Case:12-21848-EEB Doc#:1 Filed:06/05/12 Entered:06/05/12 16:12:50 Page1 of 10 B1 (Official Form 1) (12/11)

United States Bankruptcy Court District of Colorado							Vol	untary Petition				
Name of Debtor (if individual, enter Last, First, M Silva, David And Tiva	iddle)):							use) (Last, F Of Gymna			
All Other Names used by the Debtor in the last 8 y (include married, maiden, and trade names):	/ears								ne Joint Deb and trade nar		the last 8	3 years
Last four digits of Soc. Sec. or Individual-Taxpaye (if more than one, state all): 0653	er I.D.	. (ITIN)	/Com	plete EIN			ligits of S an one, s				xpayer I.I I-15580	D. (ITIN) /Complete EIN
Street Address of Debtor (No. & Street, City, State 927 Tioga Trail	e & Z	ip Code):		34	60 S.	Fairpla			Street,	, City, Sta	ate & Zip Code):
Parker, CO	Z	IPCODI	∃ 801	38-4420		ırora,	CO					ZIPCODE 80014
County of Residence or of the Principal Place of B						unty of	Residenc	e or of	the Principal	Place		
Mailing Address of Debtor (if different from street	t addr	ess)			Ma	ailing Ad	ddress of	Joint D	ebtor (if diff	erent	from stre	eet address):
		IPCODI										ZIPCODE
Location of Principal Assets of Business Debtor (i 3460 S. Fairplay Way, Aurora, CO	f diffe	erent fro	m stre	eet address	s above):						г	
. , , ,	I			Nature o	£ D				Ch t	£ D		ZIPCODE 80014
Type of Debtor (Form of Organization)					one box.							Code Under Which (Check one box.)
(Check one box.)				re Busine					hapter 7			pter 15 Petition for
✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.				set Real E 101(51B)	state as d	lefined i	n 11		hapter 9 hapter 11			ognition of a Foreign n Proceeding
Corporation (includes LLC and LLP)		Rail		101(31 D)				☐ C	hapter 12		☐ Cha	pter 15 Petition for
Partnership		_	kbrok					☐ C	hapter 13			ognition of a Foreign main Proceeding
Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Clea		ty Broker Bank						N	ature of	
CI 4 15 D 14	_	Oth	er								Check one	e box.)
Chapter 15 Debtor Country of debtor's center of main interests:				Tax-Exer	mnt Enti	t			ebts are prin bts, defined			Debts are primarily business debts.
			(C	heck box,					101(8) as "in			business debts.
Each country in which a foreign proceeding by, regarding, or against debtor is pending:		Deb	tor is	a tax-exen	npt organ	ization	under		dividual prin			
				evenue Co		Code (ti	ne		rsonal, famil ld purpose."	ly, or	nouse-	
Filing Fee (Check one box)								Cha	pter 11 Deb	tors		
✓ Full Filing Fee attached				Check of				,	C' 1' 11 T	100	0.101/5	15)
		1 1 1							fined in 11 U s defined in			
Filing Fee to be paid in installments (Applicable only). Must attach signed application for the cou		idividual	S	Check if								,-(,-
consideration certifying that the debtor is unable except in installments. Rule 1006(b). See Offici	e to pa						subject to	adjustm	ent on 4/01/13	and e	every three	to insiders or affiliates) are less e years thereafter).
Filing Fee waiver requested (Applicable to chap	iter 7	individu	alc	Check a	 ll applica	able box						
only). Must attach signed application for the cou		marviau	ais		n is being			etition				
consideration. See Official Form 3B.					ptances o dance wi				prepetition f	rom o	one or mo	ore classes of creditors, in
Statistical/Administrative Information				accor	dance wi	ui 11 O.	.b.c. y 1	120(0).				THIS SPACE IS FOR
Debtor estimates that funds will be available for												COURT USE ONLY
Debtor estimates that, after any exempt proper distribution to unsecured creditors.	ty is e	excluded	l and a	administra	itive expe	nses pa	id, there	will be 1	no funds ava	ilable	for	
Estimated Number of Creditors												
	,000-		5,001		10,001- 25,000		25,001- 50,000		50,001- 100,000		Over 100,000	
Estimated Assets									_			
\$0 to \$50,001 to \$100,001 to \$500,001 to \$	_	001 +-	LI \$10.0	00 001	\$50,000	001 +-	\$100,00	00.001	\$500,000.4	-	Mora tha	_
\$0 to \$50,001 to \$100,001 to \$500,001 to \$ \$50,000 \$100,000 \$500,000 \$1 million \$	1,000 10 mi			00,001 0 million	\$50,000 \$100 mi		\$100,00 to \$500		\$500,000,0 to \$1 billio		More tha \$1 billion	
Estimated Liabilities	_								_			
\$0 to \$50,001 to \$100,001 to \$500,001 to \$	_ 1,000	,001 to	\$10,0	000,001	\$50,000	.001 to	\$100,00	00,001	\$500,000,0] 1 001	∐ More tha	n

\$50,000 \$100,000 \$500,000 \$1 million \$10 million to \$50 million to \$50 million to \$10 million to \$10 million \$100 million to \$100 million \$100 mil

s Software Only
- Form
[1-800-998-2424]
<u>l</u>
EZ-Filing
© 1993-2011

B1 (Official Form 1) (12/11)		Page 2
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Silva, David And Tiva & Th	ne Aurora School Of Gymnastics, LLC
All Prior Bankruptcy Case Filed Within Las	at 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 (1	If more 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 A is attached and made a part of this petition.	whose debts a I, the attorney for the petitic that I have informed the pe chapter 7, 11, 12, or 13 explained the relief availab	Exhibit B leted if debtor is an individual are primarily consumer debts.) oner named in the foregoing petition, declare etitioner that [he or she] may proceed under of title 11, United States Code, and have ble under each such chapter. I further certify or the notice required by 11 U.S.C. § 342(b).
	Signature of Attorney for Debt	tor(s) Date
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, eximple to the completed and signed by the debtor is attached and mail of this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached.	ade a part of this petition.	
Information Regards	ng the Debtor - Venue	
	pplicable box.) of business, or principal assets 0 days than in any other Distri partner, or partnership pendin	ict. ng in this District.
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 proceeding [in a federal or state court]
Certification by a Debtor Who Reside (Check all app Landlord has a judgment against the debtor for possession of deb	olicable boxes.)	
(Name of landlord th	at obtained judgment)	
☐ 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 filing of the petition.		
☐ Debtor certifies that he/she has served the Landlord with this cert	tification. (11 U.S.C. § 362(1))).

Voluntary Petition

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

Name of Debtor(s):

Silva, David And Tiva & The Aurora School Of Gymnastics, L

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 /s/ David And Tiva Silva

Signature of Debtor

David And Tiva Silva

⟨ /s/ Tiva Silva, Manager

Signature of Joint Debtor

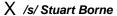
Tiva Silva, Manager

Telephone Number (If not represented by attorney)

June 5, 2012

Date

Signature of Attorney*



Signature of Attorney for Debtor(s)

Stuart Borne 23622 Colorado Lynch & Robbins 925 S. Niagara St. Suite 360 Denver, CO 80224 (303) 758-5100 Fax: (303) 758-5055 sborne@lynchrobbins.com

June 5, 2012

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.

Signature of	f Authorized	Individual		
Printed Nan	ne of Author	ized Individua	1	
Title of Aut	horized Indi	vidual		

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.

Signat	ure of Fore	eign Repr	resentativ	/e		
Printe	d Name of	Foreign l	Represer	ntative		

Signature of Non-Attorney 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					
	Signature				

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.

Case:12-21848-EEB Doc#:1 Filed:06/05/12 Entered:06/05/12 16:12:50 Page4 of 10

B1D (Official Form 1, Exhibit D) (12/09)

United States Bankruptcy Court District of Colorado

IN RE:	Case No
Silva, David And Tiva	Chapter 11
Debtor(s)	•

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE 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. 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/ David And Tiva Silva
· ·	

Date: June 5, 2012

 $Case: 12-21848- EEB \quad Doc\#: 1 \quad Filed: 06/05/12 \quad Entered: 06/05/12 \quad 16: 12: 50 \quad Page 5 \ of \ 10 \\ B1D \ (Official Form 1, Exhibit D) \ (12/09)$

© 1993-2011 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Date: June 5, 2012

United States Bankruptcy Court District of Colorado

IN RE:	Case No
The Aurora School Of Gymnastics, LLC	Chapter 11
Debtor(s) EXHIBIT D - INDIVIDUAL DEBTOR'S CREDIT COUNSELING	
Warning: You must be able to check truthfully one of the five states do so, you are not eligible to file a bankruptcy case, and the court can whatever filing fee you paid, and your creditors will be able to resu and you file another bankruptcy case later, you may be required to to stop creditors' collection activities.	ments regarding credit counseling listed below. If you cannot an dismiss any case you do file. If that happens, you will lose me collection activities against you. If your case is dismissed
Every individual debtor must file this Exhibit D. If a joint petition is filed, one of the five statements below and attach any documents as directed.	, each spouse must complete and file a separate Exhibit D. Check
1. Within the 180 days before the filing of my bankruptcy case , I rethe United States trustee or bankruptcy administrator that outlined the operforming a related budget analysis, and I have a certificate from the agreertificate and a copy of any debt repayment plan developed through the	opportunities for available credit counseling and assisted me in ency describing the services provided to me. Attach a copy of the
2. Within the 180 days before the filing of my bankruptcy case , I rethe United States trustee or bankruptcy administrator that outlined the operforming a related budget analysis, but I do not have a certificate from a copy of a certificate from the agency describing the services provided to the agency no later than 14 days after your bankruptcy case is filed.	opportunities for available credit counseling and assisted me in the agency describing the services provided to me. <i>You must file</i>
3. I certify that I requested credit counseling services from an approved any from the time I made my request, and the following exigent cirrequirement so I can file my bankruptcy case now. [Summarize exigent]	cumstances merit a temporary waiver of the credit counseling
If your certification is satisfactory to the court, you must still obtain you file your bankruptcy petition and promptly file a certificate from of any debt management plan developed through the agency. Failur case. Any extension of the 30-day deadline can be granted only for calso be dismissed if the court is not satisfied with your reasons for counseling briefing.	the agency that provided the counseling, together with a copy e to fulfill these requirements may result in dismissal of your cause and is limited to a maximum of 15 days. Your case may filing your bankruptcy case without first receiving a credit
 4. I am not required to receive a credit counseling briefing because of motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by rea of realizing and making rational decisions with respect to financial 	ason of mental illness or mental deficiency so as to be incapable
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically imparticipate in a credit counseling briefing in person, by telephone ☐ Active military duty in a military combat zone.	paired to the extent of being unable, after reasonable effort, to
5. The United States trustee or bankruptcy administrator has determinedoes not apply in this district.	ned that the credit counseling requirement of 11 U.S.C. § 109(h)
I certify under penalty of perjury that the information provided ab	ove is true and correct.
Signature of Debtor: /s/ Tiva Silva, Manager	

United States Bankruptcy Court District of Colorado

IN RE:	Case No.
Silva, David And Tiva & The Aurora School Of Gymnastics, LLC	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).

(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)
IRS Department Of The Treasury Philadelphia, PA 19255-0030	(800) 829-0115	Trade debt	subject to setori	22,486.25
IRS Department Of The Treasury Ogden, UT 84201-0030		Trade debt		20,528.19
IRS Department Of The Treasury Ogden, UT 84201-0030		Trade debt		9,191.74
Colorado Department Of Revenue 1375 Sherman St. Denver, CO 80261-0013		Trade debt		7,996.82
Public Service Credit Union 7055 E. Evans Ave Denver, CO 80224		Bank loan		3,800.00
Arapahoe County Treasurer 5334 South Prince Street Littleton, CO 80120		Trade debt		2,933.32
Xcel Energy Po Box 840 Denver, CO 80201	(800) 481-4700	Trade debt		2,821.06
Pitney Bowes Pitney Bowes 1 Elmcroft Rd Stamford, CT 06926	(203) 356-5000	Trade debt		2,018.19
UnitedHealthcare Dept. CH 10151 Palatine, IL 60055-0151	(888) 842-4571	Trade debt		1,566.17
ESSI Lighting 6892 N. Franklin Ave Loveland, CO 80538		Trade debt		1,500.00
Sam's Club Discover/ GECRB Po Box 960016 Orlando, FL 32896-0016	(866) 517-8265	Trade debt		1,438.68
CHER Aurora South Imaging, Llc Po Box 974960 Dallas, TX 73597	(866) 481-7570	Trade debt		838.30
Aurora Water 15151 East Alameda Parkway, Suite 1200 Aurora, CO 80012-1553	(303) 739-7388	Trade debt		304.27

© 1993-2011 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Case:12-21848-EEB Doc#:1 Filed:06/05/12 Entered:06/05/12 16:12:50 Page7 of 10

DECLARATION 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.

Date: June 5, 2012	Signature /s/ David And Tiva Silva of Debtor	David And Tiva Silva
Date: June 5, 2012	Signature /s/ Tiva Silva, Manager	
	of Joint Debtor	Tiva Silva, Manager
	(if any)	

Case:12-21848-EEB Doc#:1 Filed:06/05/12 Entered:06/05/12 16:12:50 Page8 of 10

United States Bankruptcy Court District of Colorado

IN RE:		Case No.
Silva, David And Tiva & The Aurora S	chool Of Gymnastics, LLC Debtor(s)	Chapter 11
	VERIFICATION OF CREDITO	R MATRIX
The above named debtor(s) hereby ve	erify(ies) that the attached matrix listin	g creditors is true to the best of my(our) knowledge.
Date: June 5, 2012	Signature: /s/ David And Tiva Silva	
	David And Tiva Silva	Debtor
Date: June 5, 2012	Signature: /s/ Tiva Silva, Manager	
	Tiva Silva, Manager	Joint Debtor, if any

Arapahoe County Treasurer 5334 South Prince Street Littleton, CO 80120

Aurora Water 15151 East Alameda Parkway, Suite 1200 Aurora, CO 80012-1553

Centennial Lending, LLC 4112 Kodiak Court Unit D Longmont, CO 80504-3431

CHER Aurora South Imaging, Llc Po Box 974960 Dallas, TX 73597

Colorado Department Of Revenue 1375 Sherman St. Denver, CO 80261-0013

ESSI Lighting 6892 N. Franklin Ave Loveland, CO 80538

IRS
Department Of The Treasury
Ogden, UT 84201-0030

IRS
Department Of The Treasury
Philadelphia, PA 19255-0030

Pitney Bowes
Pitney Bowes
1 Elmcroft Rd
Stamford, CT 06926

Public Service Credit Union 7055 E. Evans Ave Denver, CO 80224

Sam's Club Discover/ GECRB Po Box 960016 Orlando, FL 32896-0016

UnitedHealthcare
Dept. CH 10151
Palatine, IL 60055-0151

Xcel Energy Po Box 840 Denver, CO 80201