Case 10-00173-11 Filed 01/06/10 Doc 1 Pg. 1 of 11

B1	(Official	Form	1)(1/08)

United States Bankruptcy Court Southern District of California					Voluntary Petition	n	
Name of Debtor (if individual, enter Last, First, Middle): Lai, Sothy				of Joint De	ebtor (Spouse	e) (Last, First, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				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-Taxpa (if more than one, state all) xxx-xx-8687	ayer I.D. (ITIN) No./C	Complete EIN		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. and Street, City, 3 315 Highland Oaks Lane Fallbrook, CA	_	ZIP Code		Street Address of Joint Debtor (No. and Street, City, and State):			
County of Residence or of the Principal Place o		92028-8097		y of Reside	ence or of the	e Principal Place of Business:	
San Diego							
Mailing Address of Debtor (if different from str	eet address):		Mailin	ig Address	of Joint Debt	tor (if different from street address):	
	Г	ZIP Code	-			ZIP Cod	le
Location of Principal Assets of Business Debtor (if different from street address above):	. I						
Type of Debtor		of Business				r of Bankruptcy Code Under Which	
 (Form of Organization) (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership 	(Check one box) Health Care Business Single Asset Real Estate as define in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank		efined	 Chapte Chapte Chapte Chapte Chapte Chapte Chapte 	er 7 er 9 er 11 er 12	 Petition is Filed (Check one box) Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding 	
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	□ Other	_				Nature of Debts (Check one box)	
	Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code)		States	ation ttes Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for			
Filing Fee (Check or	ne box)			one box:		Chapter 11 Debtors	
 Full Filing Fee attached 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. 				 Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: 			
Filing Fee waiver requested (applicable to chapter 7 individuals only). Must 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. THIS SPACE IS FOR COURT USE ONLY Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY							
Estimated Number of Creditors ■ 1- 50- 100- 200- 49 99 199 999	□ □ 1,000- 5,001- 5,000 10,000] 5,001- 0,000	50,001- 100,000	OVER 100,000		
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to] 100,000,001 5500 nillion	\$500,000,001 to \$1 billion	More than \$1 billion		
Estimated Liabilities Image: style="text-align: center;">Image: style="text-align: center;"/>Image: style: style="text-align: center;	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to] 100,000,001 5 \$500 hillion	5500,000,001 to \$1 billion			

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B1 (Official For Voluntar	y Petition	Name of Debtor(s):	Page 2		
	•	Lai, Sothy			
(This page mi	ast be completed and filed in every case)	8 Vegra (If more than two	attach additional sheat)		
Location	All Prior Bankruptcy Cases Filed Within Last	Case Number:	Date Filed:		
Where Filed:	- None -				
Location Where Filed:		Case Number:	Date Filed:		
	nding Bankruptcy Case Filed by any Spouse, Partner, or				
Name of Debt Mazlina A I		Case Number: 09-bk-15123-JM7	Date Filed: 10/05/08		
District: United Stat	es Bankruptcy Court Southern District of California	Relationship: Spouse	Judge: Hon JAMES MEYERS		
	Exhibit A	(To be completed if debtor is an	Exhibit B individual whose debts are primarily consumer debts.)		
forms 10K a pursuant to S	bleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	I, the attorney for the petition have informed the petitioner 12, or 13 of title 11, United S	ner named in the foregoing petition, declare that I that [he or she] may proceed under chapter 7, 11, States Code, and have explained the relief available in ther certify that I delivered to the debtor the notice		
Exhibit A is attached and made a part of this petition. X /s/ David A. St. John January 6, 2010 Signature of Attorney for Debtor(s) (Date) David A. St. John (Date)					
Exhibit If this is a join	leted by every individual debtor. If a joint petition is filed, eac D completed and signed by the debtor is attached and made a int petition:	a part of this petition.	-		
	D also completed and signed by the joint debtor is attached a		ли. 		
	Information Regardin (Check any ap				
	Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for	al place of business, or princi			
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral 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.				
	Certification by a Debtor Who Reside (Check all appl		l Property		
	Landlord has a judgment against the debtor for possession		checked, complete the following.)		
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, th the entire monetary default that gave rise to the judgment f				
	Debtor has included in this petition the deposit with the co after the filing of the petition.		-		

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(1/08)	Page 3
V	oluntary Petition	Name of Debtor(s): Lai, Sothy
(Tk	is page must be completed and filed in every case)	
(1.		l 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 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	/s/ Sothy Lai	X Signature of Foreign Representative
	Signature of Debtor Sothy Lai	Signature of Foreign Representative
X	Signature of Joint Debtor	Printed Name of Foreign Representative
		Date
	Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
	January 6, 2010	I declare under penalty of perjury that: (1) I am a bankruptcy petition
	Date	preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for
	Signature of Attorney*	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),
X	/s/ David A. St. John Signature of Attorney for Debtor(s) David A. St. John 048746 Printed Name of Attorney for Debtor(s)	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.
	<u>St. John Law Offices</u> Firm Name	Printed Name and title, if any, of Bankruptcy Petition Preparer
	309 South A Street Oxnard, CA 93030-5804 Address Email: dsj@law-pro.net	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.)
	805-486-8000 Fax: 805-486-8855	
	January 6, 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.	Address X
	Signature of Debtor (Corporation/Partnership)	Date
	I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Signature of 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:
Х	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	

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

United States Bankruptcy Court Southern District of California

In re Sothy Lai

Debtor(s)

Case No. Chapter 11

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

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

■ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

 \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.] Software Copyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-8037 Best

Best Case Bankruptcy

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

 \Box 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.);

 \Box 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/ Sothy Lai Sothy Lai Date: January 6, 2010 B4 (Official Form 4) (12/07)

United States Bankruptcy Court Southern District of California

In re Sothy Lai

Debtor(s)

Case No. 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]
Bank Of America	Bank Of America	CreditCard		37,072.00
Po Box 17054	Po Box 17054 Wilmington DE 10850			
Wilmington, DE 19850 Bank Of America	Wilmington, DE 19850 Bank Of America	CreditCard		29,804.00
Po Box 17054	Po Box 17054	CreditCard		29,004.00
Wilmington, DE 19850	Wilmington, DE 19850			
Bank Of America	Bank Of America	CreditCard		15,932.00
Po Box 1598	Po Box 1598			
Norfolk, VA 23501	Norfolk, VA 23501			
Bank Of America	Bank Of America	CreditCard		13,104.00
Po Box 17054	Po Box 17054			
Wilmington, DE 19850	Wilmington, DE 19850			
Bank Of America	Bank Of America	CreditCard		5,211.00
Po Box 17054	Po Box 17054			
Wilmington, DE 19850	Wilmington, DE 19850			
Capital One Bank	Capital One Bank	CreditCard		30,541.00
Attn: C/O TSYS Debt Mgmt	Attn: C/O TSYS Debt Mgmt			
Po Box 5155	Po Box 5155			
Norcross, GA 30091	Norcross, GA 30091			
Capital One NA	Capital One NA	CreditCard		23,432.00
2730 Liberty Ave	2730 Liberty Ave			
Pittsburgh, PA 15222	Pittsburgh, PA 15222			40.470.00
Capital One NA 2730 Liberty Ave	Capital One NA 2730 Liberty Ave	Loan		12,472.00
Pittsburgh, PA 15222	Pittsburgh, PA 15222			
Chen, Neng-Guin	Neng-Guin Chen	Agreement For		63,000.00
4260 Alta Vista Court	4260 Alta Vista Court	Payment of		05,000.00
Oceanside, CA 92057-7531	Oceanside, CA 92057-7531	Judgment		
Citi	Citi	CreditCard		44,370.00
Po Box 6241	Po Box 6241			
Sioux Falls, SD 57117	Sioux Falls, SD 57117			
Citi	Citi	CreditCard		7,478.00
Po Box 6241	Po Box 6241			
Sioux Falls, SD 57117	Sioux Falls, SD 57117			

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B4 (Official Form 4) (12/07) - Cont. In re Sothy Lai

Debtor(s)

Case No.

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]
Countrywide Home Lending Attn: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	RealEstateMortgag e	Disputed	681,079.00 (675,000.00 secured)
Countrywide Home Lending Attn: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	RealEstateMortgag e	Disputed	580,504.00 (375,000.00 secured)
Countrywide Home Lending Attn: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	CreditLineSecured	Disputed	107,951.00 (375,000.00 secured) (580,504.00 senior lien)
Countrywide Home Lending Attn: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	CreditLineSecured	Disputed	88,735.00 (675,000.00 secured) (681,079.00 senior lien)
Discover Fin Svcs Llc Po Box15316 Wilmington, DE 19850	Discover Fin Svcs Llc Po Box15316 Wilmington, DE 19850	CreditCard		20,558.00
Rich, Melvin D. 11717 Bernardo Plaza Ct # 205 San Diego, CA 92128-2420	Rich, Melvin D. 11717 Bernardo Plaza Ct # 205 San Diego, CA 92128-2420	LegalServices	Disputed	32,574.15
THE ROTH LAW FIRM PC 11547 W Bernardo Ct Ste 303 San Diego, CA 92127-1601	THE ROTH LAW FIRM PC 11547 W Bernardo Ct Ste 303 San Diego, CA 92127-1601	LegalServices	Disputed	32,574.15
Unvl/citi Attn.: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195	Unvl/citi	CreditCard		37,113.00
Webb, Dean Browning 8002 NE Hwy 99 Ste B PMB 256 Vancouver, WA 98665	Webb, Dean Browning 8002 NE Hwy 99 Ste B PMB 256 Vancouver, WA 98665	LegalServices		63,500.00

B4 (Official Form 4) (12/07) - Cont. In re Sothy Lai

Debtor(s)

Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS (Continuation Sheet)

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

I, **Sothy Lai**, 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 January 6, 2010

Signature /s/ Sothy Lai Sothy Lai

Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571. American Express c/o Becket and Lee Po Box 3001 Malvern, PA 19355

Bank Of America Po Box 17054 Wilmington, DE 19850

Bank Of America Po Box 1598 Norfolk, VA 23501

Capital One Auto Finance 3901 N Dallas Pkwy Plano, TX 75093

Capital One Bank Attn: C/O TSYS Debt Mgmt Po Box 5155 Norcross, GA 30091

Capital One NA 2730 Liberty Ave Pittsburgh, PA 15222

Chase Po Box 15298 Wilmington, DE 19850

Chen, Neng-Guin 4260 Alta Vista Court Oceanside, CA 92057-7531

Citi Po Box 6241 Sioux Falls, SD 57117

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Citi Po Box 6003 Hagerstown, MD 21747

Countrywide Home Lending Attn: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062

Cronin, Robert Barry 12414 Robison Boulevard Poway, CA 92064

Discover Fin Svcs Llc Po Box15316 Wilmington, DE 19850

Key Bank Usa 745 Atlantic Ave Ste 300 Boston, MA 02111

Macys/fdsb Macy's Bankruptcy Po Box 8053 Mason, OH 45040

Rich, Melvin D. 11717 Bernardo Plaza Ct # 205 San Diego, CA 92128-2420

THE ROTH LAW FIRM PC 11547 W Bernardo Ct Ste 303 San Diego, CA 92127-1601

Unvl/citi Attn.: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195 Webb, Dean Browning 8002 NE Hwy 99 Ste B PMB 256 Vancouver, WA 98665