### Case 10-11917-lbr Doc 1 Entered 02/08/10 17:59:14 Page 1 of 10

United States Bankruptcy C District of Nevada						Court				Volu	ıntary	Petition	
Name of Debtor (if individual, enter Last, First, Middle):  Giron, Jean-Pierre						Name	of Joint De	ebtor (Spouse	e) (Last, First	, Middle):			
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):								used by the maiden, and			years		
Last four dig	one, state all)		vidual-Taxp	ayer I.D. (	(ITIN) No./	Complete E		our digits o		r Individual-	Taxpayer I.D	D. (ITIN) No	o./Complete EIN
Street Addre	ss of Debto		Street, City,	and State)	):	ZIP Code		Address of	Joint Debtor	(No. and St	reet, City, an	d State):	ZIP Code
County of R	asidanaa ar	of the Drin	oinal Dlaga	f Ducinos		89148		y of Dacide	ence or of the	Dringing DI	ace of Rusin	Acc.	
CLARK	esidelice of	of the Film	cipai Flace (	of Busilies:	S.		Coun	ly of Reside	ence of of the	i i ilicipai i i	ace of Busin	C55.	
Mailing Add	ress of Deb	otor (if diffe	rent from st	reet addres	ss):		Maili	ng Address	of Joint Debt	tor (if differe	nt from stree	et address):	
					Г	ZIP Code	:						ZIP Code
Location of l (if different f	Principal A from street	ssets of Bus address abo	siness Debto ve):	r			•						
	• •	f Debtor				of Business	1			of Bankruj			ch
(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 one box) ☐ Health Care Business ☐ Single Asset Real Estate in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Clearing Bank ☐ Other			usiness eal Estate as 101 (51B)	s defined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	of C of Natur	hapter 15 Pe a Foreign M hapter 15 Pe a Foreign N	tition for Re Iain Procee tition for Re	ding ecognition			
		e type of enti		und	(Check box otor is a tax- er Title 26	empt Entity x, if applicable exempt orgof the Unite and Revenu	e) ganization d States	defined "incuri	are primarily contains 11 U.S.C. Seed by an indivioual, family, or	onsumer debts § 101(8) as idual primarily	for		are primarily ess debts.
F11 E31	F		ee (Check o	ne box)				one box:	a small busin	Chapter 11		11 11 5 C 8	101(51D)
□ Full Filing Fee attached □ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.					Check	Debtor is c if: Debtor's a to insider c all applica A plan is Acceptane	not a small b aggregate non s or affiliates	ncontingent I are less that with this petition were solici	or as defined de iquidated de n \$2,190,000 don.	bts (exclude).	C. § 101(51D).  ing debts owed  e or more		
Statistical/A  Debtor es				a for distri	bution to u	neacurad or	aditors			THIS	S SPACE IS F	OR COURT	USE ONLY
Debtor es	stimates tha	it, after any		perty is ex	cluded and	administrat		es paid,					
Estimated No			200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000	-			
Estimated As		\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million			\$500,000,001 to \$1 billion	☐ More than	-			
Estimated Li  \$0 to \$50,000	abilities  \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

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BI (Official For	III 1)(1/08)		rage 2			
Voluntar	y Petition	Name of Debtor(s):  Giron, Jean-Pierre				
(This page must be completed and filed in every case)						
	All Prior Bankruptcy Cases Filed Within Last		attach additional sheet)			
Location Where Filed:	- None -	Case Number:	Date Filed:			
Location Where Filed:		Case Number:	Date Filed:			
	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If n	nore 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 reque	Exhibit A  bleted 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.	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 11 U.S.C. §342(b).  X //S/C. Andrew Wariner, SBN: February 8, 2010  Signature of Attorney for Debtor(s) (Date)  C. Andrew Wariner, SBN: 003228				
☐ Yes, and ■ No.		ibit D				
Exhibit  If this is a join	_	a part of this petition.				
L Exillor	D also completed and signed by the joint debtor is attached a					
	Information Regardin (Check any ap	•				
•	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for	al place of business, or princi	pal assets in this District for 180 vs than in any other District.			
	There is a bankruptcy case concerning debtor's affiliate, go	eneral partner, or partnership	pending in this District.			
	Debtor is a debtor in a foreign proceeding and has its princ 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.	in the United States but is a	defendant in an action or			
	Certification by a Debtor Who Reside (Check all app		l Property			
	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)	<u> </u>				
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment in					
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	urt of any rent that would be	come due during the 30-day period			
	□ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).					

Case 10-11917-lbr Doc 1 Entered 02/08/10 17:59:14 Page 3 of 10 B1 (Official Form 1)(1/08) Page 3 Name of Debtor(s): **Voluntary Petition** Giron, Jean-Pierre (This page must be completed and filed in every case) Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this I declare under penalty of perjury that the information provided in this petition petition is true and correct. is true and correct, that I am the foreign representative of a debtor in a foreign If petitioner is an individual whose debts are primarily consumer debts and proceeding, and that I am authorized to file this petition. has chosen to file under chapter 7] I am aware that I may proceed under (Check only one box.) chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief ☐ I request relief in accordance with chapter 15 of title 11. United States Code. available under each such chapter, and choose to proceed under chapter 7. Certified copies of the documents required by 11 U.S.C. §1515 are attached. [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). ☐ 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 I request relief in accordance with the chapter of title 11, United States Code, recognition of the foreign main proceeding is attached. specified in this petition. X /s/ Jean-Pierre Giron Signature of Foreign Representative Signature of Debtor Jean-Pierre Giron Printed Name of Foreign Representative Signature of Joint Debtor Date Telephone Number (If not represented by attorney) Signature of Non-Attorney Bankruptcy Petition Preparer February 8, 2010 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 Date compensation and have provided the debtor with a copy of this document Signature of Attorney\* 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 X /s/ C. Andrew Wariner, SBN: chargeable by bankruptcy petition preparers, I have given the debtor notice Signature of Attorney for Debtor(s) 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. C. Andrew Wariner, SBN: 003228 Official Form 19 is attached. Printed Name of Attorney for Debtor(s) C. Andrew Wariner, Esq. Printed Name and title, if any, of Bankruptcy Petition Preparer Firm Name 823 Las Vegas Blvd., South Suite 500 Social-Security number (If the bankrutpcy petition preparer is not Las Vegas, NV 89101 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: awariner@lvbklaw.com (702) 953-0404 Fax: (702) 989-5388 Telephone Number February 8, 2010 Address 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. Date Signature of Debtor (Corporation/Partnership) Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above. 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 Names and Social-Security numbers of all other individuals who prepared or on behalf of the debtor. assisted in preparing this document unless the bankruptcy petition preparer is The debtor requests relief in accordance with the chapter of title 11, United not an individual: States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

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) (12/09)

# United States Bankruptcy Court District of Nevada

		District of Nevada		
In re	Jean-Pierre Giron		Case No.	
		Debtor(s)	Chapter	11
				· <u> </u>

# 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 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.]

B 1D (Official Form 1, Exhibit D) (12/09) - Cont.	Page
1 ,	109(h)(4) as impaired by reason of mental illness or lizing and making rational decisions with respect to
financial responsibilities.);	
• ,	109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate i	n a credit counseling briefing in person, by telephone, or
through the Internet.);	
☐ Active military duty in a military co	ombat zone.
☐ 5. The United States trustee or bankruptcy a requirement of 11 U.S.C. § 109(h) does not apply in the state of the state	administrator has determined that the credit counseling this district.
I certify under penalty of perjury that the i	information provided above is true and correct.
Signature of Debtor:	/s/ Jean-Pierre Giron
_	Jean-Pierre Giron
Date: February 8, 201	0

Certificate Number: 01356-NV-CC-009642434

#### **CERTIFICATE OF COUNSELING**

I CERTIFY that on January 19, 2010	, at	9:59	o'clock PM EST,				
JeanPierre Giron		received fr	rom				
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	, ar	n individual [or g	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 repayment pl	an 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: <u>January 19, 2010</u>	By	/s/Rachel Edward	ls				
	Name	Rachel Edwards					
	Title	Certified Counse	lor				

<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).

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

## United States Bankruptcy Court District of Nevada

In re	Jean-Pierre Giron			
		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]
BAC HOME	BAC HOME LOANS/COUNTRYWIDE	5786 Fine Lace	Disputed	160,508.00
LOANS/COUNTRYWIDE	450 AMERICAN STREET, #SV416	Street		,
450 AMERICAN STREET, #SV416	SIMI VALLEY, CA 93065			(0.00 secured)
SIMI VALLEY, CA 93065				
BANK OF AMERICA CUSTOMER SERVICE	BANK OF AMERICA CUSTOMER SERVICE	Residence Addl: Single Family	Disputed	277,408.08
PO BOX 5170	PO BOX 5170	Home 1670 sqt, 4		(0.00 secured)
SIMI VALLEY, CA 93062	SIMI VALLEY, CA 93062	bed, 2 baths,		(**************************************
·	,	Location: 4064		
		Belhaven Street,		
		Las Vegas, NV		
		89147		
BANK OF AMERICA	BANK OF AMERICA	Miscellaneous	Disputed	14,391.00
PO BOX 1390	PO BOX 1390	Credit Card		
NORFOLK, VA 23501	NORFOLK, VA 23501	Purchaes	<b>D.</b>	40.00= 50
CHASE	CHASE	Miscellaneous	Disputed	10,097.56
PO BOX 94014	PO BOX 94014	Credit Card		
PALATINE, IL 60094 FREMONT MEDICAL	PALATINE, IL 60094 FREMONT MEDICAL CENTERS	Purchases MEDICAL	Diamutad	165.00
CENTERS	C/O CLARK COUNTY COLLECTION	WEDICAL	Disputed	165.00
C/O CLARK COUNTY	8860 W SUNSET RD STE 100			
COLLECTION	Las Vegas, NV 89148			
8860 W SUNSET RD STE 100	Lus Vogus, IVV 05140			
Las Vegas, NV 89148				
GEMB/SAMSCLUB	GEMB/SAMSCLUB	Miscellenaoue	Disputed	2,979.84
PO BOX 981400	PO BOX 981400	Credit Card		
EL PASO, TX 79998	EL PASO, TX 79998	Purchases		
NISSAN-INFINITY LT	NISSAN-INFINITY LT	AUTOMOBILE	Disputed	4,806.00
2901 KINWEST PKWY	2901 KINWEST PKWY			
IRVING, TX 75063	IRVING, TX 75063			(0.00 secured)
US BANK CARDMEMBER	US BANK CARDMEMBER SERVICES	Miscellaneous	Disputed	12,108.28
SERVICES	PO BOX 108	Credit Card		
PO BOX 108	SAINT LOUIS, MO 63166-9801	Purchases		
<b>SAINT LOUIS, MO 63166-9801</b>				

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B4 (Offic	cial Form 4) (12/07) - Cont.		
In re	Jean-Pierre Giron	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]

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

I, **Jean-Pierre Giron**, 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 February 8, 2010	Signature	/s/ Jean-Pierre Giron
		Jean-Pierre Giron
		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.

Jean-Pierre Giron 5786 Fine Lace St. Las Vegas, NV 89148

C. Andrew Wariner, SBN:
C. Andrew Wariner, Esq.
823 Las Vegas Blvd., South
Suite 500
Las Vegas, NV 89101

BAC HOME LOANS/COUNTRYWIDE Acct No xxxxx5154 450 AMERICAN STREET, #SV416 SIMI VALLEY, CA 93065

BANK OF AMERICA Acct No xxxxx0434 CUSTOMER SERVICE PO BOX 5170 SIMI VALLEY, CA 93062

BANK OF AMERICA Acct No xxxxxxxxxxx1498 PO BOX 1390 NORFOLK, VA 23501

BANK OF AMERICA MORTGAGE Acct No 1736369928954 4161 PIEDMONT PKWY Greensboro, NC 27410

CHASE
Acct No xxxxxxxxxxx0428
PO BOX 94014
PALATINE, IL 60094

CHASE BANK USA Acct No 426684107973 800 BROOKSEDGE BLVD WESTERVILLE, OH 43081

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 FREMONT MEDICAL CENTERS Acct No xx7254 C/O CLARK COUNTY COLLECTION 8860 W SUNSET RD STE 100 Las Vegas, NV 89148

GEMB/SAMSCLUB Acct No xxxxxxxxxxxx0595 PO BOX 981400 EL PASO, TX 79998

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

nissan motor acceptance corporation po box 78133 phoenix, AZ 85062

NISSAN-INFINITY LT Acct No xxxxxxxxx0601 2901 KINWEST PKWY IRVING, TX 75063

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

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

US BANK CARDMEMBER SERVICES Acct No xxxxxxxxxxx5482 PO BOX 108 SAINT LOUIS, MO 63166-9801