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# Case:12-05292-EAG11 Doc#:1 Filed:07/03/12 Entered:07/03/12 12:03:37 Desc: Main Document Page 1 of 9 United States Bankruptcy Court District of Puerto Rico

IN RE:		Case No. <u>1</u> 2	Case No. <u>12-</u>			
ΕN	IPRESAS VICMAR, INC.	Chapter 11	Chapter 11			
	Debtor					
	DISCLOSURE OF	COMPENSATION OF ATTORNEY FOR DEBT	ΓOR			
1.		2016(b), I certify that I am the attorney for the above-named debtor(s) and , or agreed to be paid to me, for services rendered or to be rendered on be ws:				
	For legal services, I have agreed to accept		\$	4,000.00		
	Prior to the filing of this statement I have received		\$	4,000.00		
	Balance Due		\$	0.00		
2.	The source of the compensation paid to me was:	Debtor Other (specify):				
3.	The source of compensation to be paid to me is: $\Box$	Debtor Other (specify):				
4.	I have not agreed to share the above-disclosed con	mpensation with any other person unless they are members and associates	of my law firm.			
	I have agreed to share the above-disclosed competogether with a list of the names of the people share.	nsation with a person or persons who are not members or associates of mring in the compensation, is attached.	y law firm. A copy o	of the agreement,		
5.	In return for the above-disclosed fee, I have agreed to a	render legal service for all aspects of the bankruptcy case, including:				
	b. Preparation and filing of any petition, schedules,	ndering advice to the debtor in determining whether to file a petition in bastatement of affairs and plan which may be required; ditors and confirmation hearing, and any adjourned hearings thereof; ings and other contested bankruptey matters;	nkruptcy;			
6.	By agreement with the debtor(s), the above disclosed f	ee does not include the following services:  CERTIFICATION				
I	certify that the foregoing is a complete statement of any	CERTIFICATION agreement or arrangement for payment to me for representation of the del	otor(s) in this bankru	otcy		
	proceeding.		"1			
	July 3, 2012	/s/ JUAN C. BIGAS VALEDON				
-	Date	JUAN C. BIGAS VALEDON 215404 Juan C Bigas PO BOX 7011 PONCE, PR 00732-7011 (787) 259-1000 Fax: (787) 842-4090 jcbigas@yahoo.com				

### UNITED STATES BANKRUPTCY COURT

# 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 <u>before</u> 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, \$46 administrative fee, \$15 trustee surcharge: Total fee \$306)

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, the United States trustee (or bankruptcy administrator), the trustee, or 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.

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.

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.

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.

### Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)

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

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.

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, \$46 administrative fee: Total fee \$1046)

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, \$46 administrative fee: Total fee \$246)

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. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy forms.html#procedure.

## B201B (Case:1)2-05292-EAG11 Doc#:1 Filed:07/03/12 Entered:07/03/12 12:03:37 Desc: Main

### Document Page 4 of 9 United States Bankruptcy Court District of Puerto Rico

IN RE:	Case No. <b>12-</b>
EMPRESAS VICMAR, INC.	Chapter 11
Debtor(s)	<u> </u>

CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE					
Certificate of [Non-Attorney]	Bankruptcy Petition	Preparer			
I, the [non-attorney] bankruptcy petition preparer signing the debte notice, as required by § 342(b) of the Bankruptcy Code.	or's petition, hereby certi	fy that I delivered to the debtor the attached			
Printed Name and title, if any, of Bankruptcy Petition Preparer Address:		Social Security number (If the bankruptcy 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.)			
X	ponsible person, or	(Required by 11 0.5.C. § 110.)			
Certificate	of the Debtor				
I (We), the debtor(s), affirm that I (we) have received and read the	attached notice, as requi	ared by § 342(b) of the Bankruptcy Code.			
EMPRESAS VICMAR, INC.	<b>X</b> /s/	7/03/2012			
Printed Name(s) of Debtor(s)	Signature of Debtor	r Date			
Case No. (if known) 12-	x				
	Signature of Joint I	Debtor (if any)  Date			

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

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United States Bankruptcy Court District of Puerto Rico					Vol	untary Petition		
Name of Debtor (if individual, enter Last, First, Middle):  EMPRESAS VICMAR, INC.				Name of Joint Debtor (Spouse) (Last, First, Middle):				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):			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-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all): 66-0497971				Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all):				
Street Address of Debtor (No. & Street, City, State CALLE C NO. AA5 ALTURAS DE RIO GRANDE	& Zip Code):	Zip Code): Street Address		ress of Joint Debtor (No. & Street, City, State & Zip Code):			ate & Zip Code):	
RIO GRANDE, PR	ZIPCODE 00	ZIPCODE <b>00745</b>						ZIPCODE
County of Residence or of the Principal Place of Bu Rio Grande			County of	County of Residence or of the Principal Place of Business:				
Mailing Address of Debtor (if different from street PO BOX 195323	address)	lress)		Mailing Address of Joint Debtor (if different from street address):			eet address):	
SAN JUAN, PR	ZIPCODE 00	919					ZIPCODE	
Location of Principal Assets of Business Debtor (if	different from st	reet address a	above):				-	
CALLE C NO. AA5, ALTURAS DE RIO	GRANDE, RI	O GRAND	E, PR					ZIPCODE <b>00745</b>
Type of Debtor (Form of Organization)		Nature of Busine (Check one box  Health Care Business Single Asset Real Estate as of U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker		Chapter of Bankruptcy Code Under the Petition is Filed (Check one bo				
(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,	Single A U.S.C. § Railroad Stockbro			n 11	Chapter 9 Roy Chapter 11 M Chapter 12 Chapter 13 Roy N		Reco Mai Cha Reco Non	pter 15 Petition for ognition of a Foreign n Proceeding pter 15 Petition for ognition of a Foreign umain Proceeding
check this box and state type of entity below.)  Chapter 15 Debtor  Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:  Tax-Exempton (Check box, if Debtor is a tax-exempton Title 26 of the United Internal Revenue Code)			debts, defined in 11 U.S.C. business debts. applicable.) § 101(8) as "incurred by an individual primarily for a personal, family, or house-			e box.) er		
Filing Fee (Check one box)						oter 11 Debtors	S	
Full Filing Fee attached  Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's  Check of Debto Check if:			is a small business debtor as defined in 11 U.S.C. § 101(51D). is not a small business debtor as defined in 11 U.S.C. § 101(51D).  aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less					
Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			applicable boxes: is being filed with this petition ances of the plan were solicited prepetition from one or more classes of creditors, in new with 11 U.S.C. § 1126(b).					
Statistical/Administrative Information  ✓ Debtor estimates that funds will be available for distribution to unsecured creditors.  □ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.  □ THIS SPACE IS FOR COURT USE ONLY distribution to unsecured creditors.						THIS SPACE IS FOR COURT USE ONLY		
5,0	00- 00 10,0	)1- 1	] 0,001- 5,000	25,001- 50,000		50,001- 100,000	Over 100,000	
\$50,000 \$100,000 \$500,000 \$1 million \$10	000,001 to \$10 0 million to \$		50,000,001 to 100 million	\$100,00 to \$500		\$500,000,001 to \$1 billion	More than \$1 billion	
Estimated Liabilities  So to \$50,001 to \$100,001 to \$500,001 to \$1. \$50,000 \$100,000 \$500,000 \$1 million \$100,000 \$1.		,000,001 \$ 50 million \$	50,000,001 to 100 million	\$100,00 to \$500		\$500,000,001 to \$1 billion	More than	

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Case:12-05292-EAG11 Doc#:1 Filed:07/03 B1 (Official Form 1) (12/11) Document	/12 Entered:07/03/12 - Page 6 of 9	12:03:37 Desc: Main Page 2			
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): EMPRESAS VICMAR, INC.				
All Prior Bankruptcy Case Filed Within Last	t 8 Years (If more than two, attac	ch additional sheet)			
Location Where Filed: <b>None</b>	Case Number:	Date Filed:			
Location Where Filed:	Case Number:	Date Filed:			
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If mor	re than one, attach additional 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 an individual whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petition, department of that I have informed the petitioner that [he or she] may proceed chapter 7, 11, 12, or 13 of title 11, United States Code, and explained the relief available under each such chapter. I further of that I delivered to the debtor the notice required by 11 U.S.C. § 3.					
	Signature of Attorney for Debtor(s)	Date			
Exhil  Does the debtor own or have possession of any property that poses or is a or safety?  Yes, and Exhibit C is attached and made a part of this petition.		at and identifiable harm to public health			
Exhibit D completed and signed by the debtor is attached and manufactured in the petition:  Exhibit D completed and signed by the debtor is attached and manufactured in the petition:  Exhibit D also completed and signed by the joint debtor is attached.	ach spouse must complete and attacked a part of this petition.	ch a separate Exhibit D.)			
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 partner, 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.					
Certification by a Debtor Who Resides as a Tenant of Residential Property  (Check all applicable boxes.)  Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)					
(Name of landlord that	(Name of landlord that obtained judgment)				
☐ Debtor claims that under applicable nonbankruptcy law, there are	(Address of landlord)  ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and				
Debtor has included in this petition the deposit with the court of a filing of the petition.	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 cert	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).				

Voluntary Petition (This page must be completed and filed in every case)	Page 7 of 9 Name of Debtor(s): EMPRESAS VICMAR, INC.		
Signa	atures		
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative		
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  Signature of Debtor  Telephone Number (If not represented by attorney)  Date	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.  X  Signature of Foreign Representative  Printed Name of Foreign Representative  Date		
Signature of Attorney*	Signature of Non-Attorney Petition Preparer		
X /s/ JUAN C. BIGAS VALEDON	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		
Signature of Attorney for Debtor(s)  JUAN C. BIGAS VALEDON 215404  Juan C Bigas PO BOX 7011 PONCE, PR 00732-7011 (787) 259-1000 Fax: (787) 842-4090	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		

### July 3, 2012

jcbigas@yahoo.com

\*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 /s/ VICENTE PEREZ SANTIAGO

Signature of Authorized Individual

### **VICENTE PEREZ SANTIAGO**

Printed Name of Authorized Individual

### PRESIDENT/SECRETARY

Title of Authorized Individual

July 3, 2012

Date

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 bankruptcy 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.)

Address

X
•

Signature

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.

# Case:12-05292-EAG11 Doc#:1 Filed:07/03/12 Entered:07/03/12 12:03:37 Desc: Main Document Page 8 of 9 United States Bankruptcy Court District of Puerto Rico

IN RE:		Case No. <u>12-</u>
EMPRESAS VICMAR, INC.		Chapter 11
	Debtor(s)	
	VERIFICATION OF CREDITOR MATRI	X
The above named debtor(s) hereby ve	erify(ies) that the attached matrix listing creditors	is true to the best of my(our) knowledge.
Date: July 3, 2012	Signature: /s/ VICENTE PEREZ SANTIAGO	
	VICENTE PEREZ SANTIAGO, PRESI	DENT/SECRETARY Debtor
Date:	Signature:	
		Joint Debtor, if any

Case:12-05292-EAG11 Doc#:1 Filed:07/03/12 Entered:07/03/12 12:03:37 Desc: Main Document Page 9 of 9

EMPRESAS VICMAR, INC. PO BOX 195323 SAN JUAN, PR 00919

Juan C Bigas PO BOX 7011 PONCE, PR 00732-7011

AMMVR GROUP, INC C/O JULIETTE DONATO 1353 AVE LUIS VIGOREAUX GUAYNABO, PR 00966

CRIM PO BOX 195387 SAN JUAN, PR 00919-5387

DEPARTMENT OF TREASURY BANKRUPTCY SECTION (424-B) PO BOX 9024140 SAN JUAN, PR 00936-0000

INTERNAL REVENUE SERVICE 2 PONCE DE LEON AVE. SUITE 1014 SAN JUAN, PR 00918-1693