B1 (Official Form 1)(1/08) United	States Bank District of No		Court			Voluntary Petition
Name of Debtor (if individual, enter Last, First Monzon, Flordeliza R.	t, Middle):				ebtor (Spouse arciano R.	e) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						Joint Debtor in the last 8 years I trade names):
Last four digits of Soc. Sec. or Individual-Taxp (if more than one, state all)  xxx-xx-0689	payer I.D. (ITIN) No./	Complete EIN	(if mor	our digits or than one, s	tate all)	r Individual-Taxpayer I.D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, 509 Spruce Canyon St. Las Vegas, NV	_	ZIP Code	Street Address of Joint Debtor (No. and Street, City, and State): 509 Spruce Canyon St. Las Vegas, NV			St. ZIP Code
County of Residence or of the Principal Place of Clark		89144	Count	-	ence or of the	e Principal Place of Business:
Mailing Address of Debtor (if different from st	reet address):	ZIP Code	Mailir	ng Address	of Joint Debt	tor (if different from street address):  ZIP Code
Location of Principal Assets of Business Debto (if different from street address above):	or	Zir Code				Zir Code
Type of Debtor (Form of Organization) (Check one box)  ■ 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.)	(Checl  ☐ Health Care Bu ☐ Single Asset Re in 11 U.S.C. § ☐ Railroad ☐ Stockbroker ☐ Commodity Br ☐ Clearing Bank ☐ Other ☐ Tax-Exe	eal Estate as of 101 (51B)  oker  empt Entity x, if applicable) exempt organof the United	nization States	defined "incurr	er 7 er 9 er 11 er 12 er 13 are primarily cod in 11 U.S.C. 3 ed by an indiv	r of Bankruptcy Code Under Which Petition is Filed (Check one box)  Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  Nature of Debts (Check one box)  Check one box)  Onsumer debts, Debts are primarily business debts.  101(8) as business debts.  1 Debts are primarily business debts.  1 Debts are primarily business debts.
Filing Fee (Check of Full Filing Fee attached  ☐ Filing Fee to be paid in installments (applicattach signed application for the court's consist unable to pay fee except in installments.  ☐ Filing Fee waiver requested (applicable to cattach signed application for the court's consistency.	able to individuals on sideration certifying t Rule 1006(b). See Offi chapter 7 individuals	that the debtoricial Form 3A. only). Must	r Check	Debtor is a if: Debtor's a to insiders all applica A plan is Acceptance	a small busin not a small b aggregate nor s or affiliates; able boxes: being filed w ces of the pla	Chapter 11 Debtors ness debtor as defined in 11 U.S.C. § 101(51D). pusiness debtor as defined in 11 U.S.C. § 101(51D). ncontingent liquidated debts (excluding debts owed ) are less than \$2,190,000.  with this petition. an were solicited prepetition from one or more accordance with 11 U.S.C. § 1126(b).
Statistical/Administrative Information  ■ Debtor estimates that funds will be availabl  □ Debtor estimates that, after any exempt prothere will be no funds available for distribu	perty is excluded and	administrativ		es paid,		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors	□ □ □ 1,000- 5,001- 5,000 10,000	10,001-	□ 25,001- 50,000	50,001- 100,000	OVER 100,000	
Estimated Assets  So to \$50,001 to \$100,001 to \$50,001 to \$1 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	\$50,000,001 S to \$100 t	1 \$100,000,001 to \$500 million	\$500,000,001 to \$1 billion		
Estimated Liabilities	\$1,000,001 \$10,000,001 to \$10 to \$50	\$50,000,001	\$100,000,001 to \$500	\$500,000,001 to \$1 billion		

Case 09-22074-mkn Doc 1 Entered 07/08/09 11:59:39 Page 2 of 20

B1 (Official For	m 1)(1/08)		Page 2		
Voluntar	untary Petition  Name of Debtor(s):  Monzon, Flordeliza R.				
(This page mu	This page must be completed and filed in every case)  Monzon, Marciano R.				
	All Prior Bankruptcy Cases Filed Within Last	<b>8 Years</b> (If more than two, attach ad	ditional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	tner, or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debt - None -	or:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
forms 10K a pursuant to S and is reques	Exhibit A  Deleted 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 sting relief under chapter 11.)  A is attached and made a part of this petition.  Exh	under each such chapter. I further certify that I delivered to the debtor the not required by 11 U.S.C. §342(b).  X /s/ C. Andrew Wariner of Coleman Law Asyosjanes9 Signature of Attorney for Debtor(s) (Date) C. Andrew Wariner of Coleman Law Associates #3228			
Does the debto	or own or have possession of any property that poses or is alleged to		e harm to public health or safety?		
	Exhibit C is attached and made a part of this petition.	pose a unear of miniment and identifiable	s name to public ficulties of safety.		
■ No.	Exhibit C is attached and made a part of this petition.				
	Exh	ibit D			
-	leted by every individual debtor. If a joint petition is filed, ear	•	a separate Exhibit D.)		
l	D completed and signed by the debtor is attached and made a	a part of this petition.			
If this is a joi  Exhibit	nt petition: D also completed and signed by the joint debtor is attached a	and made a part of this petition.			
Information Regarding the Debtor - Venue					
	(Check any ap				
-	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for				
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership pending	in this District.		
	Certification by a Debtor Who Reside (Check all app		·ty		
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If box checked,	complete the following.)		
(Name of landlord that obtained judgment)					
(Address of landlord)					
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment f				
_	Debtor has included in this petition the deposit with the coafter the filing of the petition.	· · ·	-		
	Debtor certifies that he/she has served the Landlord with the	nis certification. (11 U.S.C. § 362(l)).			

B1 (Official Form 1)(1/08)

### **Voluntary Petition**

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

### 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.

#### \chi /s/ Flordeliza R. Monzon

Signature of Debtor Flordeliza R. Monzon

#### X /s/ Marciano R. Monzon

Signature of Joint Debtor Marciano R. Monzon

Telephone Number (If not represented by attorney)

July 8, 2009

Date

### Signature of Attorney\*

### X /s/ C. Andrew Wariner of Coleman Law Associates

Signature of Attorney for Debtor(s)

#### C. Andrew Wariner of Coleman Law Associates #3228

Printed Name of Attorney for Debtor(s)

### **Coleman Law Associates**

Firm Name

9708 South Gilespie Street Suite A-106 Las Vegas, NV 89183

Address

### Email: mail@coleman4law.com

### 702-699-9000 Fax: 702-699-9006

Telephone Number

July 8, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 $\mathbf{X}$ 

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

Monzon, Flordeliza R. Monzon, Marciano R.

#### Signatures

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

7	v
2	١

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

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

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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

# United States Bankruptcy Court District of Nevada

In re	Flordeliza R. Monzon Marciano R. Monzon		Case No.	
		Debtor(s)	Chapter	11
			_	

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

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

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Flordeliza R. Monzon
Flordeliza R. Monzon
Date: July 8, 2009

Certificate Number: 01356-NV-CC-007544259

### **CERTIFICATE OF COUNSELING**

I CERTIFY that on July 1, 2009	, at	10:06	o'clock AM EDT,		
Flordeliza Monzon		received f	rom		
Hummingbird Credit Counseling and Education, Inc.					
an agency approved pursuant to 11 U.S.C. §	111 to	provide credit co	ounseling in the		
District of Nevada	, ar	ı individual [or	group] briefing that complied		
with the provisions of 11 U.S.C. §§ 109(h) a	and 111.				
A debt repayment plan was not prepared	If a d	ebt repayment p	lan was prepared, a copy of		
the debt repayment plan is attached to this c	ertificat	e.			
This counseling session was conducted by i	nternet a	nd telephone	·		
Date: July 1, 2009	Ву	/s/Cynthia Peaco	ock		
	Name	Cynthia Peacock	<u> </u>		
	Title	Senior Counselo	r		

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

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

# United States Bankruptcy Court District of Nevada

In re	Flordeliza R. Monzon Marciano R. Monzon		Case No.	
		Debtor(s)	Chapter	11

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

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

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Marciano R. Monzon  Marciano R. Monzon
Date: July 8, 2009

Certificate Number: <u>01356-NV-CC-007544272</u>

### **CERTIFICATE OF COUNSELING**

I CERTIFY that on July 1, 2009	, at	10:07	o'clock AM EDT,	
Marciano Monzon		receive	ed from	
Hummingbird Credit Counseling and Education, Inc.				
an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the				
District of Nevada	, aı	n individual [	or group] briefing that complied	
with the provisions of 11 U.S.C. §§ 109(h) and 111.				
A debt repayment plan was not prepared	If a d	ebt repaymen	t plan was prepared, a copy of	
the debt repayment plan is attached to this c	ertificat	e.		
This counseling session was conducted by i	nternet a	nd telephone	·	
Date: July 1, 2009	Ву	/s/Cynthia Pe	acock	
	Name	Cynthia Peace	ock	
	Title	Senior Couns	elor	

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

**B 201** (12/08)

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### **Certificate of Attorney**

/s/ C. Andrew Wariner of Coleman

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

#3228	X Law Associates	July 8, 2009
Printed Name of Attorney	Signature of Attorney	Date
Address:		
9708 South Gilespie Street		
Suite A-106		
Las Vegas, NV 89183		
702-699-9000		
mail@coleman4law.com		
Certificate I (We), the debtor(s), affirm that I (we) have received and re		
Flordeliza R. Monzon Marciano R. Monzon	${ m X}$ /s/ Flordeliza R. Monzon	July 8, 2009
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X _/s/ Marciano R. Monzon	July 8, 2009
<del></del>	Signature of Joint Debtor (if any)	Date

C. Andrew Wariner of Coleman Law Associates

**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court District of Nevada**

	Fiordeliza R. Wonzon			
In re	Marciano R. Monzon		Case No.	
		Debtor(s)	Chapter	11
		. ,	1	

### 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]
BAC Home Loans LP, Countrywide 450 American Street #SV416 Simi Valley, CA 93065	BAC Home Loans LP, Countrywide 450 American Street #SV416 Simi Valley, CA 93065	2115 Valley Rim Glen Escondido, CA 92026 Investment Property	Disputed	515,790.42 (0.00 secured)
BAC Home Loans LP, Countrywide 450 American Street #SV416 Simi Valley, CA 93065	BAC Home Loans LP, Countrywide 450 American Street #SV416 Simi Valley, CA 93065	7652 Winterthur Court Las Vegas, Nevada 89129 Investment Property	Disputed	332,072.00 (0.00 secured)
BAC Home Loans LP, Countrywide 450 American Street #SV416 Simi Valley, CA 93065	BAC Home Loans LP, Countrywide 450 American Street #SV416 Simi Valley, CA 93065	8857 Diamond Wood Court Las Vegas, NV 89139 Investment Property	Disputed	(0.00 secured)
Bank Of America P.O. Box 15026 Wilmington, DE 19850-5026	Bank Of America P.O. Box 15026 Wilmington, DE 19850-5026	WorldPoints Credit Card	Disputed	35,192.36
EMC Mortgage Corp 800 State Highway 121 BYP Lewisville, TX 75067-4180	EMC Mortgage Corp 800 State Highway 121 BYP Lewisville, TX 75067-4180		Disputed	235,351.00 (0.00 secured)
GMAC Mortgage PO Box 4622 Waterloo, IA 50704-4622	GMAC Mortgage PO Box 4622 Waterloo, IA 50704-4622		Disputed	239,367.00 (0.00 secured)
Onewest Bank 6900 Beatrice Drive Kalamazoo, MI 49009	Onewest Bank 6900 Beatrice Drive Kalamazoo, MI 49009	509 Spruce Canyon Las Vegas, NV 89144	Disputed	1,076,980.00 (0.00 secured)
Onewest Bank 6900 Beatrice Drive Kalamazoo, MI 49009	Onewest Bank 6900 Beatrice Drive Kalamazoo, MI 49009	509 Spruce Canyon Street Las Vegas, Nevada 89144	Disputed	195,003.35 (0.00 secured)

B4 (Offi	cial Form 4) (12/07) - Cont.
	Flordeliza R. Monzon
In re	Marciano R. Monzon

Case No.	

Debtor(s)

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Suntrust Mortgage/CC 510 P.O. Box 26149	Suntrust Mortgage/CC 510 P.O. Box 26149		Disputed	81,510.00
Richmond, VA 23260 Suntrust Mortgage/CC 510 P.O. Box 26149	Richmond, VA 23260 Suntrust Mortgage/CC 510 P.O. Box 26149		Disputed	(0.00 secured) 81,494.00
Richmond, VA 23260 Washington Mutual P.O. Box 78065	Richmond, VA 23260 Washington Mutual P.O. Box 78065	Ballacre	Disputed	(0.00 secured) 146,896.50
Phoenix, AZ 85062-8065 Washington Mutual	Phoenix, AZ 85062-8065 Washington Mutual	Bellacre	Disputed	(0.00 secured) 82,918.28
P.O. Box 78065 Phoenix, AZ 85062-8065	P.O. Box 78065 Phoenix, AZ 85062-8065	2445 Valley Bire	Diamutad	(0.00 secured)
Washington Mutual P.O. Box 78065 Phoenix, AZ 85062-8065	Washington Mutual P.O. Box 78065 Phoenix, AZ 85062-8065	2115 Valley Rim Glen Escondido, CA 92026 Investment Property	Disputed	68,518.87 (0.00 secured) (515,790.42 senior lien)
Washington Mutual P.O. Box 78065 Phoenix, AZ 85062-8065	Washington Mutual P.O. Box 78065 Phoenix, AZ 85062-8065	96 El Castillo Court Henderson, Nevada 89074 Investment Property	Disputed	59,946.22 (0.00 secured) (215,936.00 senior lien)
Washington Mutual P.O. Box 78065 Phoenix, AZ 85062-8065	Washington Mutual P.O. Box 78065 Phoenix, AZ 85062-8065	Suntrust Unit #12	Disputed	25,821.28 (0.00 secured)
Washington Mutual Bank 3990 S. Babcock Street Melbourne, FL 32901	Washington Mutual Bank 3990 S. Babcock Street Melbourne, FL 32901	Credit Card	Disputed	25,821.00
Washington Mutual Bank 3990 S. Babcock Street Melbourne, FL 32901	Washington Mutual Bank 3990 S. Babcock Street Melbourne, FL 32901	Credit Card	Disputed	151,043.00
Washington Mutual FA P.O. Box 1093 Northridge, CA 91328	Washington Mutual FA P.O. Box 1093 Northridge, CA 91328	4862 E. 11th Street Loveland, Colorado 80537 Investment Property	Disputed	222,313.14 (0.00 secured)
Washington Mutual FA P.O. Box 1093 Northridge, CA 91328	Washington Mutual FA P.O. Box 1093 Northridge, CA 91328	96 El Castillo Court Henderson, Nevada 89074 Investment Property	Disputed	215,936.00 (0.00 secured)
Wells Fargo Bank 3300 W. Sahara Ave Las Vegas, NV 89102	Wells Fargo Bank 3300 W. Sahara Ave Las Vegas, NV 89102	Flex Spending Credit Card	Disputed	29,918.55

B4 (Offic	cial Form 4) (12/07) - Cont.		
	Flordeliza R. Monzon		
In re	Marciano R. Monzon	Case No.	
	Debtor(s)		

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

We, **Flordeliza R. Monzon** and **Marciano R. Monzon**, 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	July 8, 2009	Signature	/s/ Flordeliza R. Monzon
			Flordeliza R. Monzon
			Debtor
_			
Date	July 8, 2009	Signature	/s/ Marciano R. Monzon
			Marciano R. Monzon
			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.

# **United States Bankruptcy Court District of Nevada**

	Flordeliza R. Monzon			
In re	Marciano R. Monzon		Case No.	
		Debtor(s)	Chapter	_11
The abo		FICATION OF CREDITOR		of their knowledge.
Date:	July 8, 2009	/s/ Flordeliza R. Monzon		
		Flordeliza R. Monzon		
		Signature of Debtor		
Date:	July 8, 2009	/s/ Marciano R. Monzon		
		Marciano R. Monzon		

Signature of Debtor

Flordeliza R. Monzon Marciano R. Monzon 509 Spruce Canyon St. Las Vegas, NV 89144

C. Andrew Wariner of Coleman Law Associates Coleman Law Associates 9708 South Gilespie Street Suite A-106 Las Vegas, NV 89183

Advanta Bank Corp Acct No xxxxxxxx1421 P.O. Box 844 Spring House, PA 19477

ATT&T Universal/Citicards Acct No xxxx-xxxx-xxxx-8965 PO Box 6241 Sioux Falls, SD 57117

BAC Home Loans LP, Countrywide Acct No xxxx3528 450 American Street #SV416 Simi Valley, CA 93065

Bank Of America Acct No xxxx-xxxx-xxxx-5790 P.O. Box 15026 Wilmington, DE 19850-5026

Bank of America Acct No xxxx-xxxx-xxxx-9578 PO Box 15026 Wilmington, DE 19850-5026

Bank United 7815 N.W. 148th Street Miami Lakes, FL 33016

Bank United 7815 N.W. 148th Street Hialeah, FL 33016

Card Member Services
Acct No xxxx-xxxx-xxxx-6991
CB Disputes
P.O. Box 108
Saint Louis, MO 63166

Chase Acct No xxxx0097 P.O. Box 901008 Fort Worth, TX 76101 Chase
Acct No xxxx-xxxx-xxxx-3252
800 Brooksedge Blvd
Columbus, OH 43081

Chase Bank Acct No xxxx-xxxx-xxxx-2508 800 Brooksedge Blvd Westerville, OH 43081

Chase Card Services PO Box 94014 Palatine, IL 60094-4014

Chase Home Finance Acct No xxxxxxxx4704 P.O. Box 14696 Columbus, OH 43224

Citibank
Acct No xxxx-xxxx-xxxx-0814
701 E. 60th Street North
Sioux Falls, SD 57104

Clark County Assessor c/o Bankruptcy Clerk 500 S. Grand Central Parkway Box 551401 Las Vegas, NV 89155-1401

Clark County Treasurer c/o Bankruptcy Clerk 500 S. Grand Central Parkway Box 551220 Las Vegas, NV 89155-1220

Dept. of Employment, Training & Rehab Employment Security Division 500 East Third Street Carson City, NV 89713

Discover Financial Services, LLC Acct No xxxx-xxxx-xxxx-3066 PO Box 15316 Wilmington, DE 19850

EMC Mortgage Corp Acct No xxxxxx3750 800 State Highway 121 BYP Lewisville, TX 75067-4180 GMAC Mortgage Acct No x5938... PO Box 4622 Waterloo, IA 50704-4622

IndyMac Federal Bank
P.O. Box 78826
Phoenix, AZ 85062

Internal Revenue Service P.O. Box 21126 DPN 781 Philadelphia, PA 19114

Military Star Acct No xxxxxxxx0226 3911 S. Walton Walker Blvd Dallas, TX 75236

Nevada Department of Taxation Bankruptcy Section 555 E. Washington Ave., #1300 Las Vegas, NV 89101

North Island Financial Credit Union Acct No xxxxx9234 P.O. Box 85833 San Diego, CA 92186-5833

Onewest Bank
Acct No xxxxx0695...
6900 Beatrice Drive
Kalamazoo, MI 49009

Payment Remittance Center P.O. Box 54349 Los Angeles, CA 90054

Sears/CBSD Acct No xxxx-xxxx-xxxx-4011 701 E. 60th Street North P.O. Box 6241 Sioux Falls, SD 57117

State of Nevada Dept of Motor Vehicles Attn: Legal Division 555 Wright Way Carson City, NV 89711

Suntrust Mortgage/CC 510 Acct No xxxxx4380... P.O. Box 26149 Richmond, VA 23260 Toyota Motor Credit Corp Acct No xxxxxxxxxxxx0001 5005 N. River Blvd. Cedar Rapids, IA 52411-6634

United States Trustee 300 Las Vegas Blvd. South #4300 Las Vegas, NV 89101

UNVL/CITI Acct No xxxxxxxx1670 P.O. Box 6241 Sioux Falls, SD 57117

US Bank/NA ND Acct No xxxx-xxxx-xxxx-6991 P.O. Box 108 Saint Louis, MO 63166

Washington Mutual 7255 Baymeadows Way Jacksonville, FL 32256

Washington Mutual Acct No xxxxxx3167 P.O. Box 78065 Phoenix, AZ 85062-8065

Washington Mutual Bank Acct No xxxxxxxxxxxxx6962... 3990 S. Babcock Street Melbourne, FL 32901

Washington Mutual FA Acct No xxxxxx0894 P.O. Box 1093 Northridge, CA 91328

Washington Mutual/Chase P.O. Box 100569 Florence, SC 29502-0569

Wells Fargo Acct No xxxxxx4169 P.O. Box 10438 Des Moines, IA 50306-0438

Wells Fargo 550 California Street, 5th Floor San Francisco, CA 94104

Wells Fargo Bank Acct No xxxxxx4169 P.O. Box 10438 Des Moines, IA 50306-0438 Wells Fargo Bank Acct No xxxx-xxxx-xxxx-3905 3300 W. Sahara Ave Las Vegas, NV 89102

Wells Fargo Business Card Visa P.O. Box 348750 Sacramento, CA 95834

Wells Fargo Financial Acct No xxxx0135 P.O. Box 98784 Las Vegas, NV 89193-8784

Wells Fargo Financial Cards Acct No xxxx-xxxx-xxxx-6331 P.O. Box 98791 Las Vegas, NV 89193-8791

WFFinance Acct No xxxxxxx6648... 10300 W. Charleston Blvd Las Vegas, NV 89135