Case 09-40964-JDP Doc 1 Filed 06/29/09 Entered 06/29/09 17:39:44 Desc Main Document Page 1 of 23

B1 (Official)	Form 1)(1/() 8)				<u> </u>		90 . 0					
			United		Bank rict of I		Court	ourt			Volu	Voluntary Petition	
Name of De	ebtor (if indi			t, Middle):				Name of Joint Debtor (Spouse) (Last, First, Middle): Alves, Frances Marie					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): AKA Herkie Alves; DBA Green River Dairy; AKA Green River Dairy, LLC					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) xxx-xx-8181 Street Address of Debtor (No. and Street, City, and State): 911 East 4000 North				Street	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-8166 Street Address of Joint Debtor (No. and Street, City, and State):								
Buhl, ID		ortn					_	ı East 40 ıhl, ID	000 North				
'					г	ZIP Code		•				ZIP Code	
County of Ro		of the Prin	cipal Place	of Busines	s:	83316		y of Reside	ence or of the	Principal Pl	ace of Busine	83316	
Mailing Add	lress of Deb	tor (if diffe	rent from st	reet addres	ss):		Maili	ng Address	of Joint Deb	tor (if differe	ent from stree	t address):	
					Г	ZIP Code	;					ZIP Code	
Location of l (if different f				or	I_							l	
	• •	Debtor			Nature	of Business	3		Chapter	r of Bankru	ptcy Code U	nder Which	
		rganization) one box)		П Нея	(Checl alth Care Bu	c one box)		□ Chan		Petition is F	iled (Check of	one box)	
☐ Individua See Exhia ☐ Corporat ☐ Partnersh	al (includes bit D on pa	Joint Debtoge 2 of this	form.	☐ Sing in 1 ☐ Rail ☐ Stoo	☐ Single Asset Real Estate as def in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☐ Other			☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	ter 9 ter 11 ter 12	of	f a Foreign M hapter 15 Pet	tition for Recognition fain Proceeding tition for Recognition onmain Proceeding	
☐ Other (If	debtor is not									Natur	e of Debts		
check this	box and state	e type of enti	ity below.)	☐ Deb	Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organiz under Title 26 of the United Stander Code (the Internal Revenue Co		e) ganization ed States	defined	are primarily co d in 11 U.S.C. red by an indiv onal, family, or	(Checonsumer debts § 101(8) as idual primarily	k one box) , y for	Debts are primarily business debts.	
		Filing F	ee (Check o	one box)			Checl	one box:		Chapter 11	Debtors		
is unable Filing Fe	ee to be paid gned applica to pay fee ee waiver re	I in installmation for the except in ir	e court's cornstallments.	isideration Rule 1006 chapter 7 i	certifying t (b). See Offi ndividuals	hat the deb icial Form 3A only). Must	Check	Debtor is a if: Debtor's to insider all applicate A plan is Acceptan	aggregate not s or affiliates able boxes: being filed w	ncontingent land are less that with this petition were solicities.	or as defined liquidated del n \$2,190,000 ion.	on from one or more	
Statistical/A ■ Debtor esthere will	stimates tha	t funds will t, after any	l be availabl	e for distri perty is ex	bution to use cluded and	administrat	editors.	es paid,		THIS	S SPACE IS FO	OR COURT USE ONLY	
Estimated No 1- 49	umber of Cr 50- 99	reditors 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				
Estimated As \$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	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion					
Estimated Li \$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	\$100,000,000 to \$500 million	\$500,000,001 to \$1 billion					

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B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Alves, Herculano Joseph Alves, Frances Marie (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C 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? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must 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 Regarding the Debtor - Venue (Check any applicable box) 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. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. 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. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) 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) 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 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. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08)

Page 3

Voluntary Petition

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

Name of Debtor(s):

Alves, Herculano Joseph Alves, Frances Marie

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/ Herculano Joseph Alves

Signature of Debtor Herculano Joseph Alves

X /s/ Frances Marie Alves

Signature of Joint Debtor Frances Marie Alves

Telephone Number (If not represented by attorney)

June 29, 2009

Date

Signature of Attorney*

X /s/ Brent T. Robinson

Signature of Attorney for Debtor(s)

Brent T. Robinson 1932

Printed Name of Attorney for Debtor(s)

Robinson & Associates

Firm Name

615 H Street P.O. Box 396 Rupert, ID 83350-0396

Address

(208) 436-4717 Fax: (208) 436-6804

Telephone Number

June 29, 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 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.

 \mathbf{X}

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

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

Date

Address

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.

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

United States Bankruptcy Court District of Idaho

		District of Iddio		
In re	Herculano Joseph Alves Frances Marie Alves		Case No.	
		Debtor(s)	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.

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 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/ Herculano Joseph Alves Herculano Joseph Alves
Date: June 29, 2009

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

United States Bankruptcy Court District of Idaho

		District of Idano		
In re	Herculano Joseph Alves Frances Marie Alves		Case No.	
		Debtor(s)	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.

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 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/ Frances Marie Alves Frances Marie Alves
Date: June 29, 2009

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B4 (Official Form 4) (12/07)

United States Bankruptcy Court District of Idaho

In re	Herculano Joseph Alves Frances Marie Alves		Case No.	
		Debtor(s)	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)
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.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Bamford Cattle LLC	Bamford Cattle LLC			76,865.25
PO Box 369	PO Box 369			
Traver, CA 93673	Traver, CA 93673			
Carter Hay	Carter Hay			45,672.85
PO Box 1148	PO Box 1148			
Twin Falls, ID 83303-1148	Twin Falls, ID 83303-1148			
Elanco Animal Health	Elanco Animal Health			41,896.42
622 Emerson Rd., Suite 150	622 Emerson Rd., Suite 150			
Saint Louis, MO 63141	Saint Louis, MO 63141			
Rob's Dairy Service	Rob's Dairy Service		Disputed	39,551.38
713 Del Mar Drive	713 Del Mar Drive			
Twin Falls, ID 83301	Twin Falls, ID 83301			
Wilbur-Ellis Company	Wilbur-Ellis Company		Disputed	35,834.07
PO Box 29	PO Box 29			
Gooding, ID 83330	Gooding, ID 83330			
Standard Dairy Consulting	Standard Dairy Consulting			33,253.41
PO Box 3844	PO Box 3844			
Omaha, NE 68103-0844	Omaha, NE 68103-0844			
ITC Services Inc.	ITC Services Inc.			30,931.54
4172 North Frontage Rd East	4172 North Frontage Rd East			
Moses Lake, WA 98837	Moses Lake, WA 98837			
Derenzis & Associates	Derenzis & Associates			27,600.00
15328 Central Avenue	15328 Central Avenue			
Chino, CA 91710	Chino, CA 91710			
Western Stockmen's	Western Stockmen's			25,000.00
223 Rodeo	223 Rodeo			
Caldwell, ID 83605	Caldwell, ID 83605			
Werner Electric	Werner Electric			21,107.33
4374 A Clearlakes Road	4374 A Clearlakes Road			
Buhl, ID 83316	Buhl, ID 83316			
Gem State Dairy Supply	Gem State Dairy Supply			18,576.16
aka S&M Dairy Supply	aka S&M Dairy Supply			
26 West 208 South	26 West 208 South			
Burley, ID 83318	Burley, ID 83318			

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B4 (Offi	cial Form 4) (12/07) - Cont.			
	Herculano Joseph Alves			
In re	Frances Marie Alves		Case No.	
		Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
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.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
American Express c/o Becket and Lee Po Box 3001 Malvern, PA 19355	American Express c/o Becket and Lee Po Box 3001 Malvern, PA 19355	Misc Business Expenses		17,728.00
Beneficial/hfc Po Box 1547 Chesapeake, VA 23327	Beneficial/hfc Po Box 1547 Chesapeake, VA 23327	CheckCreditOrLine OfCredit		16,505.00
Beneficial Finance Attn: Bankruptcy Dept 961 Weigel Drive Elmhurst, IL 60126	Beneficial Finance Attn: Bankruptcy Dept 961 Weigel Drive Elmhurst, IL 60126			16,084.77
DeLaval Direct Distributing 1209 Burley Avenue Buhl, ID 83316	DeLaval Direct Distributing 1209 Burley Avenue Buhl, ID 83316			15,726.34
Chase 800 Brooksedge Blvd Westerville, OH 43081	Chase 800 Brooksedge Blvd Westerville, OH 43081	CreditCard		12,988.00
Redge Peterson 76 North 400 West Burley, ID 83318	Redge Peterson 76 North 400 West Burley, ID 83318			10,864.40
Cache Valley Select Sires 833 West 400 North Logan, UT 84321	Cache Valley Select Sires 833 West 400 North Logan, UT 84321			10,864.40
Bower Chopping, Inc. 1138 East 3900 North Buhl, ID 83316	Bower Chopping, Inc. 1138 East 3900 North Buhl, ID 83316			8,325.00
Various Tenants Rental Properties Boise, ID 83701	Various Tenants Rental Properties Boise, ID 83701	Security Deposits paid by Tenants		7,350.00

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B4 (Offi	cial Form 4) (12/07) - Cont.		
	Herculano Joseph Alves		
In re	Frances Marie Alves	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

We, **Herculano Joseph Alves** and **Frances Marie Alves**, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date	June 29, 2009	Signature	/s/ Herculano Joseph Alves	
			Herculano Joseph Alves	
			Debtor	
Date	June 29, 2009	Signature	/s/ Frances Marie Alves	
			Frances Marie Alves	
			Joint 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.

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United States Bankruptcy Court District of Idaho

Herculano Joseph Alves			
In re Frances Marie Alves		Case No.	
	Debtor(s)	Chapter	
	RIFICATION OF CREDITOR fy that the attached list of creditors is true and of		of their knowledge.
ate: June 29, 2009	/s/ Herculano Joseph Alves Herculano Joseph Alves		
	•		
luma 20, 2000	Signature of Debtor		
Pate: June 29, 2009	/s/ Frances Marie Alves		
	Frances Marie Alves		

Signature of Debtor

A.S.V. Capital 1540 W Fountainhead Pkwy Tempe, AZ 85282

A.S.V. Captial dba Diligenz 6500 Harbor Height Pkwy #400 Mukilteo, WA 98275

Addison Collision 1196 Addison Avenue West Twin Falls, ID 83301

American Express c/o Becket and Lee Po Box 3001 Malvern, PA 19355

American Express Costco P.O. Box 360002 Fort Lauderdale, FL 33336-0002

American Express P.O. Box 29-7879 Fort Lauderdale, FL 33329-7879

Anderson Hoof Trimming 1215 Idaho Street Gooding, ID 83330

Anderson Plumbing 5589 South Jonquil Place Boise, ID 83716

Bamford Cattle LLC PO Box 369 Traver, CA 93673

Banner Bank PO Box 907 Walla Walla, WA 99362

Beneficial Finance Attn: Bankruptcy Dept 961 Weigel Drive Elmhurst, IL 60126

Beneficial Finance PO Box 60101 City Of Industry, CA 91716-0101

Beneficial/hfc Po Box 1547 Chesapeake, VA 23327

Bower Chopping, Inc. 1138 East 3900 North Buhl, ID 83316

Burks Tractor 3140 Kimberly Road Twin Falls, ID 83301

Cache Valley Select Sires 833 West 400 North Logan, UT 84321

Carter Hay PO Box 1148 Twin Falls, ID 83303-1148

CDL Consulting Group LLC 2399 S Orchard St, Ste 214 Boise, ID 83705

Central Equipment P.O. Box 4639 Pocatello, ID 83201-4639

Chase 800 Brooksedge Blvd Westerville, OH 43081

Circle C Equipment 27 North 150 West Jerome, ID 83338

Citibank Usa Attn.: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195

Citizens Enterprises, Inc. P.O. Box 684
Buhl, ID 83316-0684

Dairy Facts 960 Milner Street Buhl, ID 83316

Dan Lafferty Construction PO Box 16 Wendell, ID 83355

Dean Kohntopp 949 East 4100 North Buhl, ID 83316

DeLaval Direct Distributing 1209 Burley Avenue Buhl, ID 83316 Derenzis & Associates 15328 Central Avenue Chino, CA 91710

DeVries Transportation 6600 Mountain View Road Bakersfield, CA 93307

Elanco Animal Health 622 Emerson Rd., Suite 150 Saint Louis, MO 63141

Enz-a-Bac PO Box 1943 Twin Falls, ID 83303-1943

Ernest Daniel Carter PO Box 1148
Buhl, ID 83316

Farmers National Bank P.O. Box 392 Buhl, ID 83316-0392

Fields 66, Inc. 326 South Broadway Buhl, ID 83316

Firmco Financial 4700 South State Street Salt Lake City, UT 84107

First Federal Savings P.O. Box 249 Twin Falls, ID 83303-0249 Gem State Dairy Supply aka S&M Dairy Supply 26 West 208 South Burley, ID 83318

Grogan Properties 7786 Prescott Avenue Garden City, ID 83714

Hi Energy Liqui-Feed, Inc. 1378 Targhee Drive Twin Falls, ID 83301

High Desert Dairy Lab 5311 Ridgewood Road Nampa, ID 83651

Idaho Department of Labor 317 West Main Street Boise, ID 83735-0610

Idaho State Tax Commission Bankruptcy Division P.O. Box 36 Boise, ID 83722-2302

Idaho Udder Health System PC 6401 Old Guide Road Bellingham, WA 98226

Intermountain Heating 3537 North 4900 East Jerome, ID 83338

Internal Revenue Service Centralized Insolvency Dept P.O. Box 21126 Philadelphia, PA 19114-0326 Internal Revenue Service Special Procedures Function 550 West Fort St. MSC 041 Boise, ID 83724

Irish Farms 1179 East 4100 North Buhl, ID 83316

ITC Services Inc. 4172 North Frontage Rd East Moses Lake, WA 98837

Kubota Credit Corp 1025 Northbrook Pkwy Suwanee, GA 30024

Kubota Credit Corp 1175 S. Guild Avenue Lodi, CA 95240

L R Gehm LLC 9502 NYS Route 79 Lisle, NY 13797

Land O'Lakes, Inc. PO Box 64408 Saint Paul, MN 55164-0408

Land O'Lakes, Inc. 1080 County Road F West Saint Paul, MN 55126

Les Schwab Tire Center 1241 Burley Avenue Buhl, ID 83316 Les Schwab Tire Centers of Portland, Inc. PO Box 5350 Bend, OR 97708

Les Schwab Tire Ctrs of ID PO Box 667 Prineville, OR 97754

Lowes / MBGA Attention: Bankruptcy Department Po Box 103106 Roswell, GA 30076

Macys/fdsb Macy's Bankruptcy Po Box 8053 Mason, OH 45040

Metroplitan Life Insurance Agricultural Investments 8717 West 110th St. Ste 700 Overland Park, KS 66210-2127

Mule Shoe Rental 230 Broadway Avenue South Buhl, ID 83316

National City Bank Attn: Bankruptcy Dept 6750 Miller Road Brecksville, OH 44141

Nix Excavation Inc 4020 North 2600 East Filer, ID 83328 Pro-Flame, Inc. 138 Bridon Way Jerome, ID 83338

Progressive Bovine Supply 53 East 200 South Jerome, ID 83338

Progressive Dairy Service and Supplies 447 Boise Street Wendell, ID 83355

Redge Peterson 76 North 400 West Burley, ID 83318

Riverview Packing % Redge Peterson 27 North 400 West Burley, ID 83318

Rob's Dairy Service 713 Del Mar Drive Twin Falls, ID 83301

Schmidt Dairy 3772 North 1000 East Buhl, ID 83316

Select Portfolio Service 3815 South West Temple Salt Lake City, UT 84115

Select Portfolio Servicing P.O. Box 551170 Jacksonville, FL 32255-1170 Servicemaster Clean + Eagle Contractors P.O. Box 2685 Twin Falls, ID 83303-2685

Standard Dairy Consulting PO Box 3844 Omaha, NE 68103-0844

Standley & Co.
Farmore of Idaho
12 B East Frontage Rd North
Jerome, ID 83338

Tri-C, Inc. 1398 East 4100 North Buhl, ID 83316

Twin Falls Tractor and Implement Company 1935 Kimberly Road Twin Falls, ID 83301

U. S. Attorney's Office MK Plaza, Plaza IV 800 Park Boulevard Suite 600 Boise, ID 83712-9903

Udder Comfort 13473 County Road 18 Wiliamburg, ON Canada KOC 2HO

Van Beek Nutritional Inc. P.O. Box 2033
Twin Falls, ID 83303-2033

Vander Bosch Inc PO Box 543 Jerome, ID 83338-0543

Vantage Dairy Supplies, LLC 799 West 200 North Paul, ID 83347

Walco P.O. Box 911423 Dallas, TX 75391-1423

Watts Animal Health LLC 1982 Floral Avenue Twin Falls, ID 83301

Wells Fargo Equip. Finance P.O. Box 1450 Minneapolis, MN 55485-8178

Wendell Dairy Service 112067 S Woodfield Road South Jordan, UT 84095

Werner Electric 4374 A Clearlakes Road Buhl, ID 83316

West End Diesel, Inc. 1007 Burley Avenue Buhl, ID 83316

Western Stockmen's 223 Rodeo Caldwell, ID 83605 Westway Feed Products 365 Canal Street, Suite 2900 New Orleans, LA 70130

Wilber-Ellis Company PO Box 515429 Los Angeles, CA 90051-6729

Wilber-Ellis Company % David Heida, Esq. P. O. Box 2598 Boise, ID 83701-2598

Wilbur-Ellis Company PO Box 29 Gooding, ID 83330 Case 09-40964-JDP Doc 1 Filed 06/29/09 Entered 06/29/09 17:39:44 Desc Main Document Page 23 of 23

United States Bankruptcy Court District of Idaho

In re	Herculano Joseph Alves,		Case No.	
	Frances Marie Alves			
_		, Debtors	Chapter	11

DECLARATION OF COMPLIANCE WITH RULE 9009

The undersigned is the attorney for the debtor in this case.

The undersigned declares under penalty of perjury that the Schedules and Forms filed in this case for the debtor were computer generated using *Best Case Bankruptcy* and conform with those prescribed by Bankruptcy Rule 9009.

Date	June 29, 2009	/s/ Brent T. Robinson 1932	
_	,		

Signature of attorney
Brent T. Robinson 1932
Robinson & Associates
615 H Street
P.O. Box 396
Rupert, ID 83350-0396
(208) 436-4717