8/07/09	3:39PM

	l States Bankr stern District of V					Voluntary Petition
Name of Debtor (if individual, enter Last, Fin Rodriguez, Hilda C	st, Middle):		Name	of Joint De	ebtor (Spouse	e) (Last, First, Middle):
Il Other Names used by the Debtor in the la nclude married, maiden, and trade names): AKA El Cazador - Burlington; AK Restaurants; AKA El Cazador Me	A El Cazador Mexi					Joint Debtor in the last 8 years l trade names):
ast four digits of Soc. Sec. or Individual-Tax more than one, state all) <b>xxx-xx-7837</b>	.payer I.D. (ITIN) No./C	Complete EIN		our digits o e than one, s		r Individual-Taxpayer I.D. (ITIN) No./Complete
treet Address of Debtor (No. and Street, City 2609 River Vista Loop Mount Vernon, WA	, and State):		Street	Address of	Joint Debto	r (No. and Street, City, and State):
	5	ZIP Code 98273	-			ZIP Coo
ounty of Residence or of the Principal Place <b>Skagit</b>			Count	y of Reside	ence or of the	Principal Place of Business:
Address of Debtor (if different from	street address):		Mailin	g Address	of Joint Deb	tor (if different from street address):
	Г	ZIP Code	-			ZIP Cod
ocation of Principal Assets of Business Deb if different from street address above):	or		•			·
<b>Type of Debtor</b> (Form of Organization)		of Business				r of Bankruptcy Code Under Which Petition is Filed (Check one box)
<ul> <li>(Check one box)</li> <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> </ul>	<ul> <li>☐ Health Care Bus</li> <li>☐ Single Asset Re</li> <li>in 11 U.S.C. § 1</li> <li>☐ Railroad</li> <li>☐ Stockbroker</li> <li>☐ Commodity Bro</li> <li>☐ Clearing Bank</li> </ul>	eal Estate as d 101 (51B)	efined	<ul> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> <li>Chapt</li> </ul>	er 9 er 11 er 12	<ul> <li>Chapter 15 Petition for Recognition of a Foreign Main Proceeding</li> <li>Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding</li> </ul>
Other (If debtor is not one of the above entitie: check this box and state type of entity below.)	Tax-Exer	of the United S	States	defined "incurr	d in 11 U.S.C. red by an indiv	Nature of Debts (Check one box) onsumer debts, § 101(8) as idual primarily for household purpose."
Filing Fee (Check Full Filing Fee attached Filing Fee to be paid in installments (appl attach signed application for the court's co is unable to pay fee except in installments Filing Fee waiver requested (applicable to attach signed application for the court's co	icable to individuals onl nsideration certifying th . Rule 1006(b). See Offic chapter 7 individuals o	hat the debtor cial Form 3A. only). Must	Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptance	not a small b aggregate no s or affiliates ble boxes: being filed w ces of the pla	Chapter 11 Debtors ness debtor as defined in 11 U.S.C. § 101(51D). business debtor as defined in 11 U.S.C. § 101(511) ncontingent liquidated debts (excluding debts ow ) are less than \$2,190,000. with this petition. an were solicited prepetition from one or more accordance with 11 U.S.C. § 1126(b).
<ul> <li>tatistical/Administrative Information</li> <li>Debtor estimates that funds will be availal</li> <li>Debtor estimates that, after any exempt pr there will be no funds available for distribution</li> </ul>	operty is excluded and a	secured credi administrative	tors.	es paid,		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors	□ □ 1,000- 5,001- 5,000 10,000		<b>]</b> 5,001- 0,000	□ 50,001- 100,000	OVER 100,000	
$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$	5,000 10,000					1
1- 50- 100- 200-	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to	] 100,000,001 5500 hillion	\$500,000,001 to \$1 billion		

B1 (Official Forn	n 1)(1/08)		Page 2		
Voluntary	oluntary Petition Name of Debtor(s): Rodriguez, Hilda C				
(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 ad	ditional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pen	ding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	one, attach additional sheet)		
Name of Debto - None -	r:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
Exhibit A       Exhibit B         (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.)       (To be completed if debtor is an individual whose debts are primarily consumer debts.)         Image: Description of 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.)       (To be completed if debtor is an individual whose debts are primarily consumer debts.)         Image: Description of the securities of the securities Exchange Act of 1934 and is requesting relief under chapter 11.)       (To be completed if debtor is an individual whose debts are primarily consumer debts.)         Image: Description of the securities Exchange Act of 1934 and is requesting relief under chapter 11.)       (To be completed if debtor is an individual whose debts are primarily consumer debts.)         Image: Description of the securities Exchange Act of 1934 and is requesting relief under chapter 11.)       (To be completed if debtor is an individual whose debts are primarily consumer debts.)         Image: Description of this petition.       (To be completed if debtor is an individual whose debts are primarily consumer debts.)         Image: Description of the securities Exchange Act of 1934 and is requesting relief under chapter 11.)       (To be completed if debtor is an individual whose debtor the notion required by 11 U.S.C. §342(b).         Image: Description of Attorney for Debtor(s)       (Date)   <					
			(Date)		
	Exh own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	ibit C pose a threat of imminent and identifiable	harm to public health or safety?		
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 Regardin	g the Debtor - Venue			
	(Check any ap	plicable 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.					
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (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, the				
<ul> <li>the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and</li> <li>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.</li> </ul>					
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).					

B1 (Official Form 1)(1/08)	Page 3
Voluntary Petition	Name of Debtor(s): Rodriguez, Hilda C
(This page must be completed and filed in every case)	
Sig	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 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.	<ul> <li>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.</li> <li>(Check only one box.)</li> <li>□ 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.</li> <li>□ 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.</li> </ul>
X /s/ Hilda C Rodriguez	X
Signature of Debtor Hilda C Rodriguez	
X	Printed Name of Foreign Representative
Signature of Joint Debtor	Date
Telephone Number (If not represented by attorney)	
	Signature of Non-Attorney Bankruptcy Petition Preparer
August 7, 2009	I declare under penalty of perjury that: (1) I am a bankruptcy petition
Date Signature of Attorney*	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
X /s/ Cynthia A. Kuno	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
Signature of Attorney for Debtor(s)	of the maximum amount before preparing any document for filing for a
Cynthia A. Kuno 17217 Printed Name of Attorney for Debtor(s)	debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.
-	
Crocker Kuno PLLC	Printed Name and title, if any, of Bankruptcy Petition Preparer
720 Olive Way #1000 Seattle, WA 98101	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.)
206-624-9894 Fax: 206-624-8598 Telephone Number August 7, 2009	
Date	Address
*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.	X
Signature of Debtor (Corporation/Partnership)	Date
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.	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
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	assisted in preparing this document unless the bankruptcy petition preparer is not an individual:
X	
Signature of Authorized Individual	If more than one person prepared this document, attach additional sheets
Printed Name of Authorized Individual	conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of
Title of Authorized Individual	A bankrupicy 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.
Date	
Case 09-18005-TTG Doc 1 Filed 08/07/0	09 Entered 08/07/09 15:42:15 Page 3 of 18

8/07/09 3:39PM

B 1D(Official Form 1, Exhibit D) (12/08)

## United States Bankruptcy Court Western District of Washington

In re Hilda C Rodriguez

Debtor(s)

Case No. Chapter

11

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.* 

■ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

 $\Box$  2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.* 

 $\Box$  3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Software Copyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-8037 Best

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

 $\Box$  Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

 $\Box$  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/ Hilda C Rodriguez Hilda C Rodriguez

Date: August 7, 2009

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Certificate Number: 01356-WAW-CC-007897229

## **CERTIFICATE OF COUNSELING**

I CERTIFY that on <u>August 3, 2009</u>	, at	8:59	o'clock <u>PM EDT</u> ,
Hilda Rodriguez		received fr	rom
Hummingbird Credit Counseling and Education	n, Inc.		,
an agency approved pursuant to 11 U.S.C. §	111 to	provide credit co	ounseling in the
Western District of Washington	, aı	n individual [or g	group] briefing that complied
with the provisions of 11 U.S.C. §§ 109(h) a	and 111.		
A debt repayment plan was not prepared If a debt repayment plan was prepared, a copy of			
the debt repayment plan is attached to this c	ertificat	e.	
This counseling session was conducted by internet and telephone.			
Date: <u>August 3, 2009</u>	By	/s/Tapekia Gear	
	Name	Tapekia Gear	
	Title	Certified Counse	lor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

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United States Bankruptcy Court Western District of Washington

In re Hilda C Rodriguez

Debtor(s)

Case No. 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]
Wells Fargo POB 30086 Los Angeles, CA 90030-0086	Wells Fargo POB 30086 Los Angeles, CA 90030-0086	Credit card purchases		8,691.68
Chase POB 94014 Palatine, IL 60094	Chase POB 94014 Palatine, IL 60094	Credit card purchases		8,069.73
Skagit County Treasurer PO Box 518 Mt. Vernon, WA 98273	Skagit County Treasurer PO Box 518 Mt. Vernon, WA 98273	2. Commerical Poperty 481 South Burlington BLVD Burlington, Washington Tax ID #P62648 (Cross- collateralized with commercial property #1 Skagit Sta		5,469.21 (0.00 secured) (279,880.00 senior lien)
Home Depot POB 689100 Des Moines, IA 50368	Home Depot POB 689100 Des Moines, IA 50368	Credit card purchases		5,081.70
Citi Cards POB 6000 The Lakes, NV 88901	Citi Cards POB 6000 The Lakes, NV 88901	Credit card purchases		4,233.86
Johnson & Shute, PS 2950 Northup Way Suite 200 Bellevue, WA 98004	Johnson & Shute, PS 2950 Northup Way Suite 200 Bellevue, WA 98004	Trade Vendor		2,212.00
City of Burlington 833 S Spruce St Burlington, WA 98233	City of Burlington 833 S Spruce St Burlington, WA 98233	Trade Vendor		2,207.11
Island Hospital 1211 24th ST Anacortes, WA 98221	Island Hospital 1211 24th ST Anacortes, WA 98221	Medical services/expenses		2,197.36
Restaurant Technologies Inc 12962 Collections Ctr Dr Chicago, IL 60693	Restaurant Technologies Inc 12962 Collections Ctr Dr Chicago, IL 60693	Trade Vendor		1,878.42

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Debtor(s)

Case No.

## 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]
Sears POB 6283 Sioux Falls, SD 57117-6283	Sears POB 6283 Sioux Falls, SD 57117-6283	Credit card purchases		1,789.15
Puget Sound Energy BOT-01H PO Box 91269 Bellevue, WA 98009	Puget Sound Energy BOT-01H PO Box 91269 Bellevue, WA 98009	Trade Vendor		1,366.87
Autochlor 720 132nd St SW Everett, WA 98204	Autochlor 720 132nd St SW Everett, WA 98204	Trade Vendor		1,143.78
Cascade Natural Gas PO Box 34344 Seattle, WA 98124	Cascade Natural Gas PO Box 34344 Seattle, WA 98124	Trade Vendor		1,015.54
Idearc Media PO Box 619009 DFW Airport, TX 75261	Idearc Media PO Box 619009 DFW Airport, TX 75261	Trade Vendor		887.40
Waste Management 13225 NE 126th Kirkland, WA 98034	Waste Management 13225 NE 126th Kirkland, WA 98034	Trade Vendor		837.87
Skagit Valley Publishing PO Box 578 Mt. Vernon, WA 98274	Skagit Valley Publishing PO Box 578 Mt. Vernon, WA 98274	Trade Vendor		733.00
Power Electric 13805 11th Ave NE Tulalip, WA 98271	Power Electric 13805 11th Ave NE Tulalip, WA 98271	Trade Vendor		700.00
Muzak, LLC PO Box 71070 Charlotte, NC 28272	Muzak, LLC PO Box 71070 Charlotte, NC 28272	Trade Vendor		613.18
Airgas - Nor Pac 11900 NE 95th St Suite 400 Vancouver, WA 98682	Airgas - Nor Pac 11900 NE 95th St Suite 400 Vancouver, WA 98682	Trade Vendor		552.76
Smith Mechanical 6146 Portal Way Ferndale, WA 98248	Smith Mechanical 6146 Portal Way Ferndale, WA 98248	Trade Vendor		544.87

Debtor(s)

Case No.

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS (Continuation Sheet)

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

I, **Hilda C Rodriguez**, 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 August 7, 2009

Signature /s/ Hilda C Rodriguez Hilda C Rodriguez Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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## UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WASHINGTON

## 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

#### <u>Chapter 7</u>: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

1. 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, 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.

2. 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.

3. 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.

4. 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.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

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

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Best Case Bankruptcy

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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.

2. 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.

3. 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, \$39 administrative fee: Total fee \$1039)

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, \$39 administrative fee: Total fee \$239)

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.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Cynthia A. Kuno 17217	X /s/ Cynthia A. Kuno	August 7, 2009
Printed Name of Attorney	Signature of Attorney	Date
Address:		
720 Olive Way #1000		
Seattle, WA 98101		

#### **Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received a

#### Hilda C Rodriguez

206-624-9894

Printed Name(s) of Debtor(s)

Case No. (if known)

and read this notice.	
$\rm X$ /s/ Hilda C Rodriguez	August 7, 2009
Signature of Debtor	Date

Signature of Joint Debtor (if any)

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Best Case Bankruptcy

Date

## United States Bankruptcy Court Western District of Washington

In re Hilda C Rodriguez

Debtor(s)

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: August 7, 2009

/s/ Hilda C Rodriguez Hilda C Rodriguez

Signature of Debtor

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ATTORNEY GENERAL BANKRUPTCY/COLLECTION UNIT 800 FIFTH AVE #2000 SEATTLE, WA 98104

AUTOCHLOR 720 132ND ST SW EVERETT, WA 98204

BAKER COMMODITIES, INC. PO BOX 58368 SEATTLE, WA 98138

BARRETT LEASING WHITE FLAG BLDG #120A 104 S FREYA SPOKANE, WA 99202

BECU POB 97050 SEATTLE, WA 98124

BIO BUG PEST MANAGEMENT 1331 MEADOR AVE 101 BELLINGHAM, WA 98229

CASCADE NATURAL GAS PO BOX 34344 SEATTLE, WA 98124

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CHASE POB 94014 PALATINE, IL 60094

CITI CARDS POB 6000 THE LAKES, NV 88901

CITY OF BURLINGTON 833 S SPRUCE ST BURLINGTON, WA 98233

CN COLLECTIONS, INC. POB 569 LYNNWOOD, WA 98046

COMCAST PO BOX 347744 SEATTLE, WA 98124

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GIA CAPITAL, INC. GREYSTONE BUSINESS RESOURCES 3993 HOWARD HUGHES PKWY SUITE 250 LAS VEGAS, NV 89169

GUARDIAN SECURITY 1743 1ST AVE S SEATTLE, WA 98134

HOME DEPOT POB 689100 DES MOINES, IA 50368

HOME TOWN VALUES 221 STATE AVE #C-309 MARYSVILLE, WA 98270 IDEARC MEDIA PO BOX 619009 DFW AIRPORT, TX 75261

IRS CENTRALIZED INSOLVENCY OPS POB 21126 PHILADELPHIA, PA 19114

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