Case:10-10159-EEB Doc#:1 Filed:01/06/10 Entered:01/06/10 16:40:54 Page1 of 15

BI (Official Form 1) (1/08)									
United States Bankruptcy Court District of Colorado				Vol	untary Petition				
Name of Debtor (if individual, enter Last, First, Middle): Guiry, Patrick R.				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): 0708				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, State & Zip Code): 7276 W Walker Dr				Street Address of Joint Debtor (No. & Street, City, State & Zip Code):					
Littleton, CO	ZIPCOD	E 80123-302 ⁻	1	ZIPCODE					
County of Residence or of the Principal Place of B Jefferson				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):					
	ZIPCOD	E						:	ZIPCODE
Location of Principal Assets of Business Debtor (it	f different fro	om street address	s abo	ove):					
									ZIPCODE
Type of Debtor (Form of Organization)	Form of Organization) (Check one lox.) (Check one box.) Health Care Business acludes Joint Debtors) Single Asset Real Estate D on page 2 of this form. U.S.C. § 101(51B) includes LLC and LLP) Railroad tor is not one of the above entities, Commodity Broker			box.) the Petition is Filed (Check one box.)					
 Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) 				as defined in 11 Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13			apter 9 apter 11 apter 12 apter 13	 Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box.) 	
	−	Tax-Exempt El (Check box, if appl □ Debtor is a tax-exempt org Title 26 of the United State Internal Revenue Code).				det § 1 ind per	bts are primaril ots, defined in 1 01(8) as "incurr ividual primaril sonal, family, o d purpose."	y consume 1 U.S.C. red by an y for a	
Filing Fee (Check one	box)			Chapter 11 Debtors					
✓ Full Filing Fee attached				Check one box: 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.			or	 Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. 					
Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Check all applicable boxes: 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 □ Debtor estimates that funds will be available for distribution to unsecured creditors. 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. COURT USE ONLY									
] ,000- ,000	5,001- 10,000	10,0 25,0		25,001- 50,000		50,001- 100,000	Dver 100,000	_
Estimated Assets Image: Stress of the stress of t				,000,001 to 0 million	100,00 to \$500		5500,000,001 to \$1 billion	More than \$1 billion	1
Estimated Liabilities Image: state of the state				\$100,00		500,000,001 to \$1 billion	☐ More thar \$1 billion		

Case:10-10159-EEB Doc#:1 Filed:01/06/1 B1 (Official Form 1) (1/08)		0.40.54 Page2 01 15 Page 2	
Voluntary Petition (<i>This page must be completed and filed in every case</i>)	Name of Debtor(s): Guiry, Patrick R.		
Prior Bankruptcy Case 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 mor	re than one, attach additional sheet)	
Name of Debtor: None	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A (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.)	Exhibit B (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, declard 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 § 342(b) of the Bankruptcy Code.		
	X Signature of Attorney for Debtor(s)	Date	
Does the debtor own or have possession of any property that poses or is or safety? □ Yes, and Exhibit C is attached and made a part of this petition. ✓ No Exhi (To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and made is a joint petition: □ Exhibit D also completed and signed by the joint debtor is attached	ibit D each spouse must complete and attac ade a part of this petition.		
Information Regardi	ng the Debtor - Venue		
	pplicable box.) of business, or principal assets in thi	is District for 180 days immediately	
☐ There is a bankruptcy case concerning debtor's affiliate, general	partner, or partnership pending in t	his District.	
Debtor is a debtor in a foreign proceeding and has its principal p or has no principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg	but is a defendant in an action or pro	oceeding [in a federal or state court]	
Certification by a Debtor Who Resid (Check all app Landlord has a judgment against the debtor for possession of debtection	plicable boxes.)		
(Name of landlord or less	or that obtained judgment)		
(Address of la	ndlord or lessor)		
Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for pos			
	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		

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Voluntary Petition	Page Name of Debtor(s):				
(This page must be completed and filed in every case)	Guiry, Patrick R.				
Sign	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 State 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 /s/ Patrick R. Guiry Signature of Debtor Telephone Number (If not represented by attorney)	 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 constraint of the specified in this petition. 				
Telephone Number (If not represented by attorney) January 6, 2010					
Date					
Signature of Attorney*	Signature of Non-Attorney Petition Preparer I declare under penalty of perjury that: 1) I am a bankruptcy petitior				
X /s/ Kenneth J. Buechler Signature of Attorney for Debtor(s) Kenneth J. Buechler 30906 Sender & Wasserman, P.C. 1660 Lincoln St. Suite 2200 Denver, CO 80264 (303) 296-1999 Fax: (303) 296-7600 buechler@sendwass.com	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 documer and the notices and information required under 11 U.S.C. §§ 110(b 110(h) and 342(b); 3) if rules or guidelines have been promulgate pursuant to 11 U.S.C. § 110(h) setting a maximum fee for service chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filin 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				
January 6, 2010	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.)				
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				
Signature of Debtor (Corporation/Partnership)	│X				
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.	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above. Date Names and Social Security numbers of all other individuals who				
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:				
	prepared or assisted in preparing this document unless the bankruptcy				
United States Code, specified in this petition.	prepared or assisted in preparing this document unless the bankruptcy				

United States Bankruptcy Court District of Colorado

IN RE:

Guiry, Patrick R.

Case No. _____ Chapter 11

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

Debtor(s)

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.

 \checkmark 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*.

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.*

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.]

- 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.);
- 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/ Patrick R. Guiry

Date: January 6, 2010

Certificate Number: 06531-CO-CC-009312248

CERTIFICATE OF COUNSELING

I CERTIFY that on December 14, 2009	, at	4:54	o'clock <u>PM CST</u> ,		
Patrick Guiry received from					
Allen Credit and Debt Counseling Agency					
an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the					
District of Colorado	, ar	individual [or	group] briefing that complied		
with the provisions of 11 U.S.C. §§ 109(h) and 111.					
A debt repayment plan was not prepared	Ifad	ebt repayment pl	an was prepared, a copy of		
the debt repayment plan is attached to this certificate.					
This counseling session was conducted by internet					
Date: December 14, 2009	Ву	/s/Stephanie Kjet	land		
	Name	Stephanie Kjetla	nd		
	Title	Credit Counselor	-		

* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

	United States Bankruptcy Cour District of Colorado	t		
IN RE:		Case No	·	
Guiry, Patrick R.		Chapter	11	
De	btor(s)	I		
LIST OF CREDI	FORS HOLDING 20 LARGEST UN	NSECURED (CLAIMS	
Following is the list of the debtor's creditors holding the chapter 11 [or chapter 9] case. The list does not include the value of the collateral is such that the unsecured define holding the 20 largest unsecured claims, state the child guardian." Do not disclose the child's name. See, 11 U.S.	(1) persons who come within the definition of "inside ciency places the creditor among the holders of the 20 's initials and the name and address of the child's pa	er" set forth in 11 U. largest unsecured cla	S.C. § 101, or (2) secutions. If a minor child is	ared creditors unless s one of the creditors
(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)
Bank Of The West 9335 E County Line Rd Ste 200 Englewood, CO 80112-3500	Thomas J. Miller (303) 708-3696			1,100,000.00 Collateral 0.00
				Unsecured: 1,100,000.00
Cit Small Business Lending Corp 1 Cit Dr Livingston NL 07030 5703	Jason Milleisen (800) 453-3548		Disputed	1,010,000.00
Livingston, NJ 07039-5703 True Value Company Files 53004			Disputed	408,371.28
Los Angeles, CA 90074-0001 LSI Conifer I, LLC C/O Laura A. Dougherty 633 Seventeenth St Ste 2700 Denver, CO 80202-3662	(303) 292-1200			219,301.61
Wells Fargo Bank, N.A. HEQ Credit Bureau PO Box 31557				198,000.00 Collateral 0.00
Billings, MT 59107-1557				Unsecured 198,000.00
Wells Fargo Home Mortgage 3480 Stateview Blvd Fort Mill, SC 29715-7203	(800) 288-3212			193,600.00 Collateral 0.00 Unsecured 193,600.00
Americas Servicing Co. PO Box 10328 Des Moines, IA 50306-0328	(800) 842-7654			184,000.00 Collateral 0.00 Unsecured
CitiMortgage Inc. PO Box 9438 Dept 0 Gaithersburg, MD 20898-9438	(800) 283-7918			184,000.00 175,516.00
BAC Home Loans Serv LP 450 American Street Sv Simi Valley, CA 93065	(800) 669-6607			167,367.00
Chase Home Finance LLC 3415 Vision Dr Columbus, OH 43219-6009	(800) 848-9136			165,684.00
Moye White 16 Market Square 6th Floor 1400 16th Street Denver, CO 80202-1486	(303) 292-2900		Disputed	130,000.00

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Chase Home Finance LLC		121,403.00
3415 Vision Dr	(800) 848-9136	Collateral 0.00
Columbus, OH 43219-6009		Unsecured
		121,403.00
Wells Fargo Bank		71,422.00
HEQ Credit Bureau		Collateral
PO Box 31557		0.00
Billings, MT 59107-1557		Unsecured 71,422.00
United Hardware Distributing Co. 80 South Eight Street, 1700 Ids Center Minneapolis, MN 55402	(612) 339-1421 Dispute	d 40,000.00
Wells Fargo Businessline PO Box 348750 Sacramento, CA 95834-8750	(800) 225-5935	30,226.76
Stihl, Inc., c/o Machol & Johannes, LLC 600 17th St Ste 800N Denver, CO 80202-5462	Machol & Johannes (303) 830-0075	29,467.17
Chase / Bank One Card Serv 800 Brooksedge Blvd Westerville, OH 43081-2822	(800) 945-2000	24,408.00
AMTRUST BANK 1801 E 9th St Cleveland, OH 44114-3107	(800) 860-2025	23,992.00
Echo Pages 251 N. Cole Rd. Boise, ID 83704	(208) 489-8636	15,000.00
BB&T Commercial Finance 6000 E Evans Ave Ste 1-211 Denver, CO 80222-5413	Girsh & Rottman, P.C. (303) 297-3800	10,998.12
· · · · · · · · · · · · · · · · · · ·	UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR	

I 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.

Patrick R. Guiry

Date: January 6, 2010 Signature /s/ Patrick R. Guiry

of Debtor

_____ Signature of Joint Debtor (if any)

Date: _____

United States Bankruptcy Court District of Colorado

IN RE:		Case No
Guiry, Patrick R.		Chapter 11
	Debtor(s)	
	VERIFICATION OF CREDITOR MATR	IX
The above named debtor(s) hereby ve	rify(ies) that the attached matrix listing creditors	s is true to the best of my(our) knowledge.
Date: January 6, 2010	Signature: /s/ Patrick R. Guiry	
	Patrick R. Guiry	Debtor
Date:	Signature:	
		Joint Debtor, if any

Activant Solutions, Inc. 804 Las Cimas Pkwy Ste 200 Austin, TX 78746-5179

American Express PO Box 981537 El Paso, TX 79998-1537

Americas Servicing Co. PO Box 10328 Des Moines, IA 50306-0328

AMTRUST BANK 1801 E 9th St Cleveland, OH 44114-3107

Aronowitz & Mecklenburg, LLP 1199 BAnnockStreet Denver, CO 80204

BAC Home Loans Serv LP 450 American Street Sv Simi Valley, CA 93065

Bank Of The West 9335 E County Line Rd Ste 200 Englewood, CO 80112-3500

BB&T Commercial Finance 6000 E Evans Ave Ste 1-211 Denver, CO 80222-5413 Bennington Johnson Biermann & Craigmile, 370 17th St Ste 3500 Denver, CO 80202-5690

Bliss Excavating Consulting LLC 1140 Sunset Way Erie, CO 80516-4610

Canges, Iwashko, Bethke & Bailey 950 17th St Ste 1800 Denver, CO 80202-2808

Cargill Animal Nutrition PO Box 39 Ferndale, WA 98248-0039

Chase / Bank One Card Serv 800 Brooksedge Blvd Westerville, OH 43081-2822

Chase Auto Finance P O Box 78101 Phoenix, AZ 85062-8101

Chase Bank USA NA 800 Brooksedge Blvd Westerville, OH 43081-2822

Chase Home Finance LLC 3415 Vision Dr Columbus, OH 43219-6009 Chase Manhattan Mortgage Corporation 3415 Vision Dr Columbus, OH 43219-6009

Cit Small Business Lending Corp 1 Cit Dr Livingston, NJ 07039-5703

CitiMortgage Inc. PO Box 9438 Dept 0 Gaithersburg, MD 20898-9438

City And County Of Denver PO Box 17430 144 West Colfax Avenue Denver, CO 80217-0430

Colorado Department of Revenue PO Box 13200 Denver, CO 80201-4600

Dex Media East LLC PO Box 78041 Phoenix, AZ 85062-8041

Drain Savers, Inc. 13552 Kennedy Ave Brighton, CO 80601-6946

Echo Pages 251 N. Cole Rd. Boise, ID 83704 General Air Service And Supply PO Box 1352 Englewood, CO 80150-1352

General Air Service And Supply 1105 Zuni St Denver, CO 80204-3338

Harolds Stores Inc. 765 Asp Ave Norman, OK 73069-4901

HSBC Retail Services PO Box 5253 Carol Stream, IL 60197-5253

InterMountain Rural Electr 770 W Hampden Ave Ste 150 Englewood, CO 80110-2122

Internal Revenue Service PO Box 24017 Fresno, CA 93779-4017

Janes Real Estate Services 90 Madison St Ste 300` Denver, CO 80206-5412

LSI Conifer I, LLC C/O Laura A. Dougherty 633 Seventeenth St Ste 2700 Denver, CO 80202-3662 Mark E. Wagner, CPA 2801 Youngfield St Ste 371 Golden, CO 80401-2265

Moye White 16 Market Square 6th Floor 1400 16th Street Denver, CO 80202-1486

Northwestern Mutual Life Insurance Co. 707 17th St Ste 3700 Denver, CO 80202-3438

Petersen Pet Provisions, LLC 10432 E 49th Ave Denver, CO 80238-2606

Pro/Phase Marketing PO Box 48439 Minneapolis, MN 55448-0439

Qwest PO Box 29040 Phoenix, AZ 85038-9040

Qwest Communications PO Box 956842 Saint Louis, MO 63195-6842

Stihl, Inc., c/o Machol & Johannes, LLC 600 17th St Ste 800N Denver, CO 80202-5462 The Home Depot / CBSD PO Box 6497 Sioux Falls, SD 57117-6497

Total Marketing Associates, Inc. 3740 Industrial Ave Rolling Meadows, IL 60008-1020

True Value Company Files 53004 Los Angeles, CA 90074-0001

United Hardware Distributing Co. 80 South Eight Street, 1700 Ids Center Minneapolis, MN 55402

Wells Fargo - Line of Credit PO Box 94435 Albuquerque, NM 87199-4435

Wells Fargo Bank HEQ Credit Bureau PO Box 31557 Billings, MT 59107-1557

Wells Fargo Bank PO Box 5445 Portland, OR 97228-5445

Wells Fargo Bank, N.A. HEQ Credit Bureau PO Box 31557 Billings, MT 59107-1557 Wells Fargo Businessline PO Box 348750 Sacramento, CA 95834-8750

Wells Fargo Home Mortgage 3480 Stateview Blvd Fort Mill, SC 29715-7203

Windom Capital, Inc. 5310 Ward Rd Arvada, CO 80002-1832

Woodson L. Herring, LLC 16 Inverness Pl E Bldg E-100 Englewood, CO 80112-5630