

B1 (Official Form 1)(1/08)

**United States Bankruptcy Court  
Southern District of Florida**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Fernandez, Enrique</b>	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) <b>xxx-xx-0554</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>6365 Collins Ave # 4404 Miami Beach, FL</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>33141</b>	ZIP Code
County of Residence or of the Principal Place of Business: <b>Miami-Dade</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
ZIP Code	ZIP Code

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

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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**Statistical/Administrative Information**

Debtor estimates that funds will be available for distribution to unsecured creditors.  
 Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

<b>Estimated Number of Creditors</b>									
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000

<b>Estimated Assets</b>									
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

<b>Estimated Liabilities</b>									
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Fernandez, Enrique</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)			
Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor</b> (If more than one, attach additional sheet)			
Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<b>Exhibit A</b>  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  <input type="checkbox"/> Exhibit A is attached and made a part of this petition.	<b>Exhibit B</b> <small>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</small> I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).  <b>X</b> _____ Signature of Attorney for Debtor(s) (Date)		
<b>Exhibit C</b>			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.			
<b>Exhibit D</b>			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
_____			
(Name of landlord that obtained judgment)			
_____			
(Address of landlord)			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

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

Name of Debtor(s):  
**Fernandez, Enrique**

**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/ Enrique Fernandez**  
 Signature of Debtor **Enrique Fernandez**

**X**  
 Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**February 16, 2009**  
 Date

**Signatures**

**Signature of a Foreign Representative**

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

(Check only one box.)

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

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

**X**  
 Signature of Foreign Representative

Printed Name of Foreign Representative

Date

**Signature of Attorney\***

**X /s/ Zach B. Shelomith**  
 Signature of Attorney for Debtor(s)

**Zach B. Shelomith 0122548**  
 Printed Name of Attorney for Debtor(s)

**Leiderman Shelomith, P.A.**  
 Firm Name

**2699 Stirling Road, Suite C401**  
**Ft. Lauderdale, FL 33312**

Address

**Email: zshelomith@lslawfirm.net**

**(954) 920-5355 Fax: (954) 920-5371**  
 Telephone Number

**February 16, 2009**  
 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 Non-Attorney Bankruptcy Petition Preparer**

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

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

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

**X**  
 Date

**Signature of Debtor (Corporation/Partnership)**

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

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

**X**  
 Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

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

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

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

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

**United States Bankruptcy Court  
Southern District of Florida**

In re Enrique Fernandez

Debtor(s)

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

Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
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 15 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 five 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.]*



B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
Southern District of Florida**

In re Enrique Fernandez

Debtor(s)

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

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>BankUnited, FSB 4350 Sheridan St Hollywood, FL 33021</b>	<b>BankUnited, FSB 4350 Sheridan St Hollywood, FL 33021</b>	<b>Investment real property located at: 6365 Collins Ave # 1610, Miami Beach, FL 33141</b>		<b>504,429.00  (280,000.00 secured)</b>
<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Investment real property located at: 6365 Collins Ave # 3504, Miami Beach, FL 33141</b>		<b>694,738.78  (450,000.00 secured)</b>
<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Investment real property located at: 8788 SW 112 St, Miami, FL 33176</b>		<b>480,175.00  (309,000.00 secured)</b>
<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Investment real property located at: 609 Denise Dr, Melbourne, FL 32935</b>		<b>103,168.00  (0.00 secured)</b>
<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Countrywide 450 American St Simi Valley, CA 93065</b>	<b>Investment real property located at: 6365 Collins Ave # 3504, Miami Beach, FL 33141</b>		<b>92,500.00 (450,000.00 secured) (694,738.78 senior lien)</b>
<b>EMC Mortgage POB 141358 Irving, TX 75014</b>	<b>EMC Mortgage POB 141358 Irving, TX 75014</b>	<b>Investment real property located at: 4100 NW 1 Ave, Miami, FL 33127</b>		<b>89,639.00 (0.00 secured) (209,640.00 senior lien)</b>
<b>EMC Mortgage POB 141358 Irving, TX 75014</b>	<b>EMC Mortgage POB 141358 Irving, TX 75014</b>	<b>Investment real property located at: 4100 NW 1 Ave, Miami, FL 33127</b>		<b>56,494.00 (0.00 secured) (299,279.00 senior lien)</b>
<b>EMC Mortgage POB 141358 Irving, TX 75014</b>	<b>EMC Mortgage POB 141358 Irving, TX 75014</b>	<b>Investment real property located at: 4100 NW 1 Ave, Miami, FL 33127</b>		<b>209,640.00  (0.00 secured)</b>

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

In re Enrique Fernandez

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

Debtor(s)

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

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Indymac Bank 6900 Beatrice Dr Kalamazoo, MI 49009	Indymac Bank 6900 Beatrice Dr Kalamazoo, MI 49009	Homestead real property located at: 6365 Collins Ave # 4404, Miami Beach, FL 33141		667,417.00  (450,000.00 secured)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 12237 SW 129 Ct # 10, Miami, FL 33186		175,000.00 (147,470.00 secured) (277,850.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 12203 SW 129 Ct # 2, Miami, FL 33186		175,000.00 (116,850.00 secured) (277,850.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 6365 Collins Ave # 3504, Miami Beach, FL 33141		175,000.00 (450,000.00 secured) (787,238.78 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 6365 Collins Ave # 2403, Miami Beach, FL 33141 (50% interest with Debtor's son)		175,000.00 (800,000.00 secured) (1,088,451.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Homestead real property located at: 6365 Collins Ave # 4404, Miami Beach, FL 33141		175,000.00 (450,000.00 secured) (667,417.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 8788 SW 112 St, Miami, FL 33176		123,000.00 (309,000.00 secured) (536,175.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 6365 Collins Ave # 1610, Miami Beach, FL 33141		175,000.00 (280,000.00 secured) (504,812.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 8788 SW 112 St, Miami, FL 33176		175,000.00 (309,000.00 secured) (659,175.00 senior lien)

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

In re Enrique Fernandez

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

Debtor(s)

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

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 12237 SW 129 Ct # 10, Miami, FL 33186		123,000.00 (147,470.00 secured) (154,850.00 senior lien)
Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Metropolitan Mortgage Company of Miami POB 402188 Miami Beach, FL 33140-0188	Investment real property located at: 12203 SW 129 Ct # 2, Miami, FL 33186		123,000.00 (116,850.00 secured) (154,850.00 senior lien)
Specialized Loan Servicing, LLC 8742 Lucent Blvd Highlands Ranc, CO 80129	Specialized Loan Servicing, LLC 8742 Lucent Blvd Highlands Ranc, CO 80129	Investment real property located at: 6365 Collins Ave # 2403, Miami Beach, FL 33141 (50% interest with Debtor's son)		241,269.00 (800,000.00 secured) (847,182.00 senior lien)

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

I, **Enrique Fernandez**, 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 February 16, 2009Signature /s/ Enrique Fernandez  
**Enrique Fernandez**  
Debtor

*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 States Bankruptcy Court  
Southern District of Florida**

In re Enrique Fernandez  
Debtor(s)

Case No. \_\_\_\_\_  
Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: February 16, 2009

/s/ Enrique Fernandez  
**Enrique Fernandez**  
Signature of Debtor

Akoya Condominium Association, Inc.  
c/o Steven M. Davis, Esq.  
121 Alhambra Plaza 10 Fl  
Coral Gables, FL 33134

Assoc/Citi  
POB 6500  
Sioux Falls, SD 57117

Bank of America  
4060 Ogletown/Stan  
Newark, DE 19713

BankUnited, FSB  
4350 Sheridan St  
Hollywood, FL 33021

BankUnited, FSB  
7815 NW 148 St  
Hialeah, FL 33016

BankUnited, FSB  
c/o Camner, Lipsitz and Poller, P.A.  
550 Biltmore Wy # 700  
Coral Gables, FL 33134

Bayview Loan Servicing, LLC  
4425 Ponce De Leon Blvd  
Coral Gables, FL 33146

Bayview Loan Servicing, LLC  
c/o J. Anthony Van Ness, Esq.  
1239 E Newport Center Dr # 110  
Deerfield Beach, FL 33442

Cach LLC  
370 17 St  
Denver, CO 80202

Capitol Indemnity

Countrywide  
450 American St  
Simi Valley, CA 93065

Deutsche Bank National Trust  
c/o Florida Default Law Group, P.L.  
POB 25018  
Tampa, FL 33622-5018

Direct Merchants Credit Card Bank  
17600 N Perimeter Dr  
Mesa, AZ 85215

Direct Merchants Credit Card Bank  
c/o Stanley B. Erskine, Esq.  
55 Weston Rd # 300  
Fort Lauderdale, FL 33326

EMC Mortgage  
POB 141358  
Irving, TX 75014

Five Point Capital, Inc.  
POB 13604  
Philadelphia, PA 19101-3604

GMAC Mortgage  
3451 Hammond Ave  
Waterloo, IA 50704

Henry A. Lopez-Aguilar, Esq.  
9415 Sunset Dr # 119  
Miami, FL 33173

HSBC Bank Nevada, N.A.  
1111b Town Center Dr  
Las Vegas, NV 89134

HSBC Bank USA  
c/o Florida Default Law Group, P.L.  
9119 Corporate Lake Dr 3 Fl  
Tampa, FL 33634

Hsbc/Suzki  
POB 703  
Wood Dale, IL 60191

Indymac Bank  
6900 Beatrice Dr  
Kalamazoo, MI 49009

Indymac Bank  
7700 W Parmer Ln Bldg C  
Austin, TX 78728

Kendall Comm Ctr Condominium One Assn  
12201 SW 129 Ct # 100  
Miami, FL 33186

Lvny Funding  
POB 10584  
Greenville, SC 29603

Metropolitan Mortgage Company of Miami  
POB 402188  
Miami Beach, FL 33140-0188

Metropolitan Mortgage Company of Miami  
c/o Eric P. Stein, Esq.  
1820 NE 163 St # 100  
Miami, FL 33162

Natlamerican  
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Trevose, PA 19053

Nco Fin /27  
POB 7216  
Philadelphia, PA 19101

Specialized Loan Servicing, LLC  
8742 Lucent Blvd  
Highlands Ranc, CO 80129

Specialized Loan Servicing, LLC  
POB 105219  
Atlanta, GA 30348-5219

Specialized Loan Servicing, LLC  
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Littleton, CO 80163-6005

State of Florida Department of Revenue  
POB 011711  
Miami, FL 33101-1711

Thd/Cbsd  
POB 6497  
Sioux Falls, SD 57117

The Bank of New York, as Trustee  
c/o Law Offices of David J. Stern, P.A.  
801 S University Dr # 500  
Fort Lauderdale, FL 33324

United Security Financial  
868 E 5900 St  
Salt Lake City, UT 84107

Wachovia Bank, N.A., as Trustee  
c/o Law Offices of David J. Stern, P.A.  
900 S Pine Island Rd # 400  
Fort Lauderdale, FL 33324