## Case 13-06509-CL11 Filed 06/26/13 Doc 1 Pg. 1 of 9

B1 (Official Form 1) (12/07)							
United States Bankruptcy Court SOUTHERN DISTRICT OF CALIFORNIA					Va	luntary Petitio	<b>n</b>
Name of Debtor (if individual, enter Last, First, Middle): LDG Convoy Street, LLC			Name of Joir	t Debtor (Spo	use) (Last, First, I	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 Social-Security/Complete EIN or other Tax-I.D. No. (if more than one, state all): 26-1998208				Last four digits of Social-Security/Complete EIN or other Tax-I.D. No. (if more than one, state all):			
Street Address of Debtor (No. and Street, City, and Stat	c):		Street Addre	ss of Joint Deb	tor (No. and Stre	et, City, and Sta	te):
1804 Garnet Avenue, #156							
San Diego, California	ZIP COL	DE 92104	ZIP CODE				
County of Residence or of the Principal Place of Busine San Diego	ess:		County of Ro	sidence or of	the Principal Plac		
Mailing Address of Debtor (if different from street addr	ress):		Mailing Add	ress of Joint D	ebtor (if different	from street add	ress):
Same			ļ				
	ZIP COI	DE Same				Z	IP CODE
Location of Principal Assets of Business Debtor (if diff.	erent from street						
4470 Convoy Street, San Diego, Californ Type of Debtor		Nature of Busine	55	· · · · ·	Chapter of Bankı		IP CODE 92111
(Form of Organization) (Check one box.)	(Check one bo	ox.)				Filed (Check o	
<ul> <li>Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	Single           11 U.S.           Railroa           Stockbr           Common		as defined in	Chap Chap Chap	oter 7	<ul> <li>Chapter 15 F Recognition Main Proces</li> <li>Chapter 15 F Recognition Nonmain Press</li> </ul>	of a Foreign iding Petition for of a Foreign
	Other			Nature of Debts (Check one box.)			
	Tax-Exempt Entity (Check box, if applicable.)				re primarily cons		bts are primarily
	Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).			§ 101(8 individ persona	defined in 11 U.S. 8) as "incurred by ual primarily for a al, family, or hous prose."	an a	siness debts.
Filing Fee (Check one box.)			Check one h		Chapter 11 D	ochtors	7
Full Filing Fee attached.			Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).				
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 not a small business debtor as defined in 11 U.S.C. § 101(51D).				
Filing Fee waiver requested (applicable to chapter	7 individuals of	nly). Must	Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.				
attach signed application for the court's consideration	tion. See Offici	al Form 3B.	Check all applicable boxes:				
			Accept	ances of the pl		prepetition from	n one or more classes
Statistical/Administrative Information			LOI Crec	mors, in accord	dance with 11 U.S	ა.ლ, <u>ვ 1126(b)</u> ,	THIS SPACE IS FOR
					COURT USE ONLY		
distribution to unsecured creditors. Estimated Number of Creditors							
Image: Point of the state of the s	1,000-		),001- 2	 .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 million	\$1,000,001      \$ to \$10	to \$50 to	50,000,001 \$ \$100 t	] 100,000,001 5 \$500 hillion	[] \$500,000,001 to \$1 billion	More than \$1 billion	
\$0 to \$50,001 to \$100,001 to \$500,001 . \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$ to \$10 t	to \$50 to	50,000,001 \$ \$100 t	] 100,000,001 5 \$500 nillion	[] \$500,000,001 to \$1 billion	☐ More than \$1 billion	

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B1 (Official Form 1			Page 2	
Voluntary Petition (This page must be	e completed and filed in every case.)	Name of Debtor(s): LDG Convoy Street, LLC		
	All Prior Bankruptey Cases Filed Within Last 8 Y	ears (If more than two, attach additional sheet.)		
Location Where Filed:		Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed;	
Name of Debtor:	Pending Bankruptey Case Filed by any Spouse, Partner, or Affili			
		Case Number:	Date Filed:	
District:		Relationship:	Judge:	
10Q) with the Sec	Exhibit A if debtor is required to file periodic reports (e.g., forms 10K and surities and Exchange Commission pursuant to Section 13 or 15(d) exchange Act of 1934 and is requesting relief under chapter 11.)	Exhibit B (To be completed if debtor whose debts are primarily c I, the attorney for the petitioner named in the have informed the petitioner that [he or she] 12, or 13 of title 11, United States Code available under each such chapter. I further debtor the notice required by 11 U.S.C. § 342	consumer debts.) e foregoing petition, declare that I may proceed under chapter 7, 11, e, and have explained the relief certify that I have delivered to the	
Exhibit A is	s attached and made a part of this petition.	X Signature of Attorney for Debtor(s)	(Date)	
			,Datej	
	Exhibit			
Does the debtor ow	wn or have possession of any property that poses or is alleged to pose	a threat of imminent and identifiable harm to pu	iblic health or safety?	
Yes, and Ex	chibit C is attached and made a part of this petition.			
🗹 No.				
	<b>Exhibit</b> ted by every individual debtor. If a joint petition is filed t D completed and signed by the debtor is attached and r	d, each spouse must complete and attac	ch a separate Exhibit D.)	
If this is a joint	t petition;			
-	t D also completed and signed by the joint debtor is atta	ched and made a part of this petition.		
	Information Regarding t			
	(Check any applied Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 day	f business, or principal assets in this District for	180 days immediately	
	There is a bankruptcy case concerning debtor's affiliate, general part	mer, 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 Resides a (Check all applica			
	Landlord has a judgment against the debtor for possession of debt	or's residence. (If box checked, complete the fo	ollowing.)	
		(Name of landlord that obtained judgment)		
		(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possessi	circumstances under which the debtor would be on, after the judgment for possession was enter	permitted to cure the ed, and	
	Debtor has included with this petition the deposit with the court of filing of the petition.	f any rent that would become due during the 30-	-day period after the	
	Debtor certifies that he/she has served the Landlord with this certi-	fication, (11 U.S.C. § 362(i)).		

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B1 (Official Form) 1 (12/07)	Page 3		
Voluntary Petition	Name of Debtor(s):		
(This page must be completed and filed in every case.)	LDG Convoy Street, LLC		
	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. X Signature of Debtor	<ul> <li>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.</li> <li>(Check only one box.)</li> <li>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.</li> <li>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.</li> <li>X <ul> <li>(Signature of Foreign Representative)</li> </ul> </li> </ul>		
X Signature of Joint Debtor Telephone Number (if not represented by attorney) Date	(Printed Name of Foreign Representative)		
X Signature of Attorney Signature of Attorney for Debtor(s) Christopher W. Olmsted Printed Name of Attorney for Debtor(s) Barker Olmsted & Barnier, APLC Firm Name 3550 Camino del Rio North, Suite 303 Address San Diego, CA 92108	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.		
(619) 682-4820 Exceptione number June 26, 2013 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.	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.)		
Signature of Debtor (Corporation/Partnership)	Address		
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.	X		
The debtor requests the 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.		
x Signature of Authorized Individual Matthew DiNofia Printed Name of Authorized Individual Managing Member Title of Authorized Individual June 26, 2013	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		
Date	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.		

B4 (Official Form 4) (12/07)

## United States Bankruptcy Court

Southern District of California

In re\_LDG Convoy Street, LLC

Debtor

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

(1)	(2)	(3)	(4)	(5)
Vame of creditor und complete nailing address, ncluding zip ode	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, state vai disputed or subject to setoff	Amount of clain [if secured also iue of security]
				-
	-	-		-

Debtor

[Declaration as in Form 2]

# SEE ATTACHED

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Attachment to B4

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted.	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	(5) Amount of claim [if secured, also state value of security]
Edco Disposal Corporation 6670 Federal Boulevard Lemon Grove, CA 91945	6670 Federal Boulevard Lemon Grove, CA 91945 619-287-7555	Services		\$365.11
City of San Diego Public Utilities Department P.O. Box129020 San Diego, CA 92112-9020	City of San Diego Public Utilities Department P.O. Box129020 San Diego, CA 92112-9020 619-515-3500	Services		\$1,762.80
Travelers Insurance Vandorsale Insurance Services 6165 Greenwich Drive, #200 San Diego, CA 92122	Travelers Insurance Vandorsale Insurance Services 6165 Greenwich Drive, #200 San Diego, CA 92122 858-869-8300	Insurance		\$2,211.37
Golden Eagle Insurance P.O. Box 85834 San Diego, CA 92186-5834	Golden Eagle Insurance P.O. Box 85834 San Diego, CA 92186-5834	Insurance		\$2,883.00
Dan McAllister County Treasurer 1600 Pacific Highway, Room 162 San Diego, CA 92191	Dan McAllister County Treasurer 1600 Pacific Highway, Room 162 San Diego, CA 92191 877-829-4732	Taxes		\$33,670-36
SDG&E P.O. Box 25111 Santa Ana, CA 92799-5111	SDG&E P.O. Box 25111 Santa Ana, CA 92799-5111 1-800-336-7343	Utilities		\$500.00
The Home Depot P.O. Box 790345 St. Louis, MO 63179-0345	The Home Depot P.O. Box 790345 St. Louis, MO 63179-0345 1-800-685-6691	Materials		\$1,000.00
Action Foreclosure 7839 University Avenue, #211 La Mesa, CA 91942	Action Foreclosure 7839 University Avenue, #211 La Mesa, CA 91942	Mortgage		\$1,124,958.17
Franchise Tax Board P.O. Box 942857 Sacramento, CA 94257	Franchise Tax Board P.O. Box 942857 Sacramento, CA 94257	Taxes		Unknown

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

I, the Sole Member and Manager 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: June 26, 2013

Signature:

Cerre

Matthew C. DiNofia Sole Member and Manager

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.

#### United State Bankruptcy Court Southern District of California

In re LDG Convoy Street, LLC

Case No.\_\_\_\_\_

Chapter <u>11</u>

#### LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last know address or place of business holder	Security	Number	Kind of
	Class	of Securities	Interest
Matthew C. DiNofia 1295 Discovery Street San Marcos, CA 92078	Membership	100%	Membership Interest

I, the Sole Member and Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date: June 26, 2013	Signature:	Ce	
		Matthew C. DiNofia	
		Sole Member and Manager	

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.

#### United State Bankruptcy Court Southern District of California

In re LDG Convoy Street, LLC

Case No.\_\_\_\_\_

Chapter <u>11</u>

#### CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned representative for <u>LDG</u> <u>Convoy Street, LLC</u> in the above-captioned action, certifies that that following is a (are) corporation(s), than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None [Check if applicable]

Date: June 26, 2013

Signature:

Matthew C. DiNofia

Sole Member and Manager

#### RESOLUTION AUTHORIZING CHAPTER 11 BANKRUPTCY FILING BY LDG COVOY STREET, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

A special meeting of LDG Convoy Street, LLC, a California limited liability company (the "Company") was held on June 26, 2013, at which the following resolutions were duly enacted, and the same remain in full force and effect, without modification, unless and until a further resolution to the contrary is adopted:

> RESOLVED, that a Petition under the provisions of Chapter 11 of Title 11 of the United States Code shall be filed by the Company on June 26, 2013 or the first possible date thereafter as determined by the Designated Officer upon the advice of counsel;

> FURTHER RESOLVED, that the law firm of Barker Olmsted & Barnier, APLC ("BOB") shall be retained as bankruptcy counsel to the Company for the purposes of filing the Chapter 11 bankruptcy case for the Company and representing the Company in its Chapter 11 bankruptcy case. The designated Officer is hereby authorized and directed to execute an application for the Company to employ BOB as bankruptcy counsel to the Company in connection with the Company's chapter 11 bankruptcy case;

> FURTHER RESOLVED, that Matthew C. DiNofia ("DiNofia") shall serve as the Designated Officer for the Company during the pendency of its Chapter 11 bankruptcy case;

FURTHER RESOLVED, that as the Designated Officer, DiNofia is hereby authorized and directed on behalf of and in the name of the Company to execute a Chapter 11 bankruptcy petition and all related documents and papers on behalf of the Company in order to enable the Company to commence its Chapter 11 bankruptcy case; FURTHER RESOLVED, that as the Designated Officer, DiNofia is hereby authorized and directed on behalf of and in the name of the Company to execute and file and to cause counsel to the Company to prepare with the assistance of the Company as appropriate all petitions, schedules, lists and other papers, documents and pleadings in connection with the Company's bankruptcy case that DiNofia deems appropriate for the Company.

Date: June 26, 2013

LDG Convoy Street, LLC A California limited liability company

By:

Matthew C. DiNofia Sole Member and Manager