Case:13-01410-11 Doc#:1 Filed:02/26/13 Entered:02/26/13 14:05:08 Desc: Main Document Page 1 of 10

United States Bankruptcy Court District of Puerto Rico						Voluntary	Petition	
Name of Debtor (if individual, enter Last, First, DESARROLLADORA JC. INC.	Middle):		Name	of Joint De	ebtor (Spouse	) (Last, First	, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  PKA HORMIGONERA JC, INC.					used by the J maiden, and		in the last 8 years ):	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 66-0648425	yer I.D. (ITIN) No./C	Complete EIN	Last fo	our digits of than one, state	f Soc. Sec. or	· Individual-	Гахрауег I.D. (ITIN) N	o./Complete EIN
Street Address of Debtor (No. and Street, City, a CARR. 528 KM 0.6 Jayuya, PR	and State):	ZIP Code	Street	Address of	Joint Debtor	(No. and St	reet, City, and State):	ZIP Code
	Г	00664	1					Zii Code
County of Residence or of the Principal Place of Jayuya	Business:		Count	y of Reside	ence or of the	Principal Pl	ace of Business:	
Mailing Address of Debtor (if different from street PO BOX 1456  Jayuya, PR	eet address):		Mailin	g Address	of Joint Debt	or (if differe	nt from street address):	
Jayuya, FK		ZIP Code	_					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):								
Type of Debtor (Form of Organization) (Check one box)		of Business one box)					otcy Code Under Whi	ch
<ul> <li>☐ Individual (includes Joint Debtors)         See Exhibit D on page 2 of this form.</li> <li>☐ Corporation (includes LLC and LLP)</li> <li>☐ Partnership</li> <li>☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	☐ Health Care Bus ☐ Single Asset Re in 11 U.S.C. § 1 ☐ Railroad ☐ Stockbroker ☐ Commodity Bro ☐ Clearing Bank	al Estate as d 01 (51B)	efined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	☐ Cl of ☐ Cl	hapter 15 Petition for R a Foreign Main Proced hapter 15 Petition for R a Foreign Nonmain Pr	eding ecognition
Chapter 15 Debtors Country of debtor's center of main interests:  Each country in which a foreign proceeding		1 0		defined	are primarily co 1 in 11 U.S.C. § ed by an indivi	(Check onsumer debts, 101(8) as	busin	are primarily ess debts.
by, regarding, or against debtor is pending:	Code (the Internal	Revenue Code	e).	I	nal, family, or		rpose."	
Filing Fee (Check one box  Full Filing Fee attached  □ Filing Fee to be paid in installments (applicable to attach signed application for the court's considerati debtor is unable to pay fee except in installments. I Form 3A.	individuals only). Must on certifying that the	Check if: Del	btor is a sn btor is not btor's aggi less than S	a small busing regate nonco \$2,343,300 (a)	debtor as definess debtor as on the control of the	ned in 11 U.S. defined in 11 U	C. § 101(51D). U.S.C. § 101(51D). Cluding debts owed to inside on 4/01/13 and every three	
Filing Fee waiver requested (applicable to chapter attach signed application for the court's considerati		st B.	ceptances	ng filed with of the plan w	this petition. were solicited process. S.C. § 1126(b).	epetition from	n one or more classes of cr	editors,
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,					USE ONLY			
there will be no funds available for distributi			- Cripense	para,				
1- 50- 100- 200-	1,000- 5,001- 5,000 10,000		25,001- 50,000	50,001- 100,000	OVER 100,000			
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million	\$50,000,001 \$ to \$100 to	1100,000,001 o \$500 nillion	\$500,000,001 to \$1 billion	More than \$1 billion			
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001 \$10,000,001 to \$10 to \$50	\$50,000,001 \$ to \$100 to	3100,000,001 0.\$500	\$500,000,001 to \$1 billion				

Case:13-01410-11 Doc#:1 Filed:02/26/13 Entered:02/26/13 14:05:08 Desc: Main

Document Page 2 of 10 B1 (Official Form 1)(12/11) Page 2 Name of Debtor(s): Voluntary Petition DESARROLLADORA JC. INC. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Date Filed: Location Where Filed: - None -Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (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 (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit 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. No. Exhibit 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 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 obtained judgment) (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 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)).

B1 (Official Form 1)(12/11) Document Page 3 of 10

## **Voluntary Petition**

(This page must be completed and filed in every case)

## Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X Signature of Debtor

X Signature of Joint Debtor

Telephone Number (If not represented by attorney)

#### Signature of Attorney\*

#### X /s/ Enrique Almeida / Zelma Davila;

Signature of Attorney for Debtor(s)

#### Enrique Almeida / Zelma Davila; 217701 / 218913

Printed Name of Attorney for Debtor(s)

Almeida & Davila, P.S.C.

Firm Name

Date

PO BOX 191757 San Juan, PR 00919-1757

Address

#### ealmeida @almeidadavila.com; zdavila @almeidadavila.com (787) 722-2500 Fax: (787) 777-1376

Telephone Number

### February 26, 2013

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### **Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_\_Signature of Auth

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

DESARROLLADORA JC. INC.

### Signatures

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

#### X /s/ JORGE COLON NAZARIO

Signature of Foreign Representative

### JORGE COLON NAZARIO, PRESIDENT

Printed Name of Foreign Representative

#### February 26, 2013

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

	Address			
X				

#### Date

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.

## CERTIFIED COPY OF RESOLUTION OF THE BOARD OF DIRECTORS OF DESARROLLADORA JC, INC. FOR THE FILING OF A PETITION FOR REORGANIZATION UNDER CHAPTER 11 OF THE BANKRUPTCY CODE

RESOLVED: Whereas the corporation is unable to meet its obligations as they mature; and

Whereas, creditors have sued and have threatened to undertake steps to obtain possession of the corportion's assests; and

Whereas, it is apparent that the continuation of the affairs of the corporation without the protection of the Bankruptcy Court could result in the corporation's demain. Now therefore,

Be it resolved that a Petition in Proceedings for Reorganization under Chapter 11 of the Bankruptcy Code be filed by the corporation and that Jorge Colón Nazario as President, be and hereby is authorized to execute on behalf of the corporation all the necessary documents for the filing of a Petition for Reorganization under chapter 11 of the Bankruptcy Code; and be it further resolved;

That pursuant to 11 U.S.C. §1107, the corporation shall exercise the rights and powers set forth therein, subject to the provisions thereof and unless the United Sttes Bankruptcy Court for the District of Puerto Rico provides or orders otherwise, the corporation will continue to operate its business and manage its affairs, as provided in 11 U.S.C. §1108.

That the firm Almeida & Dávila, P.S.C. be retained to act as counsel for the corporation in such reorganization proceedings or any other proceeding under the Bankruptcy Code.

The undersinged hereby certifies thats he is the Secretary of DESARROLLADORA JC, INC., and that the above is a true and correct copy of a resolution adopted by the Board of Directors of said corporation at a duly constituted meeting held on the 20TH day of FEBRUARY, 2013, in accordance with its corporate regulations; that quorum was present at said meeting; that said resolution has not been revoked, modified, annulled or amended in any manner whatsoever.

#### CORPORATE RESOLUTION

In witness hereof, I have hereunto set my hand this 26 day of February, 2013.

JORGE COLON NAZARIO

SECRETARY OF DESARROLLADORA JC, INC.

I, Jorge Colón Nazario, Secretary of Desarrolladora JC, Inc., of legal age, single and resident of Jayuya, Puerto Rico, do hereby certify under penalty of perjury that the statements contained in the foregoing document are true according to the best of my knowledge, information and belief.

In San Juan, Puerto Rico this 26 day of February, 2013.

SECRETARY OF DESARROLLADORA JC. INC.

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

# United States Bankruptcy Court District of Puerto Rico

In re	DESARROLLADORA JC. INC.			
		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]
BANCO POPULAR-V BANKRUPTCY DEPT. PO BOX 366818	BANCO POPULAR-V BANKRUPTCY DEPT. PO BOX 366818			642,001.00 (0.00 secured)
San Juan, PR 00936-6818 BANCO POPULAR-V BANKRUPTCY DEPT. PO BOX 366818 San Juan, PR 00936-6818	San Juan, PR 00936-6818  BANCO POPULAR-V BANKRUPTCY DEPT. PO BOX 366818 San Juan, PR 00936-6818			201.76
Jan Juan, FN 00330-0010	Jan Juan, FN 00330-0010			

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B4 (Offic	rial Form 4) (12/07) - Cont.		
In re	DESARROLLADORA JC. INC.	Case No.	
	Debto	r(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, the PRESIDENT of the corporation named as 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 26, 2013	Signature	/s/ JORGE COLON NAZARIO	
			JORGE COLON NAZARIO	
			PRESIDENT	

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.

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# United States Bankruntcy Court

	Cinc	District of Puerto Rico	Court	
In re	DESARROLLADORA JC. INC.		Case No	
-		Debtor	, Chapter	11
	LIST O	F EQUITY SECURITY	HOLDERS	
Follo	wing is the list of the Debtor's equity security	holders which is prepared in accor	dance with Rule 1007(a)(3	3) for filing in this chapter 11 case
	ne and last known address place of business of holder	Security Class	Number of Securities	Kind of Interest
PO	RGE COLON NAZARIO-V BOX 1456 uya, PR 00664-2456		100%	
DE	CLARATION UNDER PENALTY (	OF PERJURY ON BEHAL	F OF CORPORATI	ON OR PARTNERSHIP
	I, the PRESIDENT of the corporation the foregoing List of Equity Security Ho			
Date	February 26, 2013	Jo	s/ JORGE COLON NAZ DRGE COLON NAZARI RESIDENT	
	Penalty for making a false statement or conc	ealing property: Fine of up to \$ 18 U.S.C §§ 152 and 35		at for up to 5 years or both.

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## United States Bankruptcy Court District of Puerto Rico

In re <b>DESARROLLADORA JC. INC.</b>		Case No.
	Debtor(s)	Chapter 11
VERI	FICATION OF CREDITOR	MATRIX
, EI		
I, the PRESIDENT of the corporation name	ed as the debtor in this case, hereby verify the	nat the attached list of creditors is true and
correct to the best of my knowledge.		
Date: <b>February 26, 2013</b>	/s/ JORGE COLON NAZARIO	ECIDENT
	JORGE COLON NAZARIO/PRI Signer/Title	ESIDENI

DESARROLLADORA JC. INC. PO BOX 1456 JAYUYA, PR 00664-2456

ENRIQUE ALMEIDA / ZELMA DAVILA; ALMEIDA & DAVILA, P.S.C. PO BOX 191757 SAN JUAN, PR 00919-1757

ALYS COLLAZO BOUGEOIS, ESQ.-V PO BOX 331429 PONCE, PR 00733-1429

BANCO POPULAR-V BANKRUPTCY DEPT. PO BOX 366818 SAN JUAN, PR 00936-6818

CORP. FONDO DEL SEGURO DEL ESTADO-V PO BOX 365028 SAN JUAN, PR 00936-5028

CRIM-V PO BOX 195387 SAN JUAN, PR 00919-5387

INTERNAL REVENUE SERVICE-V PO BOX 7346 PHILADELPHIA, PA 19101-7346

MUNICIPIO DE JAYUYA-V PO BOX 488 JAYUYA, PR 00664

PR TREASURY DEPARTMENT-V BANKRUPTCY SECTION (SUITE 1504) 235 AVE ARTERIAL HOSTOS SAN JUAN, PR 00918 Case:13-01410-11 Doc#:1 Filed:02/26/13 Entered:02/26/13 14:05:08 Desc: Main Document Page 10 of 10

## United States Bankruptcy Court District of Puerto Rico

In re	DESARROLLADORA JC. INC.		Case No.	
		Debtor(s)	Chapter	11
	CORPORAT	E OWNERSHIP STATEMENT (	RULE 7007.1)	
or rec	nant to Federal Rule of Bankruptcy Procusal, the undersigned counsel for <u>Di</u> wing is a (are) corporation(s), other the of any class of the corporation's(s') ed	<b>ESARROLLADORA JC. INC.</b> in the lan the debtor or a governmental unit	above captioned it, that directly direc	d action, certifies that the or indirectly own(s) 10% or
■ N	None [Check if applicable]			
Febr	uary 26, 2013	/s/ Enrique Almeida / Zelma Dav	ila;	
Date	;	Enrique Almeida / Zelma Davila;		3
		Signature of Attorney or Litiga Counsel for <b>DESARROLLADO</b>		
		Almeida & Davila, P.S.C.	OKA JC. INC.	
		PO BOX 191757		
		San Juan, PR 00919-1757 (787) 722-2500 Fax:(787) 777-13	76	
		ealmeida@almeidadavila.com; z		idavila.com