Case 09-33647 Doc 1 Filed 12/03/09 Page 1 of 10

12/03/09	5:51PM

<u>B1 (Official Form 1)(1/08)</u> United	l States			Court			Vol	untary Petition
	District	t of Ma	ryland				V UI	untary retution
Name of Debtor (if individual, enter Last, First, Middle): Mandley, Lewis W. Sr.				Name	of Joint De	ebtor (Spouse	e) (Last, First, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Ot (inclu	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-Tax (if more than one, state all) xxx-xx-5737	payer I.D. (I	TIN) No./	Complete E		our digits o e than one, s		r Individual-Taxpayer I.I	D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City 4020 Gardiner Road Waldorf, MD	, and State):				Address of	Joint Debtor	(No. and Street, City, and	
		Г	ZIP Code 20601	-				ZIP Code
County of Residence or of the Principal Place Charles	of Business:		20001	Count	y of Reside	ence or of the	Principal Place of Busir	ness:
Mailing Address of Debtor (if different from	street address	5):		Mailir	ng Address	of Joint Debt	tor (if different from stree	et address):
		F	ZIP Code					ZIP Code
Location of Principal Assets of Business Deb (if different from street address above):	or			1				
Type of Debtor		Nature	of Business			Chapter	of Bankruptcy Code U	Under Which
 Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) 		Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank Other Tax-Exempt Entity (Check box, if applicable) Debtor is a tax-exempt organization						
under Title 26 of the United Code (the Internal Revenue				States "incurred by an individual primarily for				
 Filing Fee (Check one box) Full Filing Fee attached ☐ 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. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 			or Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptance	a small busin not a small b aggregate nor s or affiliates) ble boxes: being filed w ces of the pla		d in 11 U.S.C. § 101(51D). ebts (excluding debts owed 0.	
 Statistical/Administrative Information ■ Debtor estimates that funds will be availal □ Debtor estimates that, after any exempt pr there will be no funds available for distribution 	operty is exc	luded and	administrat		es paid,		THIS SPACE IS F	OR COURT USE ONLY
Estimated Number of Creditors Image: Constraint of the second s	□ 1,000- 5,000	5,001- 10,000	□ 10,001- 25,000	□ 25,001- 50,000	□ 50,001- 100,000	OVER 100,000		
Estimated Assets So to \$50,001 to \$100,000 \$500,000 \$500,000 to \$100,000 \$500,000 to \$100,000 to \$100,000 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	5500,000,001 to \$1 billion			
Estimated Liabilities \$\$\$ to \$\$50,001 to \$\$100,001 to \$\$50,000 \$\$00,000 \$\$500,000 to \$\$100,000 \$\$500,000 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	5500,000,001 to \$1 billion			

Case 09-33647 Doc 1 Filed 12/03/09 Page 2 of 10

B1 (Official For	rm 1)(1/08)		Page 2		
Voluntar	y Petition	Name of Debtor(s): Mandley, Lewis W. Sr.			
(This page mi	ust be completed and filed in every case)	Mandley, Lewis W. Sr.			
	All Prior Bankruptcy Cases Filed Within Las	t 8 Years (If more than two	, attach additional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Ре	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If	more than one, attach additional sheet)		
Name of Debt Mandley Ex	tor: xcavating Company, Inc.	Case Number: 09-33635	Date Filed: 12/03/09		
District: Greenbelt		Relationship: related entity	Judge: Lipp		
	Exhibit A	(To be completed if debtor is	Exhibit B an individual whose debts are primarily consumer debts.)		
forms 10K a pursuant to and is reque	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 esting relief under chapter 11.)	I, the attorney for the petiti have informed the petition 12, or 13 of title 11, United under each such chapter. I required by 11 U.S.C. §34.	oner named in the foregoing petition, declare that I er that [he or she] may proceed under chapter 7, 11, d States Code, and have explained the relief available further certify that I delivered to the debtor the notice 2(b).		
📙 Exhibit	A is attached and made a part of this petition.	X <u>/s/ James A. Vidu</u> Signature of Attorney for James A. Vidman	or Debtor(s) (Date)		
	Fyt	l ibit C			
	or own or have possession of any property that poses or is alleged to I Exhibit C is attached and made a part of this petition.	pose a threat of imminent and	identifiable harm to public health or safety?		
	Ext	ibit D			
(To be comp	pleted by every individual debtor. If a joint petition is filed, ea	ch spouse must complete a	nd attach a separate Exhibit D.)		
	D completed and signed by the debtor is attached and made	a part of this petition.			
If this is a jo ☐ Exhibit	int petition: D also completed and signed by the joint debtor is attached a	and made a part of this petit	ion.		
	Information Regardir	g the Debtor - Venue			
	(Check any ap				
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	a longer part of such 180 d	ays than in any other District.		
	There is a bankruptcy case concerning debtor's affiliate, g				
	Debtor is a debtor in a foreign proceeding and has its prine this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	in the United States but is	a defendant in an action or		
	Certification by a Debtor Who Reside (Check all app		ial Property		
	Landlord has a judgment against the debtor for possession		ox checked, complete the following.)		
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment				
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	ourt of any rent that would b	become due during the 30-day period		

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

3

Voluntary Petition	Name of Debtor(s):			
	Mandley, Lewis W. Sr.			
This page must be completed and filed in every case)	natures			
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 tile 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 declare under penalty of perjury that the information provided in this pet is true and correct, that I am the foreign representative of a debtor in a fore 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 Certified copies of the documents required by 11 U.S.C. §1515 are attached. 			
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	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.			
🗶 /s/ Lewis W. Mandley, Sr.	X			
Signature of Debtor Lewis W. Mandley, Sr.	Signature of Foreign Representative			
Signature of Joint Debtor	Printed Name of Foreign Representative			
Signature of John Debior	Date			
Telephone Number (If not represented by attorney)				
	Signature of Non-Attorney Bankruptcy Petition Preparer			
December 3, 2009	I declare under penalty of perjury that: (1) I am a bankruptcy petition			
Signature of Attorney*	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			
/s/ James A. Vidmar Signature of Attorney for Debtor(s)	chargeable by bankruptcy petition preparers, I have given the debtor notice			
James A. Vidmar 00271	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.			
Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.			
Logan, Yumkas, Vidmar & Sweeney, LLC				
Firm Name	Printed Name and title, if any, of Bankruptcy Petition Preparer			
2530 Riva Road, Suite 400 Annapolis, MD 21401 Address	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.)			
Address	preparer.)(Required by 11 U.S.C. § 110.)			
Email: jvidmar@loganyumkas.com _443-569-5977 Fax: 410-571-2798				
Telephone Number				
December 3, 2009	Address			
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.	X			
Signature of Debtor (Corporation/Partnership)	Date			
Signature of 200001 (Corportation/Latinetismp)	Signature of Bankruptcy Petition Preparer or officer, principal, responsible			
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.	person, or partner whose Social Security number is provided above. Names and Social-Security numbers of all other individuals who prepared of			
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	assisted in preparing this document unless the bankruptcy petition preparer not an individual:			
K				
Signature of Authorized Individual	If more than one percon prepared this document attach additional that			
Printed Name of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.			
Title of Authorized Individual	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.			
Date				

I

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

United States Bankruptcy Court District of Maryland

In re Lewis W. Mandley, Sr.

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*.

 \Box 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

 \Box 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Software Copyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-8037 Best

Best Case Bankruptcy

B 1D (Official Form 1, Exhibit D) (12/09) - Cont.

Page 2

 \Box 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.);

 \Box 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/ Lewis W. Mandley, Sr. Lewis W. Mandley, Sr. Date: December 3, 2009 B4 (Official Form 4) (12/07)

United States Bankruptcy Court District of Maryland

Lewis W. Mandley, Sr. In re

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)
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 P. O. Box 1270 Newark, NJ 07101-1270	American Express P. O. Box 1270 Newark, NJ 07101-1270	Credit card purchases		1,710.17
Bank of America P. O. Box 15220 Wilmington, DE 19850-5220	Bank of America P. O. Box 15220 Wilmington, DE 19850-5220	Credit card purchases		16,065.89
BESCHE Oil Company P. O. Box 277 Waldorf, MD 20604	BESCHE Oil Company P. O. Box 277 Waldorf, MD 20604	budget plan for oil delivery		314.00
Capital One Bank (USA), N.A. P.O. Box 71083 Charlotte, NC 28272-1083	Capital One Bank (USA), N.A. P.O. Box 71083 Charlotte, NC 28272-1083	Credit card purchases		7,035.80
Care First Blue Cross Blue Shield P. O. Box 79912 Baltimore, MD 21279	Care First Blue Cross Blue Shield P. O. Box 79912 Baltimore, MD 21279	medical expenses		735.00
Charles County Treasurer's Office 3670 Leonardtown Road Waldorf, MD 20601	Charles County Treasurer's Office 3670 Leonardtown Road Waldorf, MD 20601	property taxes for 4020 Gardiner Road		4,774.15
Chase Bank P. O. Box 15153 Wilmington, DE 19850-5153	Chase Bank P. O. Box 15153 Wilmington, DE 19850-5153	Credit card purchases		20,345.17
Choice P. O. Box 183051 Columbus, OH 43218	Choice P. O. Box 183051 Columbus, OH 43218	Credit card purchases		8,570.89
Conseco Life Insurance Company P. O. Box 371807 Pittsburgh, PA 15250-7807	Conseco Life Insurance Company P. O. Box 371807 Pittsburgh, PA 15250-7807			237.00
Ford Credit P. O. Box 105697 Atlanta, GA 30348	Ford Credit P. O. Box 105697 Atlanta, GA 30348			795.97
John Deere P. O. Box 4450 Carol Stream, IL 60197	John Deere P. O. Box 4450 Carol Stream, IL 60197			4,104.24

B4 (Official Form 4) (12/07) - Cont. In re Lewis W. Mandley, Sr.

Debtor(s)

Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete	Name, telephone number and complete	Nature of claim (trade	Indicate if claim is	Amount of claim [ij
mailing address including zip	mailing address, including zip code, of	debt, bank loan,	contingent,	secured. also state
code	employee, agent, or department of creditor	government contract,	unliquidated,	value of security]
	familiar with claim who may be contacted	etc.)	disputed, or subject	5 55
		,	to setoff	
Orange County Tax Collector	Orange County Tax Collector			1,051.04
P. O. Box 545100	P. O. Box 545100			
Orlando, FL 32854	Orlando, FL 32854			
Progressive Chesapeake	Progressive Chesapeake Insurance			177.00
Insurance Group	Group			
7405 Ritchie Highway	7405 Ritchie Highway			
Glen Burnie, MD 21060	Glen Burnie, MD 21060			
Protective Life Insurance	Protective Life Insurance			435.93
P. O. Box 305031	P. O. Box 305031			
Nashville, TN 37230	Nashville, TN 37230			
Sears Master Card	Sears Master Card	Credit card		3,924.04
P. O. Box 183082	P. O. Box 183082	purchases		
Columbus, OH 43218	Columbus, OH 43218			
Sears Premier Card	Sears Premier Card	Credit card		5,421.42
P. O. Box 183081	P. O. Box 183081	purchases		
Columbus, OH 43218	Columbus, OH 43218			
SMECO	SMECO			91.83
P. O. Box 1937	P. O. Box 1937			
Hughesville, MD 20637	Hughesville, MD 20637			
Tax Collector for Polk County	Tax Collector for Polk County			4,180.71
P. O. Box 1189	P. O. Box 1189			
430 East Main Street	430 East Main Street			
Bartow, FL 33831	Bartow, FL 33831			
Travelers Chesapeake	Travelers Chesapeake Insurance			1,785.00
Insurance Group	Group			
7405 Ritchie Highway	7405 Ritchie Highway			
Glen Burnie, MD 21060	Glen Burnie, MD 21060			
Travelers Chesapeake	Travelers Chesapeake Insurance			1,135.58
Insurance Group	Group			
7405 Ritchie Highway	7405 Ritchie Highway			
Glen Burnie, MD 21060	Glen Burnie, MD 21060			

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

I, Lewis W. Mandley, Sr., 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 December 3, 2009

Signature /s/ Lewis W. Mandley, Sr.

Lewis W. Mandley, Sr.

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.

American Express P. O. Box 1270 Newark, NJ 07101-1270

Bank of America P. O. Box 15220 Wilmington, DE 19850-5220

BESCHE Oil Company P. O. Box 277 Waldorf, MD 20604

Capital One Bank (USA), N.A. P.O. Box 71083 Charlotte, NC 28272-1083

Care First Blue Cross Blue Shield P. O. Box 79912 Baltimore, MD 21279

Caterpillar Financial Services P. O. Box 13834 Newark, NJ 07188-0834

Charles County Treasurer's Office 3670 Leonardtown Road Waldorf, MD 20601

Chase Bank P. O. Box 15153 Wilmington, DE 19850-5153

Choice P. O. Box 183051 Columbus, OH 43218

Case 09-33647 Doc 1 Filed 12/03/09 Page 9 of 10

Conseco Life Insurance Company P. O. Box 371807 Pittsburgh, PA 15250-7807

First Niagara Leasing, Inc. P. O. Box 1040 Buffalo, NY 14240

Ford Credit P. O. Box 105697 Atlanta, GA 30348

Jeffrey Mark Lippman, Esquire Weinstock, Friedman & Friedman, P.A. 4 Reservoir Circle Pikesville, MD 21208

John Deere P. O. Box 4450 Carol Stream, IL 60197

Orange County Tax Collector P. O. Box 545100 Orlando, FL 32854

PNC Bank National Association 219 Fifth Avenue Pittsburgh, PA 15222

PNC Bank, N.A. P. O. Box 340777 Pittsburgh, PA 15230-7777

Progressive Chesapeake Insurance Group 7405 Ritchie Highway Glen Burnie, MD 21060

Case 09-33647 Doc 1 Filed 12/03/09 Page 10 of 10

Protective Life Insurance P. O. Box 305031 Nashville, TN 37230

Sears Master Card P. O. Box 183082 Columbus, OH 43218

Sears Premier Card P. O. Box 183081 Columbus, OH 43218

SMECO P. O. Box 1937 Hughesville, MD 20637

Tax Collector for Polk County P. O. Box 1189 430 East Main Street Bartow, FL 33831

Travelers Chesapeake Insurance Group 7405 Ritchie Highway Glen Burnie, MD 21060

Verizon P. O. Box 660720 Dallas, TX 75266-0720