United States I Western Distric	Bankruptcy Court ct of Pennsylvania			Volur	ntary P	<b>Petition</b>
Name of Debtor (if individual, enter Last, First, Middle):  McGary, Frank, D.		Name of Joint De McGary, Ro	ebtor (Spouse) (La	st, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names (include married,	used by the Joint maiden, and trade	Debtor in the last 8 yee names):	ears	
Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITE more than one, state all): <b>5817</b>	N) No./Complete EIN(if	Last four digits o than one, state al		vidual-Taxpayer I.D. (	(ITIN) No./(	Complete EIN(if more
Street Address of Debtor (No. & Street, City, and State): 109 Waldorf Street Pittsburgh, PA		Street Address of 109 Waldor Pittsburgh,	f Street	. & Street, City, and S	State):	
	CODE <b>15214</b>	Control Decide	Call Di	' I Di (D . '	ZIP COD	DE 15214
County of Residence or of the Principal Place of Business: <b>Allegheny</b>		Allegheny	ence or of the Prin	cipal Place of Busines	SS:	
Mailing Address of Debtor (if different from street address)	):	Mailing Address	of Joint Debtor (it	f different from street	address):	
ZIP	CODE				ZIP COD	DE .
Location of Principal Assets of Business Debtor (if different	from street address above):				ZID GOD	
Type of Debtor	Nature of Busin	ness	Cha	pter of Bankruptcy	ZIP COD	
(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.)  ✓ Full Filing Fee attached  Filing Fee to be paid in installments (applicable to indisigned application for the court's consideration certifying unable to pay fee except in installments. Rule 1006(b).  Filing Fee waiver requested (applicable to chapter 7 in attach signed application for the court's consideration.	ng that the debtor is See Official Form 3A. dividuals only). Must	check one I  Check one I  Debtor i  Check if:  Debtor's insiders  Check all a	Chapter 7 Chapter 9 Chapter 12 Chapter 12 Chapter 13 chapter 14 chapter 14 chapter 15 chapter 16 chapter 16 chapter 17 ch	Nature of (Check on orimarily consumer ned in 11 U.S.C. s "incurred by an primarily for a amily, or house-se."  Chapter 11 Debtor debtor as defined in 1 ness debtor as defined intingent liquidated deless than \$2,190,000.	Chapter 15 Recognition Main Proce Chapter 15 Recognition Nonmain F  T Debts are box)  D bu  Drs  11 U.S.C. § in 11 U.S.C. § in 11 U.S.C. §	5 Petition for on of a Foreign eeding 5 Petition for on of a Foreign of a Foreign proceeding 6 Petition for on of a Foreign proceeding ebts are primarily usiness debts.  101(51D). C. § 101(51D). Ing debts owed to
Statistical/Administrative Information  ✓ Debtor estimates that funds will be available for distril  Debtor estimates that, after any exempt property is exceexpenses paid, there will be no funds available for distril	cluded and administrative			-	. ,	THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors						
1- 50- 100- 200- 1,000- 49 99 199 999 5,000	5,001- 10,001- 25,00 10,000 25,000 50,00		Over 100,000			
Estimated Assets  \$0 to \$50,001 to \$100,001 to \$500,001 to \$500,000 \$100,000 \$500,000 \$1 to \$100 to \$100,000 \$1	to \$50 to \$100	001 \$100,000,00 to \$500 million	1 \$500,000,001 to \$1 billion	More than \$1 billion		
Estimated Liabilities  \$\begin{array}{ c c c c c c c c c c c c c c c c c c c	to \$50 to \$100	001 \$100,000,00 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		

**B 1 (Official Form 1) (1/08)** FORM **B1,** Page 2

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s):  Frank D. McCory, Pobocco S. McCory				
Frank D. Wicgary, Redecca S. Wicgary					
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)  Location Case Number: Date Filed:					
Where Filed: <b>NONE</b>					
Location Where Filed:	Case Number:	Date Filed:			
Pending Bankruptcy Case Filed by any Spouse, Partner of	r Affiliate of this Debtor (If more than one, attach ad	ditional sheet)			
Name of Debtor: NONE	Case Number:	Date Filed:			
District:	Relationship:	Judge:			
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.	Exhibit B  (To be completed if debtor is a whose debts are primarily con. I, the attorney for the petitioner named in the foregoin have informed the petitioner that [he or she] may prosent 12, or 13 of title 11, United States Code, and have exavailable under each such chapter. I further certify the debtor the notice required by 11 U.S.C. § 342(b).  X Not Applicable  Signature of Attorney for Debtor(s)	sumer debts)  ng petition, declare that I  ceed under chapter 7, 11,  kplained the relief			
Ext	nibit C				
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?  Yes, and Exhibit C is attached and made a part of this petition.					
Exh	aibit D				
(To be completed by every individual debtor. If a joint petition is filed, each spouse must	complete and attach a separate Exhibit D.)				
Exhibit D completed and signed by the debtor is attached and made a part of this petition.					
If this is a joint petition:					
Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.					
Information Regarding the Debtor - Venue (Check any applicable box)					
Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.					
There is a bankruptcy case concerning debtor's affiliate. general pa	artner, or partnership pending in this District.				
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District. or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.					
	les as a Tenant of Residential Property oplicable boxes.)				
Landlord has a judgment against the debtor for possession of debto	r's residence. (If box checked, complete the following).				
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
Debtor claims that under applicable nonbankruptcy law, there are centire monetary default that gave rise to the judgment for possession	circumstances under which the debtor would be permitted	ed to cure the			
Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.					
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).					

**B 1 (Official Form 1) (1/08)** FORM **B1,** Page 3

1 (011101111 1 01111 1) (1/00)	1 014/1 21, 1 450
oluntary Petition	Name of Debtor(s):
(This page must be completed and filed in every case)	Frank D. McGary, Rebecca S. McGary
Cinn	
	atures I
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
declare under penalty of perjury that the information provided in this petition is true and correct.  f petitioner is an individual whose debts are primarily consumer debts and has an anosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 and 13 of title 11, United States Code, understand the relief available under each such	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 <b>one</b> box.)
napter, and choose to proceed under chapter 7.  f no attorney represents me and no bankruptcy petition preparer signs the petition] I	☐ I request relief in accordance with chapter 15 of Title 11, United States Code.  Certified Copies of the documents required by § 1515 of title 11 are attached.
ave obtained and read the notice required by 11 U.S.C. § 342(b).  request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
X s/ Frank D. McGary	X Not Applicable
Signature of Debtor Frank D. McGary	(Signature of Foreign Representative)
X s/ Rebecca S. McGary	
Signature of Joint Debtor Rebecca S. McGary	(Printed Name of Foreign Representative)
Telephone Number (If not represented by attorney)	
7/9/2009 Date	Date
Signature of Attorney	Signature of Non-Attorney Petition Preparer
X s/Michael J. Henny	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined
Signature of Attorney for Debtor(s)	in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the
Michael J. Henny, Esquire Bar No. 30734	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
Printed Name of Attorney for Debtor(s) / Bar No.	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,
Michael J. Henny, Esquire Firm Name	as required in that section. Official Form 19 is attached.
2828 Gulf Tower 707 Grant Street	
Address	Not Applicable
Pittsburgh, PA 15219	Printed Name and title, if any, of Bankruptcy Petition Preparer
Titisburgii, FA 13217	
412-261-2640 412-391-0221	Social-Security number (If the bankruptcy petition preparer is not an individual, state
Telephone Number	the Social-Security number of the officer, principal, responsible person or partner of
7/9/2009	the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
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.	Address
Signature of Debtor (Corporation/Partnership)	X Not Applicable
declare under penalty of perjury that the information provided in this petition is true	
nd correct, and that I have been authorized to file this petition on behalf of the ebtor.	Date
he debtor requests the relief in accordance with the chapter of title 11, United States	Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.
ode, specified in this petition.	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
Not Applicable	individual.
Signature of Authorized Individual	If more than one person prepared this document, attach to the appropriate official form for each person.
Printed Name of Authorized Individual	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
Title of Authorized Individual	both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Date

In re Frank D. McGary Rebecca S. McGary

#### **UNITED STATES BANKRUPTCY COURT**

### Western District of Pennsylvania

Case No.

Deotor(s)	(IT KNOWN)
EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF CON CREDIT COUNSELING REQUIREMENT	IPLIANCE WITH
Warning: You must be able to check truthfully one of the five statemen counseling listed below. If you cannot do so, you are not eligible to file a bankr dismiss any case you do file. If that happens, you will lose whatever filing fee y will be able to resume collection activities against you. If your case is dismisse bankruptcy case later, you may be required to pay a second filing fee and you reto stop creditors' collection activities.	uptcy case, and the court can rou paid, and your creditors ed and you file another
Every individual debtor must file this Exhibit D. If a joint petition is filed, each a separate Exhibit D. Check one of the five statements below and attach any docume	
1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I reconcurseling agency approved by the United States trustee or bankruptcy administrator for available credit counseling and assisted me in performing a related budget analystrom the agency describing the services provided to me. Attach a copy of the certificate repayment plan developed through the agency.	r that outlined the opportunities is, and I have a certificate
2. Within the 180 days before the filing of my bankruptcy case, I recounseling agency approved by the United States trustee or bankruptcy administrator for available credit counseling and assisted me in performing a related budget analyst certificate from the agency describing the services provided to me. You must file a coagency describing the services provided to you and a copy of any debt repayment place agency no later than 15 days after your bankruptcy case is filed.	r that outlined the opportunities is, but I do not have a ppy of a certificate from the
3. I certify that I requested credit counseling services from an approved obtain the services during the five days from the time I made my request, and the foll merit a temporary waiver of the credit counseling requirement so I can file my bankru exigent circumstances here.]	owing exigent circumstances
If your certification is satisfactory to the court, you must still obtain the within the first 30 days after you file your bankruptcy petition and promptly file agency that provided the counseling, together with a copy of any debt manager through the agency. Failure to fulfill these requirements may result in dismissa extension of the 30-day deadline can be granted only for cause and is limited to Your case may also be dismissed if the court is not satisfied with your reasons case without first receiving a credit counseling briefing.	a certificate from the ment plan developed al of your case. Any o a maximum of 15 days.
<ul> <li>4. I am not required to receive a credit counseling briefing because of: [statement.] [Must be accompanied by a motion for determination by the court.]</li> <li>Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by remental deficiency so as to be incapable of realizing and making rational decompanies.</li> </ul>	eason of mental illness or
responsibilities.);	

B 1D (Official Form	1, Exh. D) (12/08) – Cont.
unable, after through the	Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being r reasonable effort, to participate in a credit counseling briefing in person, by telephone, or Internet.);
	Active military duty in a military combat zone.
· · · · · · · · · · · · · · · · · · ·	United States trustee or bankruptcy administrator has determined that the credit counseling S.C. '109(h) does not apply in this district.
I certify und	der penalty of perjury that the information provided above is true and correct.
Signature of Debtor:	s/ Frank D. McGary Frank D. McGary
Date: 7/9/2009	

responsibilities.);

# UNITED STATES BANKRUPTCY COURT

### Western District of Pennsylvania

In re Frank D. McGary Rebecca S. McGary	Case No.
Debtor(s)	(if known)
EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMEN CREDIT COUNSELING REQUI	
Warning: You must be able to check truthfully one of the f counseling listed below. If you cannot do so, you are not eligible to dismiss any case you do file. If that happens, you will lose whateve will be able to resume collection activities against you. If your case bankruptcy case later, you may be required to pay a second filing to stop creditors' collection activities.	o file a bankruptcy case, and the court can er filing fee you paid, and your creditors e is dismissed and you file another
Every individual debtor must file this Exhibit D. If a joint petition a separate Exhibit D. Check one of the five statements below and attack	
1. Within the 180 days <b>before the filing of my bankrupto</b> counseling agency approved by the United States trustee or bankruptcy for available credit counseling and assisted me in performing a related from the agency describing the services provided to me. Attach a copy repayment plan developed through the agency.	administrator that outlined the opportunities budget analysis, and I have a certificate
2. Within the 180 days before the filing of my bankrupte counseling agency approved by the United States trustee or bankruptcy for available credit counseling and assisted me in performing a related certificate from the agency describing the services provided to me. You agency describing the services provided to you and a copy of any debt agency no later than 15 days after your bankruptcy case is filed.	administrator that outlined the opportunities budget analysis, but I do not have a must file a copy of a certificate from the
3. I certify that I requested credit counseling services from obtain the services during the five days from the time I made my request merit a temporary waiver of the credit counseling requirement so I can the exigent circumstances here.]	st, and the following exigent circumstances
If your certification is satisfactory to the court, you must swithin the first 30 days after you file your bankruptcy petition and pagency that provided the counseling, together with a copy of any other of the agency. Failure to fulfill these requirements may resulextension of the 30-day deadline can be granted only for cause and Your case may also be dismissed if the court is not satisfied with grant case without first receiving a credit counseling briefing.	promptly file a certificate from the debt management plan developed t in dismissal of your case. Any d is limited to a maximum of 15 days.
<ul> <li>4. I am not required to receive a credit counseling briefing statement.] [Must be accompanied by a motion for determination by the</li> <li>Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as i mental deficiency so as to be incapable of realizing and makin</li> </ul>	court.] mpaired by reason of mental illness or

B 1D (Official Form 1, Exn. D) (12/08) – Cont.
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/ Rebecca S. McGary
Rebecca S. McGary
Date: <b>7/9/2009</b>

# United States Bankruptcy Court Western District of Pennsylvania

In re Frank D. McGary	Rebecca S. McGary	Case No.	
	Debtors	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS					
(1)  Name of creditor and complete mailing address including zip code	(2)  Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(3)  Nature of claim (trade debt, bank loan, gov- ernment contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5)  Amount of claim [if secured also state value of security]	
Randolph Peters 1650 Georgetown Place Pittsburgh, PA 15235		trade debt	DISPUTED	\$72,285.00	
Brown Bark, III, L.P. 4100 Greenbriar, Ste. 120 Stafford, TX 77497		trade debt		\$53,676.00	
Vincent & Cindy Machi 5731 Glen Hill Drive Bethel Park, PA 15102		personal loan	DISPUTED	\$45,000.00	
First Commonwealth Bank P.O. Box 400 Indiana, PA 15701-0400		trade debt		\$38,141.00	
Discover Card Business P.O. Box 15735 Wilmington, DE 19886-5735		trade debt		\$21,846.00	
Advanta Bank Corp. P.O. Box 8088 Philadelphia, PA 19101-8088		trade debt		\$15,400.00	

<sub>In re</sub> Frank D. McGary	Rebecca S. McGary	Case No.	
	Debtors	Chapter	11

## **LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(1) Name of creditor and complete	(2)  Name, telephone number and complete mailing address,	(3)  Nature of claim (trade debt,	(4) Indicate if claim is contingent,	<b>(5)</b> Amount of claim [if secured also
mailing address including zip code	including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	bank loan, gov- ernment contract, etc.)	unliquidated, disputed or subject to setoff	state value of security]
Northwest Savings Bank 2nd & Liberty Avenue Warren, PA 16365		bank loan		\$14,387.00
Chase Bank VISA Business Card P.O. Box 15548 Wilmington, DE 19886		trade debt		\$11.707.00
IB Property Holdings, LLC 4425 Ponce De Leon Blvd., 5th Floor Coral Gables, FL 33146		trade debt		\$1.00
West Mifflin School District 515 Camp Hollow Road West Mifflin, PA 15122		trade debt		\$1.00
West Mifflin Sanitary Sewer Authori 1302 Lower Bull Run Road West Mifflin, PA 15122		trade debt		\$1.00
Allegheny County Health Department 3190 Sassafras Way Pittsburgh, PA 15201		trade debt		\$1.00

In re Frank D. McGary	Rebecca S. McGary	Case No	
	Debtors	Chapter 44	

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(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, gov- ernment contract, etc.)	Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]
West Mifflin Borough c/o Richard A. Allen, Tax Collector 3000 Lebanon Church Road West Mifflin, PA 15122		trade debt		\$1.00
West Mifflin Sanitary Sewer Authori 1302 Lower Bull Run road West Mifflin, PA 15122		trade debt		\$1.00
Pennsylvania American Water P.O. Box 371412 Pittsburgh, PA 15250-7412		trade debt		\$1.00
Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15222		trade debt		\$1.00
West Mifflin Sanitary Sewer Authori 1302 Lower Bull Run Road West Mifflin, PA 15122		trade debt		\$1.00
Allegheny County 108 Courthouse Allegheny County Treasurer Pittsburgh, PA 15219		trade debt	DISPUTED	\$1.00

In re	Frank D. McGary	Rebecca S. McGary	Case No.	
		Debtors	Chapter	11

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1)

Name of creditor and complete mailing address including zip (2)

Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted (3)

Nature of claim (trade debt, bank loan, government contract, etc.) (4)

Indicate if claim is contingent, unliquidated, disputed or subject to setoff (5)

Amount of claim [if secured also state value of security]

Allied Waste Services 73 W. Noblestown Road Carnegie, PA 15106-1668 trade debt

\$1.00

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.