Mailing List of creditors, consisting of $1 - 1$ shadebtor's schedules pursuant to Local Rule 1007-2(d) and I/we a	neet(s) is complete, correct and consistent with the
Date: 11/04/2010 /s/ S	usana Tubianosa
	SHAPPHIRE RESOURCES LLC
/s/ Jaime G Monteclaro	
Attorney: Jaime G Monteclaro Joint D	Debtor:

SHAPPHIRE RESOURCES LLC 2770 Cold Plains Drive Hacienda Heights CA 91745

Jaime G Monteclaro
LAW OFFICES OF JAIME G MONTECL
640 S Sunset Avenue Ste 206
West Covina CA 91790

BAC Home Loan Servicing LP Payment Processing PO Box 660833 Dallas TX 75266

Wachovia Mortgage PO Box 60505 City of Industry CA 91716