Official Form 1 (1/08)

|  | Court Voluntary Petition  |                                    |  |   |                                 |                          |                                  |                 |
|--|---------------------------|------------------------------------|--|---|---------------------------------|--------------------------|----------------------------------|-----------------|
| DISTRICT OF DELAN  |                           |                                    |  | ARE   |                                 |                          |                                  |                 |
| Name of Debtor (if individual, enter Last, First, Middle):   |                           |                                    |  | Name of Joint Debtor (Spouse)(Last, First, Middle):   |                                 |                          |                                  |                 |
| Ufberg, Ross Michael   |                           | •••                                | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,  | ,   |                                 |                          |                                  |                 |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  NONE   |                           |                                    | 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 Indvidual-Taxpayer I<br>(if more than one, state all): 9226   | D. (ITIN) No./Comp        | lete EIN                           | •  | Last four digits of S<br>(if more than one, stat  |                                 | vidual-Taxpayer I.       | D. (ITIN) No./Comple             | te EIN          |
| Street Address of Debtor (No. & Street, City   | , and State):             |                                    |  | Street Address of   | Joint Debtor                    | (No. & Stree             | et, City, and State):            |                 |
| 114 Kirk Road<br>Greenville  |                           |                                    |  |   |                                 |                          |                                  |                 |
| Wilmington DE  |                           | ZIPCODE<br>19807                   |  |   |                                 |                          |                                  | ZIPCODE         |
| County of Residence or of the  | ·                         |                                    |  | County of Reside  | ence or of the                  |                          | ***                              |                 |
| Principal Place of Business: New Ca  |                           |                                    |  | Principal Place o   |                                 |                          |                                  |                 |
| Mailing Address of Debtor (if different from s   | treet address):           |                                    |  | Mailing Address   | of Joint Debt                   | Or (if different         | from street address):            |                 |
| SAPLE  |                           | ZIPCODE                            | •  | ů.  |                                 |                          |                                  | ZIPCODE         |
| Location of Principal Assets of Business Deb<br>(if different from street address above): NOT APP  | tor<br>PLICABLE           | <u>L</u>                           |  |   |                                 |                          |                                  | ZIPCODE         |
| (1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-  |                           | . 1                                |  |   |                                 |                          |                                  |                 |
| Type of Debtor (Form of organization)  | Nature (Check one         | of Busines:<br>box.)               | <b>S</b> ,   |   | Chapter of the Petition         |                          | de Under Which<br>Check one box) |                 |
| (Check one box.)  Individual (includes Joint Debtors)  | Health Care Bu            | siness                             |  | Chapter 7   |                                 |                          | napter 15 Petition fo            | r Recognition   |
| See Exhibit D on page 2 of this form.  | Single Asset Re           | al Estate as defi                  | ined   | Chapter 9   |                                 |                          | f a Foreign Main Pro             |                 |
| Corporation (includes LLC and LLP)   | in 11 U.S.C. § 1          | 01 (51B)                           |  | ☐ Chapter 11 ☐ Chapter 15 Petition for Recognition  |                                 |                          |                                  |                 |
| Partnership  | Railroad                  | •                                  |  | Chapter 12 Chapter 15 Petition for Recognition Chapter 13 of a Foreign Nonmain Proceeding             |                                 |                          |                                  |                 |
| Other (if debtor is not one of the above   | Stockbroker               |                                    |  | Nature of Debts (Check one box)   |                                 |                          |                                  |                 |
| entities, check this box and state type of   | Commodity Bro             | oker                               |  | Debts are pi  |                                 |                          | ,                                | s are primarily |
| entity below   | Clearing Bank             |                                    |  | in 11 U.S.C. § 101(8) as "incurred by an business debts. individual primarily for a personal, family, |                                 |                          |                                  |                 |
|  | Onlei                     |                                    |  | or househol   |                                 | personal, famil          | у,                               |                 |
|  | Tax-Exe                   | mpt Entity                         | y  |   |                                 | ter 11 Debtors           |                                  |                 |
|  | Debtor is a tax-          | ,                                  |  | Check one box:  | Спар                            | ter II Deptors           | •                                |                 |
| -  | under Title 26 c          |                                    |  |   | all business a                  | s defined in 11 U        | J.S.C. § 101(51D).               |                 |
|  |                           | nal Revenue Coo                    |  |   |                                 |                          | ned in 11 U.S.C. § 1             | 01(51D).        |
| Filing Fee (Check  | one box)                  |                                    |  | Check if:   |                                 |                          |                                  | •               |
| Full Filing Fee attached   |                           |                                    |  | Debtor's aggre  | gate nonconti                   | ngent liquidated         | debts (excluding de              | bts owed        |
| Filing Fee to be paid in installments (applicable t  | o individuals only). M    | lust attach                        |  | to insiders or affiliates) are less than \$2,190,000.   |                                 |                          |                                  |                 |
| signed application for the court's consideration of<br>to pay fee except in installments. Rule 1006(b). S  |                           | r is unable                        |  | Check all applicable boxes:   |                                 |                          |                                  |                 |
| Filing Fee waiver requested (applicable to chapte  |                           |                                    |  | A plan is being filed with this petition  |                                 |                          |                                  |                 |
| signed application for the court's consideration. S  | ee Offi cial Form 3B.     | Must attach                        |  | Acceptances of the plan were solicited prepetition from one or more                                   |                                 |                          |                                  |                 |
|  |                           |                                    |  | classes of cred   | litors, in acco                 | rdance with 11 t         | U.S.C. § 1126(b).                |                 |
| Statistical/Administrative Information   |                           |                                    |  |   |                                 |                          | THIS SPACE IS FOR                | COURT USE ONLY  |
| Debtor estimates that funds will be available for  |                           |                                    |  |   |                                 |                          |                                  |                 |
| 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  | П                         | ·                                  | П  | r-1   |                                 |                          | ,                                |                 |
| 1-49 50-99 100-199 200-99  | 9 1,000-<br>5,000         | 5,001-<br>10,000                   | 10,001-<br>25,000  | 25,001-<br>50,000   | 50,001-<br>100,000              | Over<br>100,000          |                                  |                 |
| Estimated Assets   | ⊠.                        | П                                  | Г  | П   | П                               |                          |                                  | ,               |
| \$0 to \$50,001 to \$100,001 to \$500,0<br>\$50,000 \$100,000 \$500,000 to \$1   | 01 \$1,000,001<br>to \$10 | \$10,000,001                       | \$50,000   |   | \$500,000,001                   | More than                |                                  |                 |
| million  |                           | to \$50<br>million                 | to \$100<br>million  |   | to \$1 billion                  | \$1 billion              |                                  |                 |
| Estimated Liabilities  | ⊠                         | П                                  | П  | П   | П                               | П                        | ,                                |                 |
| \$0 to \$50,001 to \$100,001 to \$500,0<br>\$50,000 \$100,000 \$500,000 to \$1<br>million  | to \$10                   | \$10,000,001<br>to \$50<br>million | \$50,000<br>to \$100<br>million  |   | \$500,000,001<br>to \$1 billion | More than<br>\$1 billion |                                  |                 |

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

Printed Name of Authorized Individual

Title of Authorized Individual

4/1/2009

Date

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.

## UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE

| In re Ross Michael Ufberg  | Case No.<br>Chapter 11  |
|--|---|
| Debtor(s)  | <u> </u>  |
| EXHIBIT D - INDIVIDUAL DEBTOR'S STAT<br>CREDIT COUNSELING R  |   |
| WARNING: You must be able to check truthfully one of the five statements reg do so, you are not eligible to file a bankruptcy case, and the court can dismiss any whatever filing fee you paid, and your creditors will be able to resume collection ac you file another bankruptcy case later, you may be required to pay a second filing to creditors' collection activities.  | case you do file. If that happens, you will lose<br>tivities against you. If your case is dismissed and |
| Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse<br>Exhibit D. Check one of the five statements below and attach any documents as directed.   | must complete and file a separate   |
| 1. Within the 180 days before the filing of my bankruptcy case, I reason agency approved by the United States trustee or bankruptcy administrator that outlined the counseling and assisted me in performing a related budget analysis, and I have a certificate services provided to me. Attach a copy of the certificate and a copy of any debt repayment.   | opportunities for available credit<br>e from the agency describing the                                  |
| 2. Within the 180 days <b>before the filing of my bankruptcy case,</b> I re agency approved by the United States trustee or bankruptcy administrator that outlined the counseling and assisted me in performing a related budget analysis, but I do not I have a cothe services provided to me. You must file a copy of a certificate from the agency describ a copy of any debt repayment plan developed through the agency no later than 15 days a | ertificate from the agency describing ing the services provided to you and                              |
| 3. I certify that I requested credit counseling services from an approved age services during the five days from the time I made my request, and the following exigent cir 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.

B 1D (Official Form 1, Exhibit D) (12/08)

| 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement]  |
|--|
| ust 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 f 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.  |
| ignature of Debtor: Lon Logly  |
| Pate: 4/1/2009   |
|  |

Certificate Number: 02910-DE-CC-006237466

### **CERTIFICATE OF COUNSELING**

| I CERTIFY that on February 24, 2009         | , at       | 4:49           | o'clock PM EST,                  |
|---|------------|----------------|----------------------------------|
| Ross M Ufberg                               |            | receive        | d from                           |
| InCharge Education Foundation, Inc.         |            |                |                                  |
| an agency approved pursuant to 11 U.S.C.    | § 111 to   | provide credit | counseling in the                |
| District of Delaware                        | , 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      | If a d     | ebt repaymen   | t plan was prepared, a copy of   |
| the debt repayment plan is attached to this | certificat | e.             |                                  |
| This counseling session was conducted by    | internet   |                | ·                                |
|   |            |                |                                  |
| Date: February 24, 2009                     | Ву         | /s/Jennifer Ha | milton                           |
|   | Name       | Jennifer Ham   | ilton                            |
|   | Title      | Senior Couns   | elor                             |

<sup>\*</sup> 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 COURT DISTRICT OF DELAWARE

| In re | Ross Micha | el | Ufberg    | Case No. |    |
|-------|------------|----|-----------|----------|----|
|       |            |    |           | 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).

| 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.)  Nature of Claim Indicate if Claim is Contingent Unliquidated, Disputed, or Subject to Setoff |            | ,   | Amount of Claim (If Secured Also State Value of Security)  \$ 336,810.00 |
|--|---|--|------------|-----|--|
| Carol Braunstein   | Carol Braunstein  |  |            |     | \$ 336,810.00  |
| 606 Duncan Road  | 606 Duncan Road   |  |            |     |  |
| Wilmington DE 19809  | Wilmington DE 19809   |  |            |     |  |
| 2  | Phone:  | Mortgage   |            |     | \$ 197,013.00  |
| Wilmington Trust Company   | Wilmington Trust Company  |  |            |     |  |
| 1100 N. Market Street  | 1100 N. Market Street   |  | *Value:    | .   | \$ 2,000,000.00  |
| Wilmington DE 19890-0001   | Wilmington DE 19890-0001  | Net  | Unsecured: | .   | \$ 197,013.00  |
|  |   | *Prior 1   | iens Exist |     |  |
| 3  | Phone:  |  |            | 1   | \$ 185,000.00  |
| Wilmington Trust   | Wilmington Trust  |  |            |     |  |
| 22205 DuPont Blvd.   | 22205 DuPont Blvd.  |  |            |     |  |
| Georgetown DE 19947  | Georgetown DE 19947   |  |            |     |  |
| 4  | Phone:  | Mortgage   |            | D i | \$ 91,000.00   |
| Doris and David Braunstein                                       | Doris and David Braunstein  |  |            |     |  |
| 1604 Veale Road  | 1604 Veale Road   |  | *Value:    |     | \$ 2,000,000.00  |
| Wilmington DE 19810  | Wilmington DE 19810   | Net Unsecured:   |            | .   | \$ 91,000.00   |
|  |   | *Prior Liens Exist   |            |     |  |
| 5  | Phone:  | Credit Card P  | urchases   |     | \$ 18,000.00   |
| Capital One Bank (USA), NA                                       | Capital One Bank (USA), NA  |  |            |     | ,  |
| P.O. Box 71083   | P.O. Box 71083  |  |            |     |  |
| Charlotte NC 28272-1083  | Charlotte NC 28272-1083   |  |            |     |  |
|  |   |  |            |     |  |

Debtor(s)

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| Name of Creditor and Complete Mailing Address Including Zip Code  6 Wilmington Trust 3 S. DuPont Highway Georgetown DE 19947 | Name, Telephone Number and Complete Mailing Address, Including Zip Code, of Employee, Agent, or Department of Creditor Familiar with Claim Who May Be Contacted Phone: Wilmington Trust 3 S. DuPont Highway Georgetown DE 19947 | Nature of Claim (Trade Debt, Bank Loan, Government Contract, etc.)  Nature of Claim is Contingent Unliquidated, Disputed, or Subject to Setoff |            |   |  |
|--|---|--|------------|---|--|
| 7<br>American Honda Finance Corp.<br>P.O. Box 7829<br>Philadelphia PA 19101-7829   | Phone: American Honda Finance Corp. P.O. Box 7829 Philadelphia PA 19101-7829  | Purchase Money<br>Security<br>Value:<br>Net Unsecured:   |            | \$ 19,333.00<br>\$ 12,725.00<br>\$ 6,608.00 |  |
| 8<br>Advanta MasterCard<br>P.O. Box 8088<br>Philadelphia PA 19101-8088   | Phone: Advanta MasterCard P.O. Box 8088 Philadelphia PA 19101-8088  | Credit Card P  | urchases D | \$ 5,674.00                                 |  |
| 9<br>American Express<br>P.O. Box 1270<br>Newark NJ 07101-1270   | Phone: American Express P.O. Box 1270 Newark NJ 07101-1270  | Credit Card Pt   | urchases   | \$ 1,140.00                                 |  |
| 10<br>Discover Card<br>P.O. Box 71084<br>Charlotte NC 28272-1084   | Phone: Discover Card P.O. Box 71084 Charlotte NC 28272-1084   | Credit Card Pu   | ırchases   | \$ 101.00                                   |  |

|   | DECLARATIO             | N UNDER PENA             | LTY OF PERJU               | RY BY INDIVIDUAL              | DEBTOR                  |                     |
|---|------------------------|--------------------------|----------------------------|-------------------------------|-------------------------|---------------------|
| ·   | n. Uf                  |                          |                            | of th                         | <sub>e</sub> Individual | <b>Debtor</b> named |
| as debtor in this case, de<br>they are true and correct | clare under penalty of | perjury that I have read | I the foregoing List of Cr | editors Holding Twenty Larges | st Unsecured Claim      | s and that          |
| mey are true and correct                                | to the best of my know | vieage, information and  | Delief.                    |                               |                         |                     |
|   |                        | ,                        |                            |                               |                         |                     |
| Date: <u>4/1/2009</u>                                   | Sign                   | ature /                  | ael Ufberg                 | 2                             |                         |                     |
|   | N                      | ame: Ross Mich           | ael Ufberg                 |                               |                         |                     |
|   |                        |                          |                            |                               |                         |                     |