# 

B1 (Official Form 1) (1/08)

	TED STATES B SOUTHERN DIS HOUSTO		<b>TEXAS</b>					tary Petition
Name of Debtor (if individual, enter Last, First, <b>Pham &amp; Do Investments, Inc</b>	Middle):			Name	of Joint Debtor (Sp	oouse) (Last, First, N	/liddle):	
All Other Names used by the Debtor in the last (include married, maiden, and trade names):  dba Emery's Seafood; dba Emery		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 than one, state all): xx-xxx6133	ayer I.D. (ITIN) No./C	omplete EIN (if	more	Last fo than or	ur digits of Soc. Sone, state all):	ec. or Individual-Taxp	payer I.D. (ITIN) N	o./Complete EIN (if more
Street Address of Debtor (No. and Street, City, 109 Waterfront Drive Seabrook, TX	and State):			Street	Address of Joint D	lebtor (No. and Stree	t, City, and State)	):
		ZIP CODE 77586						ZIP CODE
County of Residence or of the Principal Place of Harris	of Business:			County	of Residence or o	of the Principal Place	of Business:	
Mailing Address of Debtor (if different from street 1907 Islander Way Seabrook, TX	et address):			Mailing	Address of Joint	Debtor (if different fro	m street address	):
		ZIP CODE <b>77586</b>						ZIP CODE
Location of Principal Assets of Business Debto	r (if different from str	eet address abo	ove):					•
								ZIP CODE
Type of Debtor	Nature	of Business			Chapter o	f Bankruptcy Co	de Under Whi	ch
(Form of Organization) (Check one box.)	l — '	k one box.)				etition is Filed (		
	Health Care B	usiness Real Estate as c	defined	=	Chapter 7		Chapter 15	Petition for Recognition
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.	in 11 U.S.C. §		ienneu		Chapter 9 Chapter 11			Main Proceeding
✓ Corporation (includes LLC and LLP)	Railroad			_	hapter 12		Chapter 15	Petition for Recognition
☐ Partnership	Stockbroker  Commodity B	roker			hapter 13		of a Foreign	Nonmain Proceeding
Other (If debtor is not one of the above	Clearing Bank			_		Nature of	Debts	
entities, check this box and state type of entity below.)	Other					(Check or	ne box.)	
or oracly bolow.	I <del>-</del>	empt Entity			ebts are primarily ebts, defined in 11		Debts are p business de	
		ox, if applicable. c-exempt organ		§	101(8) as "incurrendividual primarily f	ed by an		
	under Title 26	of the United S	States	р	ersonal, family, or			
Filing Fee (Che	,	ernal Revenue (	Jode).		old purpose."	Chapter 11	Debtors	
✓ Full Filing Fee attached.	,			_	k one box:	usiness debtor as def		8 101/51D)
						all business debtor as		
Filing Fee to be paid in installments (appl signed application for the court's conside	ration certifying that t	he debtor is		Chec	k if:			
unable to pay fee except in installments.	Rule 1006(b). See (	Official Form 3A	١.			noncontigent liquida are less than \$2,190		ing debts owed to
Filing Fee waiver requested (applicable to					k all applicabl		-	
attach signed application for the court's c	orisideration. See O	IIICIAI FUIIII 3D.			plan is being filed	•		
				□ å	cceptances of the f creditors, in acco	plan were solicited pordance with 11 U.S.	orepetition from or C. § 1126(b).	ne or more classes
Statistical/Administrative Information								THIS SPACE IS FOR COURT USE ONLY
Debtor estimates that funds will be availa  Debtor estimates that, after any exempt puthere will be no funds available for distributions.	roperty is excluded a	and administrati		es paid,				COOKT OSE ONET
Estimated Number of Creditors								
1-49 50-99 100-199 200-999	1,000- 5,000	5,001- 10,000	10,001- 25,000		 25,001- 50,000	50,001- Ove 100,000 100	er 0,000	
Estimated Assets								
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 mill		\$10,000,001 to \$50 million	\$50,000 to \$100		\$100,000,001 to \$500 million		re than billion	
Estimated Liabilities								
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001	\$10,000,001 to \$50 million	\$50,000 to \$100	,001	\$100,000,001 to \$500 million	\$500,000,001 Mo	re than	

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Bi (Giliciai i Gilli i) (1700)		r aye z
Voluntary Petition	Name of Debtor(s): Pham & Do Inve	estments, Inc
(This page must be completed and filed in every case.)		
All Prior Bankruptcy Cases Filed Within Last	<b>8 Years</b> (If more than two, attach add	itional sheet.)
Location Where Filed: None	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 more the	nan one, attach additional sheet.)
Name of Debtor:	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.	(To be completed if	proceed under chapter 7, 11, 12, or 13 proceed under chapter 7, 11, 12, or 13 proceed under each
	X	
		Date
Does the debtor own or have possession of any property that poses or is alleged to pose  Yes, and Exhibit C is attached and made a part of this petition.  No.	i <b>lbit C</b> a threat of imminent and identifiable harm to μ	public health or safety?
Exh	ibit D	
(To be completed by every individual debtor. If a joint petition is filed, each  Exhibit D completed and signed by the debtor is attached and ma	·	eparate Exhibit D.)
If this is a joint petition:  Exhibit D also completed and signed by the joint debtor is attached.	ed and made a part of this petition.	
l	ng the Debtor - Venue	
(Check any a  ☐ Debtor has been domiciled or has had a residence, principal place of because the preceding the date of this petition or for a longer part of such 180 days		strict for 180 days immediately
There is a bankruptcy case concerning debtor's affiliate, general partners	•	ct.
Debtor is a debtor in a foreign proceeding and has its principal place o principal place of business or assets in the United States but is a deferor the interests of the parties will be served in regard to the relief sough	ndant in an action or proceeding [in a f	· · · · · · · · · · · · · · · · · · ·
Certification by a Debtor Who Reside	•	ty
(Check all application of Landlord has a judgment against the debtor for possession of debtor's	plicable boxes.) residence. (If box checked, complete	the following.)
1)	Name of landlord that obtained judgme	nt)
_		
	Address of landlord)	
Debtor claims that under applicable nonbankruptcy law, there are circumonetary default that gave rise to the judgment for possession, after the		•
Debtor has included in this petition the deposit with the court of any repetition.	nt that would become due during the 30	0-day period after the filing of the
Debtor certifies that he/she has served the Landlord with this certificati	ion. (11 U.S.C. § 362(I))	

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Voluntary Petition	Name of Debtor(s): Pham & Do Investments, Inc
(This page must be completed and filed in every case)	
Siç	natures
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	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.
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).	(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.
I 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 this petition. A certified copy of the order granting
X	recognition of the foreign main proceeding is attached.
	X
X	(Signature of Foreign Representative)
Telephone Number (If not represented by attorney)	(Printed Name of Foreign Representative)
Date	Date
Signature of Attorney*	Signature of Non-Attorney Bankruptcy Petition Preparer
X	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
The Pope Law Firm 6201 Bonhomme Road Suite 252-N Houston, Texas 77036	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 filling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
Phone No. <b>(713) 589-5266</b> Fax No	
10/06/2009	Printed Name and title, if any, of Bankruptcy Petition Preparer
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.	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.)
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.	Address X
Pham & Do Investments, Inc	^
	Date
X /s/ Nga T. Pham Signature of Authorized Individual	Signature of bankruptcy petiton preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.
Nga T. Pham	Names and Social-Security numbers of all other individuals who prepared or
Printed Name of Authorized Individual	assisted in preparing this document unless the bankruptcy petition preparer is not an individual.
Vice President and Secretary	
Title of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
<b>10/06/2009</b> Date	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.

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B6D (Official Form 6D) (12/07) In re Pham & Do Investments, Inc

Case No.	
	(if known)

#### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

☐ Check this box	X II C	Jebu	or has no creditors holding secured claims	ιο	rep	oπ	on this Schedule L	).
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #: Sterling Bank PO Box 40333 Houston, Texas 77240	x		DATE INCURRED: NATURE OF LIEN: Non-Purchase Money COLLATERAL: 109 Waterfront Drive & 215 3rd Street REMARKS: 109 Waterfront Drive, Seabrook, Texas 77586 215 3rd Street, Kemah, Texas 77565 (Combined Value of approximately \$2,000,000)				\$727,073.55	
			VALUE: \$2,000,000.00					
			\$2, <b>000</b> , <b>000.00</b>					
			Subtotal (Total of this I	Pag	ie) :	$\Box$	\$727,073.55	\$0.00
			Total (Use only on last	_			\$727,073.55	\$0.00
Nocontinuation sheets attached					•	•	(Report also on Summary of	(If applicable, report also on

Schedules.)

Statistical Summary of Certain Liabilities and Related Data.)

B6E (Official Form 6E) (12/07)

In re Pham & Do Investments, Inc

Case No.	
	(If Known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

✓	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
ΤY	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)
	Domestic Support Obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals  Claims of individuals up to \$2,425* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and Certain Other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).
	Claims for Death or Personal Injury While Debtor Was Intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).
	Administrative allowances under 11 U.S.C. Sec. 330 Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. §§ 326, 328, 329 and 330.
	nounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of astment.
	No continuation sheets attached

## 

B6F (Official Form 6F) (12/07) In re Pham & Do Investments, Inc

Case No.		
	(if known)	

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

			<u> </u>				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCT#: DL Hammaker 3927 Browning Street Houston, Texas 77005			DATE INCURRED: CONSIDERATION: Notice Only REMARKS: Substitute Trustee				Notice Only
ACCT#: Suncoast Resources 6922 Cavalcade Houston, Texas 77028			DATE INCURRED: CONSIDERATION: Outstanding Debt REMARKS:				Unknown
			Sul	otot	al >	•	\$0.00
continuation sheets attached		(Rep	(Use only on last page of the completed Sch ort also on Summary of Schedules and, if applicable Statistical Summary of Certain Liabilities and Relate	edu e, o	n th	F.) ie	\$0.00

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B6 Summary (Official Form 6 - Summary) (12/07)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re Pham & Do Investments, Inc

Case No.

Chapter 11

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	No	0			
B - Personal Property	No	0			
C - Property Claimed as Exempt	No			•	
D - Creditors Holding Secured Claims	Yes	1		\$727,073.55	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		\$0.00	
G - Executory Contracts and Unexpired Leases	No	0			
H - Codebtors	No	0			
I - Current Income of Individual Debtor(s)	No				N/A
J - Current Expenditures of Individual Debtor(s)	No				N/A
	TOTAL	3	\$0.00	\$727,073.55	

## Case 09-37625 Document 1 Filed in TXSB on 10/06/09 Page 8 of 11

B6 Declaration (Official Form 6 - Declaration) (12/07) In re **Pham & Do Investments, Inc** 

Case No.	
	(if known)

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

·	DECLARATION UNDER PENALTY OF PI	ERJURY ON BEHALF OF	A CORPORATION OR PARTNERSHIP
I, the	Vice President and Secretary	of the	Corporation
named as debto	or in this case, declare under penalty of pe	rjury that I have read the fo	regoing summary and schedules, consisting of
4	sheets, and that they are true an	d correct to the best of my	knowledge, information, and belief.
(Total shown on sum	mary page plus 1.)	•	
Date 10/06/200	9	Signature /s/ Nga T.	Pham
		Nga T. Phai	n
		Vice Presid	ent and Secretary
[An individual si	gning on behalf of a partnership or corpora	ation must indicate position	or relationship to debtor.]

#### Case 09-37625 Document 1 Filed in TXSB on 10/06/09 Page 9 of 11

B4 (Official Form 4) (12/07)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: Pham & Do Investments, Inc Case No.

Chapter 11

(4)

#### 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).

	Name of creditor and complete	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar	(3)	Indicate if claim is contingent, unliquidated, disputed, or	(5) Amount of claim [if			
	mailing address, including zip code	with claim who may be contacted	Nature of claim (trade debt, bar goverment contract, etc.)	subject to setoff	secured also state value of security]			
Suncoast Resources 6922 Cavalcade Houston, Texas 77028  DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP								
	I, the Vice Pre	sident and Secretary	of the	Corporation				
	named as the debtor in this case best of my information and belie	e, declare under penalty of pe	rjury that I have read the forego	•	ue and correct to the			
ı	Date: 10/06/2009	Signate	ure: /s/ Nga T. Pham					
			Nga T. Pham Vice President and Secr	etary				

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# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: Pham & Do Investments, Inc CASE NO

CHAPTER 11

## **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date	10/06/2009		/s/ Nga T. Pham Nga T. Pham Vice President and Secretary
Date		Signature	

Case 09-37625 Document 1 Case No: Pham & Do Investments, Inc Case No: Chapter: 11 Filed in TXSB on 10/06/09 Page 11 of 11 SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

DL Hammaker 3927 Browning Street Houston, Texas 77005

Doi Thi Do 9802 Airline Drive, Suite C Houston, Texas 77037

Duc Van Pham & Tuyen T. Pham PO Box 838 Seabrook, Texas 77586

Sterling Bank PO Box 40333 Houston, Texas 77240

Suncoast Resources 6922 Cavalcade Houston, Texas 77028