

B1 (Official Form 1)(4/10)								
United	States Bank District of No		Court				Voluntary	Petition
Name of Debtor (if individual, enter Last, First, Diaz, Anthony	, Middle):		Name	of Joint De	ebtor (Spouse) (Last, First,	Middle):	
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	8 years			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) xxx-xx-9581	ayer I.D. (ITIN) No./	Complete EIN		our digits o		· Individual-T	axpayer I.D. (ITIN) No	D./Complete EIN
Street Address of Debtor (No. and Street, City, a 7009 Via Bella Luna Las Vegas, NV	and State):		Street	Address of	f Joint Debtor	(No. and Str	eet, City, and State):	
County of Residence or of the Principal Place o		ZIP Code 89131	Count	y of Reside	ence or of the	Principal Pla	ice of Business:	ZIP Code
Clark								
Mailing Address of Debtor (if different from str	eet address):		Mailir	ng Address	of Joint Debt	or (if differer	nt from street address):	
	F	ZIP Code	1					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	:		<u> </u>					ı
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.) ■ Filing Fee (Check one box	(Checl ☐ Health Care Bu ☐ Single Asset Rin 11 U.S.C. § ☐ Railroad ☐ Stockbroker ☐ Commodity Br ☐ Clearing Bank ☐ Other Tax-Exe (Check bo) ☐ Debtor is a tax- under Title 26 c Code (the Inter	eal Estate as de 101 (51B) coker compt Entity x, if applicable) -exempt organ of the United S chal Revenue C	ization States Code). e box: btor is a si	defined "incurr a perso	the Fater 7 ter 9 ter 11 ter 12 ter 13 ter 13 ter 13 ter 14 ter 15 ter 15 ter 16 ter 17 ter 17 ter 17 ter 17 ter 18 ter 18 ter 18 ter 18 ter 18 ter 18 ter 19 ter 1	Petition is Fil Check Of Nature (Check onsumer debts, 101(8) as dual primarily household purp ter 11 Debtored in 11 U.S.C.	busine pose."	ecognition ding ecognition
 ☐ Filing Fee to be paid in installments (applicable to attach signed application for the court's considerat debtor is unable to pay fee except in installments. Form 3A. ☐ Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerat 	tion certifying that the Rule 1006(b). See Office 7 individuals only). Mu	Check if: Cial Del are Check all A p 3B. Check if: Check if: A p Acc	btor's agg less than applicable blan is bein ceptances	regate nonco \$2,343,300 (e boxes: ng filed with of the plan w	ontingent liquida amount subject this petition.	ated debts (exc to adjustment	luding debts owed to insid on 4/01/13 and every thre	e years thereafter).
Statistical/Administrative Information ☐ Debtor estimates that funds will be available ☐ Debtor estimates that, after any exempt propthere will be no funds available for distribute Estimated Number of Creditors	erty is excluded and	administrative		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		5,001- 0,000	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	to \$100 to] 100,000,001 0 \$500 nillion	\$500,000,001 to \$1 billion	More than \$1 billion			
Estimated Liabilities	\$1,000,001 \$10,000,001 to \$10 to \$50	\$50,000,001 \$ to \$100 to	100,000,001 0 \$500	\$500,000,001 to \$1 billion				

Case 10-33765-mkn Doc 1 Entered 12/23/10 07:45:18 Page 2 of 10

B1 (Official For	rm 1)(4/10)		Page 2
Voluntary Petition		Name of Debtor(s):	
(This page must be completed and filed in every case)		Diaz, Anthony	
(11115 page nit	All Prior Bankruptcy Cases Filed Within Las	I Vears (If more than tw	o attach additional sheet)
Location	In Thor Bankruptey Cases Thea William Bas	Case Number:	Date Filed:
Where Filed:	- None -		
Location Where Filed:		Case Number:	Date Filed:
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than one, attach additional sheet)
Name of Debt	tor:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A		Exhibit B
forms 10K a pursuant to and is reque	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.) A is attached and made a part of this petition.	I, the attorney for the pet have informed the petitio 12, or 13 of title 11, Unit under each such chapter. required by 11 U.S.C. §3 X /s/ C. Andrew W. Signature of Attorney	Variner, SBN: December 23, 2010 (Date)
		C. Andrew War	ner, SBN: 003228
☐ Yes, and ☐ No. (To be comp ☐ Exhibit If this is a jo	pleted by every individual debtor. If a joint petition is filed, ear D completed and signed by the debtor is attached and made	chibit D ch spouse must complete a part of this petition. and made a part of this pet g the Debtor - Venue oplicable box) al place of business, or pri a longer part of such 180 eneral partner, or partnersh cipal place of business or	and attach a separate Exhibit D.) ition. ncipal assets in this District for 180 days than in any other District. nip pending in this District. principal assets in the United States in
	proceeding [in a federal or state court] in this District, or the sought in this District. Certification by a Debtor Who Reside	ne interests of the parties v	vill be served in regard to the relief
	(Check all app		oper ty
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If l	oox checked, complete the following.)
	(Name of landlord that obtained judgment) (Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the	nere are circumstances und	ler which the debtor would be permitted to cure
	the entire monetary default that gave rise to the judgment Debtor has included in this petition the deposit with the coafter the filing of the petition.	for possession, after the ju	dgment for possession was entered, and
	Debtor certifies that he/she has served the Landlord with t	his certification. (11 U.S.C	C. § 362(1)).

Case 10-33765-mkn Doc 1 Entered 12/23/10 07:45:18 Page 3 of 10 B1 (Official Form 1)(4/10) Page 3 Name of Debtor(s): **Voluntary Petition** Diaz, Anthony (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/ Anthony Diaz Signature of Foreign Representative Signature of Debtor Anthony Diaz Printed Name of Foreign Representative Signature of Joint Debtor Date Telephone Number (If not represented by attorney) Signature of Non-Attorney Bankruptcy Petition Preparer **December 23, 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 **December 23, 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

Title of Authorized Individual

Date

Printed Name of Authorized Individual

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

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

In re	Anthony Diaz		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 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 2		
☐ 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 a requirement of 11 U.S.C. § 109(h) does not apply in the	dministrator has determined that the credit counseling his district.		
I certify under penalty of perjury that the in	nformation provided above is true and correct.		
	/s/ Anthony Diaz Anthony Diaz		
Date: December 23, 20	10		

Certificate Number: 01356-NV-CC-013382363



CERTIFICATE OF COUNSELING

I CERTIFY that on <u>December 23, 2010</u>, at <u>10:29</u> o'clock <u>AM EST</u>, <u>Anthony Diaz</u> received from <u>Hummingbird Credit Counseling and Education</u>, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the <u>District of Nevada</u>, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan <u>was not prepared</u>. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: December 23, 2010 By: /s/Audy Rodas

Name: Audy Rodas

Title: Counselor

^{*} 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	Anthony Diaz	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	Name, telephone number and complete	Nature of claim (trade	Indicate if claim is	Amount of claim [if
mailing address including zip	mailing address, including zip code, of	debt, bank loan,	contingent,	secured, also state
code	employee, agent, or department of creditor	government contract,	unliquidated,	value of security]
	familiar with claim who may be contacted	etc.)	disputed, or subject	
Advanta Bank Corp	Advanta Bank Corp	BusinessCreditCar	to setoff	21,871.00
PO Box 844	PO Box 844	d		21,071.00
Spring House, PA 19477	Spring House, PA 19477	"		
BAC Home Loans Servicing,	BAC Home Loans Servicing, LP	ConventionalRealE		1,088,222.00
LP	450 American Street	stateMortgage		1,000,222.00
450 American Street	Simi Valley, CA 93065	olulomor igago		(Unknown
Simi Valley, CA 93065	omin validy, or occor			secured)
Bank of America	Bank of America	CreditCard		2,495.00
PO Box 17054	PO Box 17054	o. our.ou. u		_,
Wilmington, DE 19850	Wilmington, DE 19850			
Bank of America	Bank of America	CreditCard		24,016.00
PO Box 1598	PO Box 1598			,
Norfolk, VA 23501	Norfolk, VA 23501			
Capital One	Capital One	CreditCard		973.00
PO Box 85520	PO Box 85520			
Richmond, VA 23285	Richmond, VA 23285			
Chase	Chase	CreditCard		8,582.00
PO Box 15298	PO Box 15298			
Wilmington, DE 19850	Wilmington, DE 19850			
HSBC/RS	HSBC/RS	ChargeAccount		4,816.00
PO BOX 978	PO BOX 978			
Wood Dale, IL 60191	Wood Dale, IL 60191			
LVNV FUNDING, LLC	LVNV FUNDING, LLC	FactoringCompany		19,053.00
PO BOX 740281	PO BOX 740281	Account Citibank		
Houston, TX 77274	Houston, TX 77274	Sears Great		
		Indoors M		
MIDLAND CREDIT	MIDLAND CREDIT MANAGEMENT	FactoringCompany		5,908.00
MANAGEMENT	8875 AERO DRIVE	Account Chase		
8875 AERO DRIVE	San Diego, CA 92123	Bank Usa N.A.		
San Diego, CA 92123				
NAVY FEDERAL CREDIT	NAVY FEDERAL CREDIT UNION	CreditCard		46,980.00
UNION	Po Box 3700			
Po Box 3700	Merrifield, VA 22119			
Merrifield, VA 22119				

Case 10-33765-mkn Doc 1 Entered 12/23/10 07:45:18 Page 8 of 10

B4 (Offic	ial Form 4) (12/07) - Cont.		
In re	Anthony Diaz	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]
NAVY FEDERAL CREDIT UNION 820 Follin Lane Vienna, VA 22180	NAVY FEDERAL CREDIT UNION 820 Follin Lane Vienna, VA 22180	CreditCard		25,140.00
NAVY FEDERAL CREDIT UNION 820 Follin Lane Vienna, VA 22180	NAVY FEDERAL CREDIT UNION 820 Follin Lane Vienna, VA 22180	CreditCard		20,364.00
NAVY FEDERAL CREDIT UNION Po Box 3700 Merrifield, VA 22119	NAVY FEDERAL CREDIT UNION Po Box 3700 Merrifield, VA 22119	CreditCard		3,210.00
Real Time Resolutions 1750 Regal Row Dallas, TX 75235	Real Time Resolutions 1750 Regal Row Dallas, TX 75235	HomeEquityLineOf Credit		197,753.00 (Unknown secured)
West Asset 2703 N Highway 75 Sherman, TX 75090	West Asset 2703 N Highway 75 Sherman, TX 75090	Medical		107.00

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

I, **Anthony Diaz**, 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	December 23, 2010	Signature	/s/ Anthony Diaz
			Anthony Diaz
			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.

Anthony Diaz 7009 Via Bella Luna Las Vegas, NV 89131

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

Advanta Bank Corp Acct No xxxxxxxxxxx7243 PO Box 844 Spring House, PA 19477

BAC Home Loans Servicing, LP Acct No xxxxx8070 450 American Street Simi Valley, CA 93065

Bank of America Acct No 0311 PO Box 1598 Norfolk, VA 23501

Bank of America Acct No 1434 PO Box 17054 Wilmington, DE 19850

Capital One Acct No xxxxxxxx4853 PO Box 85520 Richmond, VA 23285

Chase
Acct No xxxxxxxx2071
PO Box 15298
Wilmington, DE 19850

HSBC/RS Acct No xx-xxxxxx5929 PO BOX 978 Wood Dale, IL 60191

LVNV FUNDING, LLC Acct No xxxxxxxxxxx0488 PO BOX 740281 Houston, TX 77274

MIDLAND CREDIT MANAGEMENT Acct No xxxxxx4558 8875 AERO DRIVE San Diego, CA 92123 NAVY FEDERAL CREDIT UNION Acct No xxxxxxxx0012 Po Box 3700 Merrifield, VA 22119

NAVY FEDERAL CREDIT UNION Acct No xxxxxxxx0148 820 Follin Lane Vienna, VA 22180

Real Time Resolutions Acct No xxxxx8118 1750 Regal Row Dallas, TX 75235

RECONTRUST COMPANY 2380 PERFORMANCE DRIVE TX2-985-07-03 Richardson, TX 75082

THE HOME DEPOT/CBSD Acct No xxxxxxxxxxx5572 PO BOX 6497 Sioux Falls, SD 57117

West Asset Acct No xxx5561 2703 N Highway 75 Sherman, TX 75090