

B1 (Official Form 1)(12/11)

United States Bankruptcy Court Southern District of California		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Mestler Construction, Inc.		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):		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): 95-1973274		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, and State): 351 Third Avenue, Suite #4 Chula Vista, CA		Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code 91910		ZIP Code
County of Residence or of the Principal Place of Business: San Diego		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):
ZIP Code		ZIP Code

Location of Principal Assets of Business Debtor (if different from street address above):

<p>Type of Debtor (Form of Organization) (Check one box)</p> <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input 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.)	<p>Nature of Business (Check one box)</p> <input type="checkbox"/> Health Care Business <input 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 checked="" type="checkbox"/> Other	<p>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</p> <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
<p>Chapter 15 Debtors</p> <p>Country of debtor's center of main interests:</p> <p>Each country in which a foreign proceeding by, regarding, or against debtor is pending:</p>	<p>Tax-Exempt Entity (Check box, if applicable)</p> <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<p>Nature of Debts (Check one box)</p> <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.

<p>Filing Fee (Check one box)</p> <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.	<p>Check one box:</p> <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). 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).
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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

<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
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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 checked="" type="checkbox"/> \$500,001 to \$1 million	<input 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
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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 checked="" type="checkbox"/> \$500,001 to \$1 million	<input 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
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THIS SPACE IS FOR COURT USE ONLY

Case # : 12-00212-LA11
Debtor. : MESTLER CONSTRUCTION, INC.
Judge. : LOUISE ADLER
Chapter: 11

Filed : January 09, 2012 13:35:49
Deputy : FRANCES MALDONADO
Receipt: 216947
Amount : \$1,046.00

RELIEF ORDERED
Clerk, U.S. Bankruptcy Court
Southern District Of California

B1 (Official Form 1)(12/11)

Page 2

Voluntary Petition (This page must be completed and filed in every case)		Name of Debtor(s): Mestler Construction, Inc.	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
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 more than one, attach additional sheet)			
Name of Debtor: - None -	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A		Exhibit B	
(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.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		(To be completed if debtor is an individual whose debts are primarily consumer debts.) 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 delivered to the debtor the notice required by 11 U.S.C. §342(b). 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? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a 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.			
Information Regarding the Debtor - Venue (Check any applicable box)			
<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.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<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 or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)			
<input type="checkbox"/> 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)			
<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			
<input type="checkbox"/> 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.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

Voluntary Petition

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

Name of Debtor(s):

Mestler Construction, Inc.

Signatures

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

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

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

X _____
 Signature of Debtor

X _____
 Signature of Joint Debtor

 Telephone Number (If not represented by attorney)

 Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
 Signature of Foreign Representative

 Printed Name of Foreign Representative

 Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

 Printed Name and title, if any, of Bankruptcy Petition Preparer

 Social-Security number (If the 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.)

 Address

X _____
 Date

 Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

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

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

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

Signature of Attorney*

X *James E. Swingley*
 Signature of Attorney for Debtor(s)

James E. Swingley 113834
 Printed Name of Attorney for Debtor(s)

James E. Swingley Attorney At Law
 Firm Name

**2320 5th Ave
 Suite 200
 San Diego, CA 92101**
 Address

 Address

Email: legctr@sbcglobal.net

619-233-1808 Fax: 619-233-1534
 Telephone Number

 Telephone Number

 Date

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

Signature of Debtor (Corporation/Partnership)

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

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

X *C. Mestler*
 Signature of Authorized Individual

Cheryl A. Mestler
 Printed Name of Authorized Individual

President
 Title of Authorized Individual

 Title of Authorized Individual

 Date

B4 (Official Form 4) (12/07)

United States Bankruptcy Court
Southern District of California

In re Mestler Construction, Inc.

Debtor(s)

Case No.
Chapter12-00212-LA
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) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
City-Wide Electronic Sys., Inc 440 Highland Ave. El Cajon, CA 92020-5209	City-Wide Electronic Sys., Inc 440 Highland Ave. El Cajon, CA 92020-5209	Security Panels		2,579.54
DGB Survey & Mapping, Inc. 837 East J. St. Chula Vista, CA 91910	DGB Survey & Mapping, Inc. 837 East J. St. Chula Vista, CA 91910	Civil Engineering		5,775.00
Fleetwood Electric Inc. 1416 Hoover Ave. National City, CA 91950	Fleetwood Electric Inc. 1416 Hoover Ave. National City, CA 91950	Electrical		3,000.00
Frazee Paint P.O. Box 48439 Minneapolis, MN 55448	Frazee Paint P.O. Box 48439 Minneapolis, MN 55448	Paint Materials		353.49
Gerald Buckosky 6808 Via Moreno Carlsbad, CA 92009	Gerald Buckosky 6808 Via Moreno Carlsbad, CA 92009	Litigation - Final Judgment Entered	Disputed	74,000.00
Granum Partners, LLP 340 University Ave Los Gatos, CA 95030	Granum Partners, LLP 340 University Ave Los Gatos, CA 95030	Office Lease		43,622.50
Home Depot P.O. Box 6029 The Lakes, NV 88901	Home Depot P.O. Box 6029 The Lakes, NV 88901	Project Materials		3,685.65
Internal Revenue Service Centralized Insolvency Operati Operati PO Box 21126 Philadelphia, PA 19114-0326	Internal Revenue Service Centralized Insolvency Operati PO Box 21126 Philadelphia, PA 19114-0326	Unpaid Payroll Withholdings	Contingent Unliquidated Disputed	160,000.00
Jan Richardson DBA ChimTech 1608 Chiswick Ct. El Cajon, CA 92020	Jan Richardson DBA ChimTech 1608 Chiswick Ct. El Cajon, CA 92020	Chimney Subcontractor		1,400.00
Jerome Schiefelbein 16466 Bernardo Ctr Dr.,#116 San Diego, CA 92128	Jerome Schiefelbein 16466 Bernardo Ctr Dr.,#116 San Diego, CA 92128	Legal Services		143,063.76

B4 (Official Form 4) (12/07) - Cont.

In re Mestler Construction, Inc.

Case No. _____

Debtor(s)

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

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Lovlace Engineering 5930 Cornerstone Court W. Suite 100 San Diego, CA 92121-3772	Lovlace Engineering 5930 Cornerstone Court W. Suite 100 San Diego, CA 92121-3772	Structural Engineering		1,474.28
Peter Rullan 98 Cook Ct. Chula Vista, CA 91910	Peter Rullan 98 Cook Ct. Chula Vista, CA 91910	Litigation - pending - cross complainant	Contingent Unliquidated Disputed	1,000,000.00
Robin J Franklin Design 6151 Fairmount Ave., #205 San Diego, CA 92120	Robin J Franklin Design 6151 Fairmount Ave., #205 San Diego, CA 92120	Design/Drawings		3,907.00
Roger Bielasz 15838 Highland Valley Rd. Escondido, CA 92025	Roger Bielasz 15838 Highland Valley Rd. Escondido, CA 92025	Litigation - Pending	Contingent Unliquidated Disputed	99,300.00
Seacoast Commerce Bank 678 3rd Ave. Chula Vista, CA 91910	Seacoast Commerce Bank 678 3rd Ave. Chula Vista, CA 91910	Line of Credit		47,164.30
Sequoia Roofing 16466 Bernardo Ctr Dr. #116 San Diego, CA 92128	Sequoia Roofing 16466 Bernardo Ctr Dr. #116 San Diego, CA 92128	Roofing services		9,534.60
Soils Testers PO Box 1195 Lakeside, CA 92040	Soils Testers PO Box 1195 Lakeside, CA 92040	Soil Testing		1,320.00
Staples 7322 Southwest Freeway Suite 1600 Houston, TX 77074	Staples 7322 Southwest Freeway Suite 1600 Houston, TX 77074			5,076.96
Symon's Fire Protection 1050 Pioneer Way. Ste. R El Cajon, CA 92020	Symon's Fire Protection 1050 Pioneer Way. Ste. R El Cajon, CA 92020	Fire Sprinklers		3,709.00

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

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date _____

Signature _____

Cheryl A. Mestler
Cheryl A. Mestler
President

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.

California Franchise Tax Board
Bankruptct, PIT
PO Box 2952
Sacramento, CA 95812-2952

Internal Revenue Service
PO Box 7704
Fresno, CA 93888-0015

San Diego Tax Assessor
1600 Pacific Highway
Room 162
San Diego, CA 92101

Cheryl A. Mestler
18380 Bernardo Trails Dr.
San Diego, CA 92128

City-Wide Electronic Sys., Inc
440 Highland Ave.
El Cajon, CA 92020-5209

Coface Collections
2400 Veterans Blvd. Ste. #300
Kenner, LA 70062

DGB Survey & Mapping, Inc.
837 East J. St.
Chula Vista, CA 91910

Fleetwood Electric Inc.
1416 Hoover Ave.
National City, CA 91950

Frazee Paint
P.O. Box 48439
Minneapolis, MN 55448

Gerald Buckosky
6808 Via Moreno
Carlsbad, CA 92009

Granum Partners, LLP
340 University Ave
Los Gatos, CA 95030

Granum Partners, LLP
P.O. Box 2460
Saratoga, CA 95070

Home Depot
P.O. Box 6029
The Lakes, NV 88901

Internal Revenue Service
Centralized Insolvency Operati
PO Box 21126
Philadelphia, PA 19114-0326

Jan Richardson DBA ChimTech
1608 Chiswick Ct.
El Cajon, CA 92020

Jerome Schiefelbein
16466 Bernardo Ctr Dr., #116
San Diego, CA 92128

John S. Moot Schwartz
Semerdjian, Ballard & Cauley
101 W. Broadway, Ste. 810
San Diego, CA 92101

Lovelace Engineering
5930 Cornerstone Court W.
Suite 100
San Diego, CA 92121-3772

Michael McDonnell
McDonnell & Associates
2040 Harbor Dr. #202
San Diego, CA 92101

Peter Rullan
98 Cook Ct.
Chula Vista, CA 91910

Robin J Franklin Design
6151 Fairmount Ave., #205
San Diego, CA 92120

Roger Bielasz
15838 Highland Valley Rd.
Escondido, CA 92025

Seacoast Commerce Bank
678 3rd Ave.
Chula Vista, CA 91910

Sequoia Roofing
16466 Bernardo Ctr Dr. #116
San Diego, CA 92128

Soils Testers
PO Box 1195
Lakeside, CA 92040

Staples
7322 Southwest Freeway
Suite 1600
Houston, TX 77074

Symon's Fire Protection
1050 Pioneer Way. Ste. R
El Cajon, CA 92020