Case 09-26137-bam Doc 1 Entered 08/31/09 08:37:25 Page 1 of 10

B1 (Official Form 1)(1/08)								
United .	States Bank District of N		Court				Voluntary	Petition
Name of Debtor (if individual, enter Last, First, Walters, Walt A.	, Middle):		Name	of Joint Do	ebtor (Spouse	e) (Last, First	, Middle):	
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	8 years				used by the a		in the last 8 years ):	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all)  xxx-xx-7586	ayer I.D. (ITIN) No./	Complete EI		our digits o		r Individual-T	Taxpayer I.D. (ITIN) N	Io./Complete EIN
Street Address of Debtor (No. and Street, City, a 5095 Via Donaldo Yorba Linda, CA	and State):	ZIP Code	Street	Address of	f Joint Debtor	(No. and Str	reet, City, and State):	ZIP Code
County of Residence or of the Principal Place o Orange		92886	Count	y of Reside	ence or of the	Principal Pla	ace of Business:	
Mailing Address of Debtor (if different from str 2461 E Orangethorpe Avenue Fullerton, CA	eet address):	ZIP Code	Mailir	ng Address	of Joint Debt	tor (if differe	nt from street address):	ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):		92831						
(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.)	☐ Health Care Building Single Asset Run 11 U.S.C. §☐ Railroad☐ Stockbroker☐ Commodity Building Bunk☐ Other☐ Tax-Exe	eal Estate as 101 (51B)  roker  empt Entity x, if applicable -exempt orga of the United	e) anization I States	defined	eer 7 eer 9 eer 11 eer 12	CI of Of CI of Of Of Of CI of	busin	eding Recognition
Filing Fee (Check or Full Filing Fee attached  Full Filing Fee to be paid in installments (applicattach signed application for the court's consist unable to pay fee except in installments. Fulling Fee waiver requested (applicable to cattach signed application for the court's consistence.	able to individuals or sideration certifying Rule 1006(b). See Off hapter 7 individuals	that the debto icial Form 3A. only). Must	or Check	Debtor is a if: Debtor's to insider all applicate A plan is Acceptant	a small busin not a small b aggregate nor s or affiliates; able boxes: being filed w ces of the pla	usiness debto neontingent la ) are less than with this petition were solici	defined in 11 U.S.C. or as defined in 11 U.S. or as defined in 11 U.S iquidated debts (excluding \$2,190,000.	.C. § 101(51D). ling debts owed ne or more
Statistical/Administrative Information  ☐ Debtor estimates that funds will be available ☐ Debtor estimates that, after any exempt propthere will be no funds available for distribut  Estimated Number of Creditors	erty is excluded and	administrati		es paid,		THIS	SPACE IS FOR COURT	USE ONLY
1- 50- 100- 200- 49 99 199 999	1,000- 5,000 5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million	\$50,000,001 to \$100 million	\$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 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1 billion				

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B1 (Official For	m 1)(1/08)		Page 2
Voluntar	y Petition	Name of Debtor(s): Walters, Walt A.	
(This page mu	st be completed and filed in every case)	Transfer, transfer	
	All Prior Bankruptcy Cases Filed Within Las	t 8 Years (If more than two	o, attach additional 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	Affiliate of this Debtor (I	f more than one, attach additional sheet)
Name of Debt - None -	or:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A	(T) 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Exhibit B
forms 10K a pursuant to S and is reques	leted 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.	I, the attorney for the petit have informed the petition 12, or 13 of title 11, United	hwartz August 31, 2009 or Debtor(s) (Date)
		 nibit C	
Yes, and No.	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.  Exhibit Exhibit C is attached and made a part of this petition.  Exhibit C is attached and made a part of this petition.	pose a threat of imminent and nibit D ch spouse must complete a	
-	D also completed and signed by the joint debtor is attached a	and made a part of this peti-	tion.
	Information Regardin	_	
•	(Check any ap Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or prin	
	There is a bankruptcy case concerning debtor's affiliate, go	<u> </u>	
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	cipal place of business or p	rincipal assets in the United States in a defendant in an action or
	Certification by a Debtor Who Reside (Check all app		ial Property
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If bo	ox checked, complete the following.)
	(Name of landlord that obtained judgment)  (Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, th	nere are circumstances unde	er which the debtor would be permitted to cure
	the entire monetary default that gave rise to the judgment of the petition the deposit with the coafter the filing of the petition.	for possession, after the jud	gment for possession was entered, and
	Debtor certifies that he/she has served the Landlord with the	his certification. (11 U.S.C.	§ 362(l)).

B1 (Official Form 1)(1/08) Page 3

### 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.

#### X /s/ Walt A. Walters

Signature of Debtor Walt A. Walters

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

August 31, 2009

Date

#### Signature of Attorney\*

#### X /s/ Samuel A. Schwartz

Signature of Attorney for Debtor(s)

#### Samuel A. Schwartz 10985

Printed Name of Attorney for Debtor(s)

#### The Schwartz Law Firm

Firm Name

626 South Third Street Las Vegas, NV 89101

Address

### Email: sam@schwartzlawyers.com (702) 385-5544 Fax: (702) 385-2741

Telephone Number

August 31, 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.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

Walters, Walt A.

#### **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.

v	
Δ	

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	Walt A. Walters		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.

☐ 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.]

B 1D(Official Form 1, Exhibit	t D) (12/08) - Cont.
□ Incapac	eity. (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 respons	ibilities.);
☐ Disabil	ity. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reas	onable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Intern	net.);
□ Active	military duty in a military combat zone.
	States trustee or bankruptcy administrator has determined that the credit counseling . § 109(h) does not apply in this district.
I certify under p	enalty of perjury that the information provided above is true and correct.
Signature of Debtor:	/s/ Walt A. Walters
	Walt A. Walters
Date: August 31, 2009	

or

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

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

In re	Walt A. Walters		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]
American Express c/o Becket and Lee Po Box 3001	American Express c/o Becket and Lee Po Box 3001	CreditCard		5,039.00
Malvern, PA 19355 Bank Of America Po Box 84006 Columbus, GA 31908	Malvern, PA 19355 Bank Of America Po Box 84006 Columbus, GA 31908	CreditCard		3,182.00
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		501.00
Citi Po Box 6241 Sioux Falls, SD 57117	Citi Po Box 6241 Sioux Falls, SD 57117	CreditCard		657.00
Citi Po Box 6241 Sioux Falls, SD 57117	Citi Po Box 6241 Sioux Falls, SD 57117	CreditCard		16,208.00
Discover Fin Svcs Llc Po Box 15316 Wilmington, DE 19850	Discover Fin Svcs Llc Po Box 15316 Wilmington, DE 19850	CreditCard		12,382.00
Emc Mortgage Attention: Bankruptcy Clerk Po Box 293150 Lewisville, TX 75029	Emc Mortgage Attention: Bankruptcy Clerk Po Box 293150 Lewisville, TX 75029	ConventionalRealE stateMortgage		449,531.00 (0.00 secured)
Emerge/fnbo P.o. Box 723896 Atlanta, GA 31139	Emerge/fnbo P.o. Box 723896 Atlanta, GA 31139	CreditCard		3,218.00
Gemb/chevron Attention: Bankruptcy Po Box 103106 Roswell, GA 30076	Gemb/chevron Attention: Bankruptcy Po Box 103106 Roswell, GA 30076	ChargeAccount		1,711.00
Litton Loan Servicing Attention: Bankruptcy 4828 Loop Central Drive Houston, TX 77081	Litton Loan Servicing Attention: Bankruptcy 4828 Loop Central Drive Houston, TX 77081	RealEstateSpecific TypeUnknown		337,787.00 (0.00 secured)

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Walt A. Walters	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]
Litton Loan Servicing Attention: Bankruptcy 4828 Loop Central Drive Houston, TX 77081	Litton Loan Servicing Attention: Bankruptcy 4828 Loop Central Drive Houston, TX 77081	RealEstateSpecific TypeUnknown		279,329.00 (0.00 secured)
Shell Oil / Citibank Attn.: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195	Shell Oil / Citibank Attn.: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195	CreditCard		1,571.00
Washington Mutual Mortgage Attention: Bankruptcy Dept. JAXA 2035 7255 Bay Meadows Way Jacksonville, FL 32256	Washington Mutual Mortgage Attention: Bankruptcy Dept. JAXA 2035 7255 Bay Meadows Way Jacksonville, FL 32256	ConventionalRealE stateMortgage		768,609.00 (0.00 secured)

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

I, **Walt A. Walters**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	August 31, 2009	Signature	/s/ Walt A. Walters	
			Walt A. Walters	
			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.

Walt A. Walters 2461 E Orangethorpe Avenue Fullerton, CA 92831

Samuel A. Schwartz The Schwartz Law Firm 626 South Third Street Las Vegas, NV 89101

Amc Mortgage Services Acct No 8740059355156 505 South Main Street Ste 6000 Orange, CA 92868

American Express Acct No 3499910210189813 c/o Becket and Lee Po Box 3001 Malvern, PA 19355

Americas Servicing Co Acct No 1061218032042 Attention: Bankruptcy 1 Home Campus Des Moines, IA 50328

Bank Of America Acct No 405355000208 Po Box 84006 Columbus, GA 31908

Bank Of America Acct No 63090000723298 Attn: Bankruptcy NC4-105-02-77 Po Box 26012 Greensboro, NC 27410

Capital 1 Bank Acct No 529107144351 Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091

Chevron / Texaco Citibank Acct No 101579 Attn: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195

Citi Acct No 546616011338 Po Box 6241 Sioux Falls, SD 57117 Countrywide Home Lending Acct No 35643133 Attention: Bankruptcy SV-314B Po Box 5170 Simi Valley, CA 93062

Discover Fin Svcs Llc Acct No 601100034539 Po Box 15316 Wilmington, DE 19850

Emc Mortgage Acct No 5890015403371 Attention: Bankruptcy Clerk Po Box 293150 Lewisville, TX 75029

Emerge/fnbo Acct No 4146820004296537 P.o. Box 723896 Atlanta, GA 31139

Gemb/chevron Acct No 706159101363 Attention: Bankruptcy Po Box 103106 Roswell, GA 30076

Gemb/jcp Acct No 828779 Attention: Bankruptcy Po Box 103106 Roswell, GA 30076

Indymac Bank Acct No 6681009770742 7700 W Parmer Ln Bldg D 2nd Floor Austin, TX 78729

Litton Loan Servicing Acct No 0000000015396609 Attention: Bankruptcy 4828 Loop Central Drive Houston, TX 77081

Macys/fdsb Acct No 4356150664820 Macy's Bankruptcy Po Box 8053 Mason, OH 45040 Peoples Choice Home Lo Acct No 1020010358283 7525 Irvine Center Irvine, CA 92618

Shell Oil / Citibank Acct No 946335478 Attn.: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195

Us Bank Acct No 510544047 Attn: Bankruptcy Dept. P.O. Box 5229 Cincinnati, OH 45201

Washington Mutual Mortgage Acct No 1560691192165 Attention: Bankruptcy Dept. JAXA 2035 7255 Bay Meadows Way Jacksonville, FL 32256

Waterfield Financial Acct No 2318605 7500 W Jefferson Blvd Fort Wayne, IN 46804

Wells Fargo Bank Acct No 50068714570980 711 W Broadway Rd Tempe, AZ 85282