# Case 10-25941-RTL Doc 1 Filed 05/25/10 Entered 05/25/10 14:00:50 Desc Main

B1 (Official For	<u>m 1) (4/10</u>	<u>)</u>		 C	)000	iment	Page	1 of 1	10				
		United		es Ba	nkr	uptcy	Court				<b>T</b> 7 <b>I</b>		
		D	istri	ct of l	New	Jerse	У				Vol	untary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Saada, Diana L					Name of	Name of Joint Debtor (Spouse) (Last, First, Middle):							
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):							
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>4197</b>						Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):							
Street Address of Debtor (No. & Street, City, State & Zip Code): 216 Lenox Ave					Street A	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):							
Long Branch, N			Z	ZIPCODE <b>07740-5046</b>			6	ZIPCODE					
County of Residence Monmouth	e or of the Prin	ncipal Place of	f Busine	ess:			County	of Resider	nce or of t	he Principal Pla	ce of Busin	ness:	
Mailing Address of	Debtor (if diff	ferent from str	eet add	ress)			Mailing	Mailing Address of Joint Debtor (if different from street address):					
			Z	ZIPCOD	E						Γ	ZIPCODE	
Location of Principa	l Assets of Bu	usiness Debtor	r (if diff	erent fro	om stre	et addres	s above):						
											Γ	ZIPCODE	
(Form	<b>ype of Debto</b> n of Organizat	tion)				Nature of Business (Check one box.)					<b>Code Under Which</b> (Check <b>one</b> box.)		
<ul> <li>(Check one box.)</li> <li>✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.</li> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>			☐ Health Care Business ☐ Single Asset Real Estate U.S.C. § 101(51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☐ Other			mpt Entity if applicable.) npt organizatic ed States Code	Image: Chapter 11       Main Proceeding         Chapter 12       Chapter 15 Petition for Recognition of a Forei Nonmain Proceeding         Image: Chapter 13       Recognition of a Forei Nonmain Proceeding         Image: Nature of Debts (Check one box.)       Image: Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consumer (Check one box.)       Image: Debts are primarily consumer (Check one box.)         Image: Debts are primarily consume			ognition of a Foreign n Proceeding pter 15 Petition for ognition of a Foreign imain Proceeding <b>Debts</b> e box.)			
		heck one box)				Check o	ne box:		Chaj	pter 11 Debtor	8		
<ul> <li>Full Filing Fee att</li> <li>Filing Fee to be p only). Must attach consideration cert except in installm</li> </ul>	aid in installm h signed applic tifying that the	cation for the e debtor is una	court's able to p	ay fee	ls	Debto Check if Debto than S	or is not a smal f: or's aggregate 1 \$2,343,300 (an	l business nonconting	debtor as gent liqui	justment on 4/01	U.S.C. § 10 ed to non-in 1/13 and ev	)1(51D). Isiders or affiliates are less very three years thereafter).	
only). Must attach signed application for the court's				Check a	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/Adminis	s that funds w s that, after an	vill be available ny exempt prop						paid, there	e will be r	no funds availab	le for	THIS SPACE IS FOR COURT USE ONLY	
Estimated Number o	f Creditors												
1-49 50-99	100-199	200-999	1,000- 5,000		5,001 10,00		10,001- 25,000	25,001 50,000		50,001- 100,000	Over 100,000		
Estimated Assets					_		_					7	
▼         □           \$0 to         \$50,001 to           \$50,000         \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000 \$10 m				\$50,000,001 t \$100 million		000,001 0 million	500,000,001 to \$1 billion	More that \$1 billion		
Estimated Liabilities	\$100,001 to	\$500,001 to \$1 million					50,000,001 t \$100 million	. ,	000,001 0 million	500,000,001 to \$1 billion	More that \$1 billion		

Case 10-25941-RTL Doc 1 Filed 05/25/ B1 (Official Form 1) (4/10) Document		14:00:50 Desc Main Page 2			
Voluntary Petition	Page 2 of 10 Name of Debtor(s):	1 ugo 2			
(This page must be completed and filed in every case)	Saada, Diana L				
Prior Bankruptcy Case Filed Within Last	8 Years (If more than two, attach	n additional sheet)			
Location Where Filed: <b>None</b>	Case Number:	Date Filed:			
Location Where Filed:	Case Number:	Date Filed:			
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If m	ore than one, attach 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.)	Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) 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 § 342(b) of the Bankruptcy Code.				
	X /s/ Timothy P. Neuman Signature of Attorney for Debtor(s)	-			
<ul> <li>Yes, and Exhibit C is attached and made a part of this petition.</li> <li>No</li> </ul>	:k:4 D				
(To be completed by every individual debtor. If a joint petition is filed, e ✓ Exhibit D completed and signed by the debtor is attached and matched	· ·	each a separate Exhibit D.)			
If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attach	ed a made a part of this petition.				
	<b>ng the Debtor - Venue</b> pplicable box.) of business, or principal assets in t days than in any other District.	his District for 180 days immediately			
There is a bankruptcy case concerning debtor's affiliate, general	There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.				
or has no principal place of business or assets in the United States	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 Resid		Property			
(Check all app) Check all app ☐ Landlord has a judgment against the debtor for possession of del	blicable boxes.) otor's residence. (If box checked,	complete the following.)			
(Name of landlord or less	or that obtained judgment)				
(Address of lar	ndlord or lessor)				
Debtor claims that under applicable nonbankruptcy law, there ar the entire monetary default that gave rise to the judgment for post					
Debtor has included in this petition the deposit with the court of filing of the petition.	any rent that would become due of	during the 30-day period after the			
Debtor certifies that he/she has served the Landlord with this cer	tification. (11 U.S.C. § 362(1)).				

Case 10-25941-RTL Doc 1 Filed 05/25/ B1 (Official Form 1) (4/10) Document	10 Entered 05/25/10 14:00:50 Desc Main Page 3 of 10 Page 3				
Voluntary Petition	Name of Debtor(s):				
( <i>This page must be completed and filed in every case</i> )	Saada, Diana L				
	atures				
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative				
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 State 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/ Diana Saada         Signature of Debtor       Diana Saada         X	<ul> <li>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.</li> <li>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</li> </ul>				
May 25, 2010					
Date					
Signature of Attorney*	Signature of Non-Attorney Petition Preparer				
	I declare under penalty of perjury that: 1) I am a bankruptcy petition				
X /s/ Timothy P. Neumann, Esq.	preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for				
Signature of Attorney for Debtor(s)	compensation and have provided the debtor with a copy of this document				
Timothy P. Neumann, Esq. TN6429 Broege Neumann Fischer & Shaver 25 Abe Voorhees Drive Manasquan, NJ 08736 (732) 223-8484 Fax: (732) 223-2416 btassillo@aol.com	and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 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.				
May 25, 2010	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.)				
*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.	Address				
Signature of Debtor (Corporation/Partnership)	X				
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.	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.         Date				
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy				
X	petition preparer is not an individual:				
Signature of Authorized Individual					
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					

Case 10-25941-RTL [ B1D (Official Form 1, Exhibit D) (12/09)

#### Doc 1 Filed 05/25/10 Entered 05/25/10 14:00:50 Desc Main Document Page 4 of 10 United States Bankruptcy Court District of New Jersey

IN RE: Case No. \_\_\_\_\_

Debtor(s)

Saada, Diana L

Chapter **11** 

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE 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.

 $\checkmark$  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.* 

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.]

- 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/ Diana Saada
-	

Date: May 25, 2010

		eate Number: 01267-NJ-CC-011003380
<b>CERTIFICATE</b>	OF CO	DUNSELING
I CERTIFY that on <u>May 18, 2010</u> , at received from <u>Money Management</u> pursuant to 11 U.S.C. § 111 to provide <u>Jersey</u> , an individual [or group] briefin U.S.C. §§ 109(h) and 111.	Internat e credit	tional, Inc., an agency approve counseling in the District of Nev
A debt repayment plan <u>was not prepared</u> copy of the debt repayment plan is attac		
This counseling session was conducted		
Date: <u>May 18, 2010</u>	By:	/s/Amanda Bryan
	Name:	Amanda Bryan
	Title:	Counselor
* Individuals who wish to file a bankruptcy ca Code are required to file with the United State counseling from the nonprofit budget and cred the counseling services and a copy of the debt	s Bankru lit counse	ptcy Court a completed certificate of ling agency that provided the individua

#### Doc 1 Filed 05/25/10 Entered 05/25/10 14:00:50 Desc Main Document Page 6 of 10 United States Bankruptcy Court District of New Jersey

IN RE:

Case No.

Saada, Diana L

Chapter 11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Debtor(s)

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).

<u> </u>				
(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Onewest Bank 6900 Beatrice Dr Kalamazoo, MI 49009-9559	(800) 781-7399			541,632.00
Specialized Loan Servi 8742 Lucent Blvd Ste 300 Highlands Ranch, CO 80129-2386	(800) 315-4757			165,666.00
Joseph Haray Frieda Harary 1983 E 7th St Brooklyn, NY 11223-3149	Louis Garippo, Jr., Esq. 1049 Broadway PO Box 8 West Long Branch, NJ 07764-0008			78,100.00
Washington Mutual Bank Bankruptcy Dept PO Box 1017 Hawthorne, NY 10532-7504	(732) 571-0100 (800) 501-0909			3,756.00
Nissan-infiniti Lt PO Box 660360 Dallas, TX 75266-0360	(800) 777-6116			3,366.00
01 Hsbc PO Box 5253 Carol Stream, IL 60197-5253	(800) 379-7999			2,509.00
Columbia Presbystian Hospital New York, NY 10017				2,500.00
Chrysler Financial 1 Blue Hill Plz Ste 15 Pearl River, NY 10965	(800) 365-5630			12,382.00 Collateral: 10,000.00 Unsecured: 2,382.00
Barclays Bank Delaware PO Box 8803 Wilmington, DE 19899-8803	(302) 888-1400			1,404.00
06 Progressive Insurance PO Box 41466 Philadelphia, PA 19101	(800) 709-8613			792.00
Wf/wb R1 PO Box 3117 Winston Salem, NC 27102-3117	(336) 747-8325			662.00
06 Progressive Insurance PO Box 41466 Philadelphia, PA 19101	(800) 709-8613			553.00
First Premier Bank 601 S Minnesota Ave Sioux Falls, SD 57104-4824	(605) 357-3440			432.00

# Case 10-25941-RTL Doc 1 Filed 05/25/10 Entered 05/25/10 14:00:50 Desc Main Document Page 7 of 10 DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I 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: May 25, 2010	Signature /s/ Diana Saada of Debtor	Diana Saada
Date:	Signature of Joint Debtor (if any)	

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01 Hsbc PO Box 5253 Carol Stream IL 60197-5253

06 Progressive Insurance PO Box 41466 Philadelphia PA 19101

Atlantic Crd PO Box 13386 Roanoke VA 24033-3386

Barclays Bank Delaware Acct# 5140218015 PO Box 8803 Wilmington DE 19899-8803

Cavalry Portfolio Serv 7 Skyline Dr Ste 350 Hawthorne NY 10532-2162

Chrysler Financial Acct# 1026678830 1 Blue Hill Plz Ste 15 Pearl River NY 10965

Columbia Presbystian Hospital New York NY 10017

First Premier Bank Acct# 5433-6288-9112-2909 601 S Minnesota Ave Sioux Falls SD 57104-4824

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Internal Revenue Service 4 Paragon Way Freehold NJ 07728-7895

Internal Revenue Service 955 S Springfield Ave Springfield NJ 07081-3543

Internal Revenue Service CENTRALIZED iNSOLVENCY OPERATIONS PO Box 21126 Philadelphia PA 19114-0326

Joseph Haray Frieda Harary 1983 E 7th St Brooklyn NY 11223-3149

Louis Garippo Jr Esq 1049 Broadway PO Box 8 West Long Branch NJ 07764-0008

Nco Fin /99 PO Box 41466 Philadelphia PA 19101

Nissan-infiniti Lt Acct# 00000029009356207 PO Box 660360 Dallas TX 75266-0360

Onewest Bank Acct# 6683002720658 6900 Beatrice Dr Kalamazoo MI 49009-9559

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Phillip Saada 216 Lenox Ave Long Branch NJ 07740-5046

Specialized Loan Servi Acct# 1002605718 8742 Lucent Blvd Ste 300 Highlands Ranch CO 80129-2386

Washington Mutual Bank Bankruptcy Dept PO Box 1017 Hawthorne NY 10532-7504

Wf/wb R1 Acct# 1010147370077 PO Box 3117 Winston Salem NC 27102-3117