B 1 (Official Form 1) (1/08) Case 09-22902 Doc 1 Filed 06/25/09 Page 1 of 7 **United States Bankruptcy Court Voluntary Petition** Southern District of Florida Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Phillips, Gumlai, G. Phillips, Charles, M. All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more more than one, state all): 0460 than one, state all): 8710 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 4013 School Circle 4013 School Circle La Belle, FL La Belle, FL ZIP CODE ZIP CODE 33935 33935 County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business Broward Broward 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): 18555 SW 42 St, Miramar, FL 33029 ZIP CODE 5 4013 School Circle, Labelle, FL 33935 80 N Main St, LaBelle, FL 33935 0 College St, LaBelle, FL 3393 Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) ■ Health Care Business Chapter 15 Petition for Chapter 7 Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) \Box Chapter 9 U.S.C. § 101(51B) Main Proceeding See Exhibit D on page 2 of this form. Chapter 11 ■ Railroad V Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Chapter 12 Partnership Recognition of a Foreign ☐ Commodity Broker Nonmain Proceeding Other (If debtor is not one of the above entities, Chapter 13 Clearing Bank check this box and state type of entity below.) **Nature of Debts ✓** Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an ■ Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose.' Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to 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 COURT USE ONLY ■ 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. Estimated Number of Creditors V 50-100-200-1,000-5,001-10,001-25,001-50,001-Over 199 49 999 100,000 100,000 99 5,000 10,000 25,000 50,000 Estimated Assets $\mathbf{\Lambda}$ \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$0 to \$500,000,001 More than \$1 \$50,000 \$100,000 \$500,000 to \$100 to \$500 to \$1 billion billion \$1 to \$10 to \$50 million million million million million Estimated Liabilities \Box M \Box \$500,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$50,001 to \$0 to \$100,001 to \$500,000,001 More than \$1 to \$10 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 billion to \$1 billion million million million million million

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Charles M. Phillips, Gumlai G. Philli	ps
All Prior Bankruptcy Cases Filed Within L	ast 8 Years (If more than two, attach additional sheet	et.)
Location Where Filed: NONE	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner of	or Affiliate of this Debtor (If more than one, attack	h 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.)	(To be completed if debtor whose debts are primarily I, the attorney for the petitioner named in the fore have informed the petitioner that [he or she] may 12, or 13 of title 11, United States Code, and have available under each such chapter. I further certif debtor the notice required by 11 U.S.C. § 342(b).	r is an individual consumer debts) egoing petition, declare that I proceed under chapter 7, 11, we explained the relief by that I have delivered to the
☐ Exhibit A is attached and made a part of this petition.	X Not Applicable Signature of Attorney for Debtor(s)	Date
Fy	khibit C	
 Yes, and Exhibit C is attached and made a part of this petition. No Ex	hibit D	
(To be completed by every individual debtor. If a joint petition is filed, each spouse mu	st complete and attach a separate Exhibit D.)	
Exhibit D completed and signed by the debtor is attached and made a part of	this petition.	
If this is a joint petition:		
✓ Exhibit D also completed and signed by the joint debtor is attached and made	a part of this petition.	
Information Regai	rding the Debtor - Venue y applicable box)	
Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180	e of business, or principal assets in this District for 18 days than in any other District.	0 days immediately
There is a bankruptcy case concerning debtor's affiliate. general p	partner, or partnership pending in this District.	
Debtor is a debtor in a foreign proceeding and has its principal place of business or assets in the United States buthis District, or the interests of the parties will be served in regard	it is a defendant in an action or proceeding [in a fede	
·	des as a Tenant of Residential Property pplicable boxes.)	
Landlord has a judgment against the debtor for possession of debt	or's residence. (If box checked, complete the following	ng).
	(Name of landlord that obtained judgment)	
	(Address of landlord)	
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possessi	circumstances under which the debtor would be perrion, after the judgment for possession was entered, an	mitted to cure the
Debtor has included in this petition the deposit with the court of a filing of the petition.	any rent that would become due during the 30-day pe	riod after the

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

B 1 (Official Form 1) (1/08) Case 09-22902 Doc 1 Voluntary Petition	Filed 06/25/09 Page 3 of 7 FORM B1, Page 3	
(This page must be completed and filed in every case)	Name of Debtor(s): Charles M. Phillips, Gumlai G. Phillips	
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 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/ Charles M. Phillips Signature of Debtor Charles M. Phillips Signature of Joint Debtor Gumlai G. Phillips Telephone Number (If not represented by attorney)	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 § 1515 of title 11 are attached. Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. X Not Applicable (Signature of Foreign Representative)	
6/25/2009	Date	
Date		
Signature of Attorney X s/ David Marshall Brown, Esq.	Signature of Non-Attorney Petition Preparer	
Signature of Attorney for Debtor(s) David Marshall Brown, Esquire Bar No. 0995649 Printed Name of Attorney for Debtor(s) / Bar No. David Marshall Brown, P.A. Firm Name 33 N.E. Second Street Northmark Building, Suite 208	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.	
Address	Not Applicable	
Fort Lauderdale, FL 33301	Printed Name and title, if any, of Bankruptcy Petition Preparer	
(0.00) 2.00		
(954) 765-3166 (954) 765-3382 Telephone Number 6/25/2009 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.	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	
Signature of Debtor (Corporation/Partnership)	X Not Applicable	
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 the relief in accordance with the chapter of title 11, United States Code, specified in this petition. X Not Applicable Signature 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 to the appropriate official form for each person.	
Printed Name of Authorized Individual	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and	

Title of Authorized Individual

Date

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)

exigent circumstances here.]

UNITED STATES BANKRUPTCY COURT Southern District of Florida

In re	Charles M. Phillips Gumlai G. Phillips	Case No.	
	Debtor(s)	-	(if known)

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

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. l	am r	not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Mus	st 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 illnes

mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

B 1D (Official Form 1, Exh. D) (12/08) – Cont.	
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, through the Internet.);	_
Active military duty in a military combat zone.	
5. The United States trustee or bankruptcy administrator has determined that the credit counsel requirement of 11 U.S.C. ' 109(h) does not apply in this district.	ling
I certify under penalty of perjury that the information provided above is true and correct.	
Signature of Debtor: s/ Charles M. Phillips Charles M. Phillips	
Date: 6/25/2009	

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

UNITED STATES BANKRUPTCY COURT Southern District of Florida

In re	Charles M. Phillips Gumlai G. Phillips	Case No.	
	Debtor(s)		(if known)

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

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.

Warning: You must be able to check truthfully one of the five statements regarding credit 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.]
☐ 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 financia

responsibilities.):

B 1D (Official Form 1, Exh. D) (12/08) – Cont.	
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent unable, after reasonable effort, to participate in a credit counseling briefing in person, by telepl through the Internet.);	
Active military duty in a military combat zone.	
5. The United States trustee or bankruptcy administrator has determined that the credit corequirement of 11 U.S.C. '109(h) does not apply in this district.	ounseling
I certify under penalty of perjury that the information provided above is true and correct	t.
Signature of Debtor: s/ Gumlai G. Phillips Gumlai G. Phillips	
Date: 6/25/2009	