

United States Bankruptcy Court
EASTERN DISTRICT OF CALIFORNIA

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Pine Gardens-Miner Street, L.P., a Limited Partnership	Name of Joint Debtor (Spouse)(Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): NONE	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-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 94-3356147	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, and State): 915 W. Miner Street Yreka CA	Street Address of Joint Debtor (No. & Street, City, and State):
County of Residence or of the Principal Place of Business: Siskiyou	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): P.O. Box 660122 Sacramento CA	Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above): SAME	Location of Principal Assets of Business Debtor (if different from street address above):

Type of Debtor (Form of organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Other (if debtor is not one of the above entities, check this box and state type of entity below <hr/>	Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input checked="" type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose" <input checked="" type="checkbox"/> Debts are primarily business debts. Chapter 11 Debtors: Check one box: <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ----- Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		

Statistical/Administrative Information <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.									
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000									
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion									
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion									

THIS SPACE IS FOR COURT USE ONLY

2010-21745

FILED

January 26, 2010

1:04 PM

RELIEF ORDERED

CLERK, U. S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA



<p>Voluntary Petition <i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): <i>Pine Gardens-Miner Street, L.P., a Limited Partnership</i></p>	
<p>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)</p>		
<p>Location Where Filed: NONE</p>	<p>Case Number:</p>	<p>Date Filed:</p>
<p>Location Where Filed:</p>	<p>Case Number:</p>	<p>Date Filed:</p>
<p>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</p>		
<p>Name of Debtor: NONE</p>	<p>Case Number:</p>	<p>Date Filed:</p>
<p>District:</p>	<p>Relationship:</p>	<p>Judge:</p>
<p style="text-align: center;">Exhibit A</p> <p>(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)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition</p>	<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p>X _____ 1/26/2010 Signature of Attorney for Debtor(s) Date</p>	
<p>Exhibit C</p> <p>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?</p> <p><input type="checkbox"/> Yes, and exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No</p>		
<p>Exhibit D</p> <p>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)</p> <p><input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.</p>		
<p>Information Regarding the Debtor - Venue (Check any applicable box)</p> <p><input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p> <p><input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action 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.</p>		
<p>Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.)</p> <p><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)</p> <p style="text-align: right;">_____ (Name of landlord that obtained judgment)</p> <p style="text-align: right;">_____ (Address of landlord)</p> <p><input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).</p>		

<p>Voluntary Petition <i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): <i>Pine Gardens-Miner Street, L.P., a Limited Partnership</i></p>
Signatures	
<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>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.</p> <p>[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)</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Debtor</p> <p>X _____ Signature of Joint Debtor</p> <p>_____ Telephone Number (if not represented by attorney)</p> <p>_____ Date</p>	<p style="text-align: center;">Signature of a Foreign Representative</p> <p>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.</p> <p>(Check only one box.)</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>X _____ (Signature of Foreign Representative)</p> <p>_____ (Printed name of Foreign Representative)</p> <p><u>1/26/2010</u> (Date)</p>
<p style="text-align: center;">Signature of Attorney*</p> <p>X /s/ Scott H. McNutt Signature of Attorney for Debtor(s)</p> <p>Scott H. McNutt 104696 Printed Name of Attorney for Debtor(s)</p> <p>McNutt Law Group LLP Firm Name</p> <p>188 The Embarcadero, Suite 800 Address</p> <p>_____ San Francisco CA 94105</p> <p>(415) 995-8475 Telephone Number</p> <p><u>1/26/2010</u> Date</p> <p><small>*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.</small></p>	<p style="text-align: center;">Signature of Non-Attorney Bankruptcy Petition Preparer</p> <p>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.</p> <p>_____ Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____ 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.)</p> <p>_____ Address</p> <p>_____ X _____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided</p> <p>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.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>
<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>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.</p> <p>The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X /s/ James Johnston Signature of Authorized Individual</p> <p>James Johnston Printed Name of Authorized Individual</p> <p>Managing Partner Title of Authorized Individual</p> <p><u>1/26/2010</u> Date</p>	<p>_____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided</p> <p>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.</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>

PARTNERSHIP RESOLUTION

A meeting of Pine Gardens – Miner Street, L.P., a California limited partnership (the "Partnership") was held on January 25, 2010. After a discussion, upon motion duly made, and unanimously approved, the following resolutions were adopted:

WHEREAS, the partners have reviewed the Partnership's financial situation, its prospects, its assets and liabilities and the interests of the Partnership creditors; and

WHEREAS, the Partnership is in serious financial condition and is unable to continue without debt relief; and

WHEREAS, it appears to the partners that it is in the best interest of the Partnership, its shareholders and creditors, to commence a case under Chapter 11 of Title 11, United States Code (the "Bankruptcy Code");


NOW, THEREFORE, be it hereby resolved that the partners find and determine that it is in the best interest of the Partnership, its shareholders and creditors for it to commence a case under Chapter 11 of the Bankruptcy Code;

BE IT FURTHER RESOLVED that the officers and agents of the Partnership be, and each of the hereby is, empowered and directed without further action by this Board of Directors to prepare, sign and file, or cause to be prepared, signed and filed and prosecuted, a petition for relief under Chapter 11 of the Bankruptcy Code, and all agreements, instruments and documents necessary to effect a Chapter 11 Plan and all instruments useful and necessary to the confirmation and implementation of such Plan;

BE IT FURTHER RESOLVED that James Johnston, the Partnership's Managing Partner, is designated and authorized to act as the "Responsible Individual" for the

Partnership as may be required by the Local Bankruptcy Rules for the Eastern District of California; and

BE IT FURTHER RESOLVED that the officers and agents of the Partnership are authorized, empowered and directed to retain the McNutt Law Group LLP ("MLG") to commence and prosecute the aforementioned Chapter 11 case, and to do all things, and to prepare, sign and file all papers or documents necessary or proper to the prosecution of said Chapter 11 case; and MLG is authorized to take such actions in the bankruptcy case which MLG, in its discretion, concludes are necessary to MLG's and/or the Partnership's fulfillment of its fiduciary obligations in the bankruptcy case.


Signature

JAMES E. JOHNSTON
Type or print name

GENERAL PARTNER
Title

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In re *Pine Gardens-Miner Street, L.P.*
a Limited Partnership

Case No.
Chapter 11

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 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)
1 <i>John Reynen</i> <i>P.O. Box 660122</i> <i>Sacramento CA 95866</i>	Phone: <i>John Reynen</i> <i>P.O. Box 660122</i> <i>Sacramento CA 95866</i>		C U D	\$ 650,000.00
2 <i>James E. Johnston</i> <i>P.O. Box 660122</i> <i>Sacramento CA 95866</i>	Phone: <i>James E. Johnston</i> <i>P.O. Box 660122</i> <i>Sacramento CA 95866</i>			\$ 328,000.00
3 <i>Suburban Propane</i> <i>438 E. Shaw Ave.</i> <i>Suite 519</i> <i>Fresno CA 93710</i>	Phone: <i>Suburban Propane</i> <i>438 E. Sahw Ave.</i> <i>Suite 519</i> <i>Fresno CA 93710</i>			\$ 19,111.79
4 <i>City of Yreka</i> <i>P.O. Box 1005</i> <i>Yreka CA 96097</i>	Phone: <i>City of Yreka</i> <i>P.O. Box 1005</i> <i>Yreka CA 96097</i>			\$ 15,715.54
5 <i>CIG</i> <i>P.O. Box 2093</i> <i>Monterey CA 93942</i>	Phone: <i>CIG</i> <i>P.O. Box 2093</i> <i>Monterey CA 93942</i>			\$ 11,087.00

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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)
6 Clifford Donoho 205 Sage Mediows Dr. Rio Vista CA 94571	Phone: Clifford Donoho 205 Sage Mediows Dr. Rio Vista CA 94571			\$ 6,525.00
7 Steven Heller 6833 Fair Oaks Blvd. Carmichael CA 95608	Phone: Steven Heller 6833 Fair Oaks Blvd. Carmichael CA 95608			\$ 3,500.00
8 Pacific Power 1033 NE 6th Ave. Portland OR 97256	Phone: Pacific Power 1033 NE 6th Ave. Portland OR 97256			\$ 3,046.35
9 Sears P.O. Box 6937 The Lakes NV 88901	Phone: Sears P.O. Box 6937 The Lakes NV 88901			\$ 2,290.67
10 Yreka Transfer 303 Yama Street Yreka CA 96097	Phone: Yreka Transfer 303 Yama Street Yreka CA 96097			\$ 1,897.92
11 Family Carpets 600 S. Broadway St. Yreka CA 96097	Phone: Family Carpets 600 S. Broadway St. Yreka CA 96097			\$ 1,800.00
12 Walt McQueen 915 W. Miner St. Yreka CA 96097	Phone: Walt McQueen 915 W. Miner St. Yreka CA 96097			\$ 1,700.00
13 Dave Nash 705 White Rock Road Grenada CA 96038	Phone: Dave Nash 705 White Rock Road Grenada CA 96038			\$ 1,631.50

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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)
14 <i>Redman Glass</i> 517 S. Main St. Yreka CA 96097	Phone: <i>Redman Glass</i> 517 S. Main St. Yreka CA 96097			\$ 1,628.00
15 <i>American Blinds and Draperies</i> 6965 Luther Drive Sacramento CA 95823	Phone: <i>American Blinds and Draperies</i> 6965 Luther Drive Sacramento CA 95823			\$ 1,529.82
16 <i>Martin F. Andreas</i> 510 4th St. Yreka CA 96097	Phone: <i>Martin F. Andreas</i> 510 4th St. Yreka CA 96097			\$ 1,500.00
17 <i>Weed Building</i> 700 Shastina Dr. Weed CA 96094	Phone: <i>Weed Building</i> 700 Shastina Dr. Weed CA 96094			\$ 1,360.77
18 <i>Ohlunds</i> 204 W. Miner St. Yreka CA 96097	Phone: <i>Ohlunds</i> 204 W. Miner St. Yreka CA 96097			\$ 987.00
19 <i>WalMart</i> P.O. Box 530932 Atlanta GA 30353	Phone: <i>WalMart</i> P.O. Box 530932 Atlanta GA 30353			\$ 913.92
20 <i>Cooley and Pollard True Value</i> 300 W. Miner Street Yreka CA 96097	Phone: <i>Cooley and Pollard True Value</i> 300 W. Miner Street Yreka CA 96097			\$ 570.64

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A PARTNERSHIP

I, James Johnston, Managing Partner of the Partnership 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: 1/26/2010

Signature /s/ James Johnston

Name: James Johnston

Title: Managing Partner