# Case 09-17000-lbr Doc 1 Entered 05/01/09 14:16:28 Page 1 of 12

B1 (Official Form 1)(1/08)

Name of Debute (if analysiani, care Last, Fist, Middle):         Name of Debute (Case, Fiel, Middle):           Persky, Adam         Battagin, Siva           All Ober Names used by the Deint Debute in the last 8 years (include named, malles, and trade names):         All Ober Names and by the Deint Debute in the last 8 years (include named, malles, and trade names):           Last four digits of Sec. So: or faile/idad-1 taxpoyer LD. (ITIN) No.Complete EIN (include named, malles);         The four Argins of Sec. Sc: or faile/idad-1 taxpoyer LD. (ITIN) No.Complete EIN (include named, malles);           Last four digits of Sec. So: or faile/idad-1 taxpoyer LD. (ITIN) No.Complete EIN (include named, malles);         The four Argins of Sec. Sc: or faile/idad-1 taxpoyer LD. (ITIN) No.Complete EIN (include named, malles);           Kast Verster, VV         EVENT Verster, Verster, Science Tables(No. and Steer, City, and Steer);         The four Argins of Sec. Science Address of Joan Debute (if different from Steer address of Joan Debute (if different from Steer address of Joan Debute (if different from steer address);           Location of Miningel Asses of Boainess Debute (if different from steer address advoc);         Nature of Boainess (Debute (Carger 7)           Nature of Miningel Asses of Boainess Debute (if different from steer address advoc);         Nature of Boainess (Debute (Carger 7)           Sec. Stabil Debute (if different from steer address advoc);         Nature of Boainess (Debute (Carger 7)           Debute of Debute (if different from steer address advoc);         Nature of Boainess (Debute (Carger 7)           Debute of De	United States Bankruptcy Cou District of Nevada									Volur	ntary H	Petition
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	\$0 to \$50,001 to \$100,001 to \$550,000 \$100,000 to	500,001 \$ \$1 to	\$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001	More than				

## Case 09-17000-lbr Doc 1 Entered 05/01/09 14:16:28 Page 2 of 12

B1 (Official Fo Voluntar	y Petition	Name of Debtor(s):	Page 2			
	•	Persky, Adam				
(This page mi	ust be completed and filed in every case)	Battaglin, Silva				
Location	All Prior Bankruptcy Cases Filed Within Las	Case Number:	Date Filed:			
Where Filed:	- None -					
Location Where Filed:		Case Number:	Date Filed:			
	ending Bankruptcy Case Filed by any Spouse, Partner, or					
Name of Deb - None -	tor:	Case Number:	Date Filed:			
District:		Relationship:	Judge:			
	Exhibit A	(To be completed if debtor is a	Exhibit B n individual whose debts are primarily consumer debts.)			
forms 10K a pursuant to	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 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).				
🛛 Exhibit	A is attached and made a part of this petition.	X /s/ Charles T. Wrig	ght NV May 1, 2009			
		Signature of Attorney for Charles T. Wright				
	Ext	nibit 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 i	dentifiable harm to public health or safety?			
	Ext	nibit D				
(To be comp	pleted by every individual debtor. If a joint petition is filed, ea	ch spouse must complete an	d 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 jo	int petition:					
Exhibit	D also completed and signed by the joint debtor is attached a	and made a part of this petition	on.			
	Information Regardin	ng 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 da	ys than in any other District.			
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral 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 Reside (Check all app		al Property			
	Landlord has a judgment against the debtor for possession		c 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 co after the filing of the petition.	ourt of any rent that would be	ecome due during the 30-day period			

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

B1 (	Official Form 1)(1/08)	Page 3				
Vo	oluntary Petition	Name of Debtor(s): Persky, Adam				
(Th	is page must be completed and filed in every case)	Battaglin, Silva				
		atures				
	Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative				
	I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b). I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	<ul> <li>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.</li> <li>(Check only one box.)</li> <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 order granting recognition of the foreign main proceeding is attached.</li> </ul>				
$\mathbf{v}$	/s/ Adam Persky	X				
Λ	Signature of Debtor Adam Persky	Signature of Foreign Representative				
X	/s/ Silva Battaglin	Printed Name of Foreign Representative				
	Signature of Joint Debtor Silva Battaglin					
		Date				
	Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer				
	May 1, 2009	I declare under penalty of perjury that: (1) I am a bankruptcy petition				
	Date	preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for				
	Signature of Attorney*	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),				
<b>T</b> 7		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				
X	<u>/s/ Charles T. Wright NV</u> Signature of Attorney for Debtor(s)	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.				
	Charles T. Wright NV No.10285 Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.				
	Piet & Wright	Printed Name and title, if any, of Bankruptcy Petition Preparer				
	Firm Name	Timed Name and due, if any, of Bankruptey Teution Treparer				
	509 South 7th Las Vegas, NV 89101	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				
	Address	preparer.)(Required by 11 U.S.C. § 110.)				
	Email: todd.wright@pietwright.com 702-566-1212 Fax: 702-566-4833 Telephone Number					
	May 1, 2009	Address				
	Date	Address				
	*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	X				
	information in the schedules is incorrect.					
		Date				
	Signature of Debtor (Corporation/Partnership)	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.				
	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 is not an individual:				
X						
1	Signature of Authorized Individual					
		If more than one person prepared this document, attach additional sheets				
	Printed Name of Authorized Individual	conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of				
	Title of Authorized Individual	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					

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

#### United States Bankruptcy Court District of Nevada

Adam Persky In re Silva Battaglin

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 15 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 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.]

 $\Box$  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/ Adam Persky Adam Persky

Date: May 1, 2009

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

#### United States Bankruptcy Court District of Nevada

Adam Persky In re Silva Battaglin

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 15 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 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.

#### Case 09-17000-lbr Doc 1 Entered 05/01/09 14:16:28 Page 7 of 12

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.]

 $\Box$  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/ Silva Battaglin Silva Battaglin

Date: May 1, 2009

B4 (Official Form 4) (12/07)

#### United States Bankruptcy Court District of Nevada

In re	Adam Persky Silva Battaglin		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]
Academic Loan Group/gl 2401 International Ln Madison, WI 53704	Academic Loan Group/gl 2401 International Ln Madison, WI 53704	Educational		110,953.00
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	CreditCard		18,504.00
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	CreditCard		18,032.00
American Honda Finance 600 Kelly Way Holyoke, MA 01040	American Honda Finance 600 Kelly Way Holyoke, MA 01040	Lease		18,951.00
Bank Of America Attn: Bankruptcy NC4-105-02- 77 Po Box 26012 Greensboro, NC 27410	Bank Of America Attn: Bankruptcy NC4-105-02-77 Po Box 26012 Greensboro, NC 27410	CreditCard		92,383.00
Bank Of America Attn: Bankruptcy NC4-105-02- 77 Po Box 26012 Greensboro, NC 27410	Bank Of America Attn: Bankruptcy NC4-105-02-77 Po Box 26012 Greensboro, NC 27410	CreditCard		21,654.00
Bmw Financial Services Po Box 3608 Dublin, OH 43016	Bmw Financial Services Po Box 3608 Dublin, OH 43016	Lease		9,600.00
Capital 1 Bank Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091	Capital 1 Bank Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091	CreditCard		3,746.00
Compass Bank Attn: Bankruptcy Po Box 10566 Birmingham, AL 35296	Compass Bank Attn: Bankruptcy Po Box 10566 Birmingham, AL 35296	Automobile		46,293.00

B4 (Official Form 4) (12/07) - Cont. Adam Persky In re Silva Battaglin

Debtor(s)

Case No.

## 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]
Countrywide Home Lending Attention: Bankruptcy SV- 314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	ConventionalRealE stateMortgage		999,704.00
Countrywide Home Lending Attention: Bankruptcy SV- 314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	ConventionalRealE stateMortgage		90,427.00
Countrywide Home Lending Attention: Bankruptcy SV- 314B Po Box 5170 Simi Valley, CA 93062	Countrywide Home Lending Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062	CreditLineSecured		11,509.00
Huntington Natl Bk Attention: Bankruptcy 2361 Morse Road Columbus, OH 43229	Huntington Natl Bk Attention: Bankruptcy 2361 Morse Road Columbus, OH 43229	Automobile		18,421.00
Kohls Attn: Recovery Po Box 3120 Milwaukee, WI 53201	Kohls Attn: Recovery Po Box 3120 Milwaukee, WI 53201	CreditCard		19.00
Mefa 160 Federal St Boston, MA 02110	Mefa 160 Federal St Boston, MA 02110	Educational		138.00

B4 (Official Form 4) (12/07) - Cont. Adam Persky In re Silva Battaglin

Debtor(s)

Case No.

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

We, Adam Persky and Silva Battaglin, 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 May 1, 2009

Signature /s/ Adam Persky Adam Persky

Debtor

Date May 1, 2009

Signature /s/ Silva Battaglin Silva Battaglin 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. Adam Persky Silva Battaglin 7531 Curlands Cove Las Vegas, NV 89117

Charles T. Wright NV Piet & Wright 509 South 7th Las Vegas, NV 89101

Academic Loan Group/gl Acct No xxxxx4076 2401 International Ln Madison, WI 53704

American Express Acct No xxxxxxxx7663 c/o Becket and Lee Po Box 3001 Malvern, PA 19355

American Honda Finance Acct No xxxxx6948 600 Kelly Way Holyoke, MA 01040

Bank Of America Acct No 0528 Attn: Bankruptcy NC4-105-02-77 Po Box 26012 Greensboro, NC 27410

Bmw Financial Services Acct No xxxxx1711 Po Box 3608 Dublin, OH 43016

Capital 1 Bank Acct No xxxxxx6844 Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091

Compass Bank Acct No xxxx6019 Attn: Bankruptcy Po Box 10566 Birmingham, AL 35296

Countrywide Home Lending Acct No xxxxx4104 Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062 Huntington Natl Bk Acct No xxxxxx9256 Attention: Bankruptcy 2361 Morse Road Columbus, OH 43229

Kohls Acct No xxxxxx9652 Attn: Recovery Po Box 3120 Milwaukee, WI 53201

Mefa Acct No xxxxxxxx2201 160 Federal St Boston, MA 02110