

B1 (Official Form 1) (1/08)

**United States Bankruptcy Court
Eastern District of North Carolina**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Kestel, David Hine	Name of Joint Debtor (Spouse) (Last, First, Middle): Kestel, Diane C.
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): None	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): None
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 7067	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 5936
Street Address of Debtor (No. and Street, City, and State) 15900 Green Meadow Road Darnestown, Maryland ZIPCODE 20878	Street Address of Joint Debtor (No. and Street, City, and State) 15900 Green Meadow Road Darnestown, Maryland ZIPCODE 20878
County of Residence or of the Principal Place of Business: Dare	County of Residence or of the Principal Place of Business: Dare
Mailing Address of Debtor (if different from street address): ZIPCODE	Mailing Address of Joint Debtor (if different from street address): ZIPCODE

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

Type of Debtor (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.) _____	Nature of Business (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 _____ Tax-Exempt Entity (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)	Chapter of Bankruptcy Code Under Which the Petition is Filed (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 Nature of Debts (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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Filing Fee (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 No. 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.	Check one box: Chapter 11 Debtors <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101(51D) <input checked="" type="checkbox"/> Debtor is not a small business 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, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1000-5000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000 Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	THIS SPACE IS FOR COURT USE ONLY
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Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): David Hine Kestel & Diane C. Kestel	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: NONE	Case Number:	Date Filed:	
Location Where Filed: N.A.	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: NONE	Case Number:	Date Filed:	
District:	Relationship:	Judge:	

<p style="text-align: center;">Exhibit A</p> <p>(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)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>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).</p> <p><u>X/s/ David J. Haidt</u> <u>6/18/2010</u> Signature of Attorney for Debtor(s) Date</p>
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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 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 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 non bankruptcy 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)).

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

Name of Debtor(s):
David Hine Kestel & Diane C. Kestel

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/ David Hine Kestel
Signature of Debtor

X /s/ Diane C. Kestel
Signature of Joint Debtor

Telephone Number (If not represented by attorney)
06/18/2010
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 § 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 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/ David J. Haidt
Signature of Attorney for Debtor(s)

DAVID J. HAIDT 22092
Printed Name of Attorney for Debtor(s)

Ayers & Haidt, P.A.
Firm Name

P.O. Box 1544
Address

New Bern, NC 28563

252-638-2955
Telephone Number

06/18/2010
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.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Non-Attorney 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 setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before 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 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.

Rev. 9/97

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
Wilson Division**

**In re:
DAVID HINE KESTEL
DIANE C. KESTEL
(Debtors)**

Case No.

Chapter 11

**CERTIFICATION OF MAILING MATRIX
REQUIRED BY E.D.N.C. LBR 1007-2**

I hereby certify under penalty of perjury that the attached list of creditors which has been prepared in the format required by the clerk is true and accurate to the best of my knowledge and includes all creditors scheduled in the petition.

Date: June 18, 2010

/s/ David J. Haidt
David J. Haidt, Attorney for the Debtors
Ayers & Haidt, P.A.
PO Box 1544
307 Metcalf Street
New Bern, NC 28563
NC Bar # 22092

Alliance Bank
ATTN: Managing Agent
14200 Park Meadow Drive
Suite 200 South
Chantilly, VA 20151

American Express
ATTN: Managing Agent
P.O. Box 650448
Dallas, Texas 75265-0448

American Express
ATTN: Managing Agent
P.O. Box 650448
Dallas, Texas 75265-0448

American Express
ATTN: Managing Agent
P.O. Box 650448
Dallas, Texas 75265-0448

Bank of America
ATTN: Managing Agent
P.O. Box 5170
Simi Valley, CA 93062-5170

Bank of America
ATTN: Managing Agent
P.O. Box 5170
Simi Valley, CA 93062-5170

Bank of America
ATTN: Managing Agent
P.O. Box 5170
Simi Valley, CA 93062-5170

Bank of America
ATTN: Managing Agent
P.O. Box 15019
Wilmington, DE 19886-5019

Bank of America
ATTN: Managing Agent
P.O. Box 15019
Wilmington, DE 19886-5019

Brock & Scott, PLLC
ATTN: Jeremy B. Wilkins, Esquire
5431 Oleander Drive, Suite 200
Wilmington, NC 28403

Capital One
Attn: Managing Agent
P.O. Box 71083
Charlotte, NC 28272

Chase Home Finance, LLC
f/d/b/a: Washington Mutual Bank
ATTN: Managing Agent
7255 Baymeadows Way
Jacksonville, FL 32256

Chase Home Finance, LLC
f/d/b/a: Washington Mutual Bank
ATTN: Managing Agent
7255 Baymeadows Way
Jacksonville, FL 32256

Chevy Chase Bank
ATTN: Managing Agent
P.O. Box 15289
Wilmington, DE 19850-5298

Daniel Young
McLean, VA 22102

Darren, LLC
Rockville, MD

David D. Hanley
7 Mercy Court
Potomac, MD 20854

Discover Card
ATTN: Managing Agent
P.O. Box 71084
Charlotte, NC 28272-1084

FIA Card Services
ATTN: Managing Agent
P.O. Box 15726
Wilmington, DE 29886-5726

Gerard Lear
8401 Brookewood Court
McLean, VA 22102

GMAC
ATTN: Managing Agent
Payment Processing Center
P.O. Box 9001951
Louisville, KY 40290-1951

GMAC
ATTN: Managing Agent
Payment Processing Center
P.O. Box 9001951
Louisville, KY 40290-1951

GMAC
ATTN: Managing Agent
Payment Processing Center
P.O. Box 9001951
Louisville, KY 40290-1951

Internal Revenue Service
Attn: Managing Agent
P.O. Box 21126
Philadelphia, PA 19114

N.C. Department of Revenue
Attn: Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Norstrom
ATTN: Managing Agent
P.O. Box 6555
Englewood, CO 80155

Randolph Shapiro, CPA
Murray, Jonson, White & Assoc.
6402 Arlington Blvd. Suite 1130
Falls Church, VA 22042-2333

Secretary of the Treasury
1500 Pennsylvania Ave. N.W.
Washington, DC 20220

Specialized Loan Servicing, LLC
For Capital One / Chevy Chase Bank
ATTN: Managing Agent
8742 Lucent Blvd., Suite 300
Highlands Ranch, CO 80129

Specialized Loan Servicing, LLC
For Capital One / Chevy Chase Bank
ATTN: Managing Agent
8742 Lucent Blvd., Suite 300
Highlands Ranch, CO 80129

SunTrust Bank
ATTN: Managing Agent
P.O. Box 305053
Nashville, TN 37230-5053

SunTrust Bank
ATTN: managing Agent
P.O. Box 79282
Baltimore, MD 21279-0282

United / Chase Bank
ATTN: Managing Agent
P.O. Box 15153
Wilmington, DE 19886-5153

United Mileage Plus
ATTN: Managing Agent
Cardmember Service
P.O. Box 15153
Wilmington, DE 19886-5153

US Senate Federal Credit Union
ATTN: Managing Agent
P.O. Box 77920
Washington, DC 20013-8920

**UNITED STATES BANKRUPTCY COURT
 Eastern District of North Carolina**

In re David Hine Kestel & Diane C. Kestel ,
 Debtor

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 and 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>
Discover Card ATTN: Managing Agent P.O. Box 71084 Charlotte, NC 28272-1084				8,500.00
SunTrust Bank ATTN: managing Agent P.O. Box 79282 Baltimore, MD 21279-0282				8,841.00

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	(5) <i>Amount of claim [if secured also state value of security]</i>
<p>Bank of America ATTN: Managing Agent P.O. Box 15019 Wilmington, DE 19886-5019</p>				10,412.84
<p>United Mileage Plus ATTN: Managing Agent Cardmember Service P.O. Box 15153 Wilmington, DE 19886-5153</p>				12,500.00
<p>Bank of America ATTN: Managing Agent P.O. Box 15019 Wilmington, DE 19886-5019</p>				12,700.00
<p>FIA Card Services ATTN: Managing Agent P.O. Box 15726 Wilmington, DE 29886-5726</p>				13,486.00
<p>American Express ATTN: Managing Agent P.O. Box 650448 Dallas, Texas 75265-0448</p>				15,000.00
<p>Bank of America ATTN: Managing Agent P.O. Box 5170 Simi Valley, CA 93062-5170</p>				15,325.92

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(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>
<p>Specialized Loan Servicing, LLC For Capital One / Chevy Chase Bank ATTN: Managing Agent 8742 Lucent Blvd., Suite 300 Highlands Ranch, CO 80129</p>				<p>1,215,971.84 Collateral FMV 1,200,000.00</p>
<p>Bank of America ATTN: Managing Agent P.O. Box 5170 Simi Valley, CA 93062-5170</p>				<p>15,975.15</p>
<p>US Senate Federal Credit Union ATTN: Managing Agent P.O. Box 77920 Washington, DC 20013-8920</p>				<p>17,024.13</p>
<p>Chevy Chase Bank ATTN: Managing Agent P.O. Box 15289 Wilmington, DE 19850-5298</p>				<p>21,200.00</p>
<p>SunTrust Bank ATTN: Managing Agent P.O. Box 305053 Nashville, TN 37230-5053</p>				<p>26,347.00</p>
<p>David D. Hanley 7 Mercy Court Potomac, MD 20854</p>				<p>35,000.00</p>

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(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>

Alliance Bank ATTN: Managing Agent 14200 Park Meadow Drive Suite 200 South Chantilly, VA 20151	50,000.00 Collateral FMV 0.00
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Daniel Young McLean, VA 22102	50,000.00
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Bank of America ATTN: Managing Agent P.O. Box 5170 Simi Valley, CA 93062-5170	100,275.18 Collateral FMV 0.00
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Gerard Lear 8401 Brookewood Court McLean, VA 22102	200,000.00
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Chase Home Finance, LLC f/d/b/a: Washington Mutual Bank ATTN: Managing Agent 7255 Baymeadows Way Jacksonville, FL 32256	1,400,000.00 Collateral FMV 750,000.00
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(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	(5) <i>Amount of claim [if secured also state value of security]</i>
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Chase Home Finance, LLC f/d/b/a: Washington Mutual Bank ATTN: Managing Agent 7255 Baymeadows Way Jacksonville, FL 32256	1,400,000.00 Collateral FMV 750,000.00
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DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing list of twenty largest unsecured creditors and that it is true and correct to the best of my knowledge, information and belief.

Date 6/18/2010 Signature /s/ David Hine Kestel
 DAVID HINE KESTEL

Date 6/18/2010 Signature /s/ Diane C. Kestel
 of Joint Debtor DIANE C. KESTEL