

B1 (Official Form 1)(1/08)

United States Bankruptcy Court District of Massachusetts		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>Da Silva, Marlene</b>		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): <b>AKA Marlene Da Silva; AKA Marlene DaSilva</b>		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) No./Complete EIN (if more than one, state all) <b>xxx-xx-3929</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>11 Warren Rd Framingham, MA</b>		Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>01702</b>		ZIP Code
County of Residence or of the Principal Place of Business: <b>Middlesex</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):
ZIP Code		ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):		
<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <hr/> <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee</b> (Check one box)  <input type="checkbox"/> Full Filing Fee attached <input checked="" type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> 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
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000		
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$50 million <input type="checkbox"/> \$10,000,001 to \$100 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		



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

Name of Debtor(s):  
**Da Silva, Marlene**

**Signatures**

**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 /s/ Marlene Da Silva**  
Signature of Debtor **Marlene Da Silva**

**X**  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**October 8, 2009**  
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\***

**X /s/ Carmenelisa Perez-Kudzma**  
Signature of Attorney for Debtor(s)

**Carmenelisa Perez-Kudzma 633520**  
Printed Name of Attorney for Debtor(s)

**Carmenelisa Perez-Kudzma**  
Firm Name

**Arecibo #349  
Urb. La Cumbre  
Orlando, FL 00926**

Address

**Email: attorney.carmenelisa@gmail.com**

**978-505-3333**  
Telephone Number

**October 8, 2009**  
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 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 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**  
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.*

**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 Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
District of Massachusetts**

In re Marlene Da Silva

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)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Bank of America P.O. Box 1598 Norfolk, VA 23501	Bank of America P.O. Box 1598 Norfolk, VA 23501	Credit Card Purchases		10,890.00
Bank of America P.O. Box 1598 Norfolk, VA 23501	Bank of America P.O. Box 1598 Norfolk, VA 23501	Credit Card Purchases		3,216.00
Bank of America 4161 Piedmont Parkway Greensboro, NC 27410	Bank of America 4161 Piedmont Parkway Greensboro, NC 27410	Line of Credit		1,091.00
Chase P.O. Box 15298 Wilmington, DE 19850	Chase P.O. Box 15298 Wilmington, DE 19850	Credit Card Purchases		11,153.00
Chase 201 N Walnut Street #DE1-10 Wilmington, DE 19801	Chase 201 N Walnut Street #DE1-10 Wilmington, DE 19801	(2003 Ford Heavy Duty 68,400 miles) (In debtor's name but owned by Agilson Silveira) Location: 11 Warren Rd, Framingham MA		15,468.00  (7,600.00 secured)
Chase Home Finance 2901 Kinwest Parkway Irving, TX 75063	Chase Home Finance 2901 Kinwest Parkway Irving, TX 75063	Location: 11 Warren Rd, Framingham MA		383,641.40  (345,000.00 secured)
Cohen Financial c/o PNC Bank 7300 West 110th Street Suite 560 Overland Park, KS 66210	Cohen Financial c/o PNC Bank 7300 West 110th Street Suite 560 Overland Park, KS 66210	37-39 Freeman Street, Framingham, MA 01701		470,886.00  (315,000.00 secured)
Department of the Treasury Internal Revenue Service P.O. Box 9019 Holtsville, NY 11742-9019	Department of the Treasury Internal Revenue Service P.O. Box 9019 Holtsville, NY 11742-9019	Federal Taxes		719.00
First Franklin Loan Services 150 Allegheny Center Mall Locator # 24-040 Pittsburgh, PA 15212	First Franklin Loan Services 150 Allegheny Center Mall Locator # 24-040 Pittsburgh, PA 15212	40-42 Frederick Street, Framingham, MA 01702		394,600.43  (280,000.00 secured)

B4 (Official Form 4) (12/07) - Cont.

In re **Marlene Da Silva**

Case No. \_\_\_\_\_

Debtor(s) \_\_\_\_\_

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

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>First Franklin Loan Services 150 Allegheny Center Mall Locator # 24-040 Pittsburgh, PA 15212</b>	<b>First Franklin Loan Services 150 Allegheny Center Mall Locator # 24-040 Pittsburgh, PA 15212</b>	<b>40-42 Frederick Street, Framingham, MA 01702</b>		<b>73,932.66 (280,000.00 secured) (394,600.43 senior lien)</b>
<b>Franklin Credit Management Corporation P.O. Box 2303 Jersey City, NJ 07303-2303</b>	<b>Franklin Credit Management Corporation P.O. Box 2303 Jersey City, NJ 07303-2303</b>	<b>Location: 11 Warren Rd, Framingham MA</b>		<b>95,909.43 (345,000.00 secured) (383,641.40 senior lien)</b>
<b>GEMB/Bargin Outlet P.O. Box 981439 El Paso, TX 79998</b>	<b>GEMB/Bargin Outlet P.O. Box 981439 El Paso, TX 79998</b>	<b>Credit Purchases</b>		<b>2,195.00</b>
<b>GEMB/Bargin Outlet P.O. Box 981439 El Paso, TX 79998</b>	<b>GEMB/Bargin Outlet P.O. Box 981439 El Paso, TX 79998</b>	<b>Credit Purchases</b>		<b>1,035.00</b>
<b>Sears Sears Charge Plus P.O. Box 740281 Houston, TX 77274</b>	<b>Sears Sears Charge Plus P.O. Box 740281 Houston, TX 77274</b>	<b>Credit Card Purchases</b>		<b>7,376.00</b>
<b>Sears/Citibank SD, N P.O. Box 6189 Sioux Falls, SD 57117</b>	<b>Sears/Citibank SD, N P.O. Box 6189 Sioux Falls, SD 57117</b>	<b>Credit Card Purchases</b>		<b>4,009.00</b>
<b>Town of Framingham c/o Treasurer/Collectors Office 150 Concord Street Framingham, MA 01702</b>	<b>Town of Framingham c/o Treasurer/Collectors Office 150 Concord Street Framingham, MA 01702</b>	<b>Water/Sewer Bill</b>		<b>2,179.50</b>

B4 (Official Form 4) (12/07) - Cont.

In re **Marlene Da Silva**

Case No. \_\_\_\_\_

Debtor(s)

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

(Continuation Sheet)

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

I, **Marlene Da Silva**, 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 **October 8, 2009**

Signature **/s/ Marlene Da Silva**

**Marlene Da Silva**

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.

Bank of America  
P.O. Box 1598  
Norfolk, VA 23501

Bank of America  
4161 Piedmont Parkway  
Greensboro, NC 27410

Chase  
201 N Walnut Street #DE1-10  
Wilmington, DE 19801

Chase  
P.O. Box 15298  
Wilmington, DE 19850

Chase Home Finance  
2901 Kinwest Parkway  
Irving, TX 75063

Chase Manhattan Mortgage  
10790 Rancho Bernardo Road  
San Diego, CA 92127

Cohen Financial  
Lockbox 773295  
3295 Solutions Center  
Chicago, IL 60677-3002

Cohen Financial c/o PNC Bank  
7300 West 110th Street  
Suite 560  
Overland Park, KS 66210

Department of the Treasury  
Internal Revenue Service  
P.O. Box 9019  
Holtsville, NY 11742-9019

First Franklin Loan Services  
150 Allegheny Center Mall  
Locator # 24-040  
Pittsburgh, PA 15212

Franklin Credit Management Corporation  
P.O. Box 2303  
Jersey City, NJ 07303-2303

Franklin Credit Management Corporation  
101 Hudson Street  
Jersey City, NJ 07302

GEMB/Bargin Outlet  
P.O. Box 981439  
El Paso, TX 79998

Harmon Law Offices, P.C.  
150 California Street  
Newton, MA 02458

Home Loan Services INC.  
150 Allegheny Center Mall  
Pittsburgh, PA 15212

Midland Loan Services INC.  
P.O. Box 25965  
Shawnee Mission, KS 66225

Orlans | Morgan  
P.O. Box 962169  
Boston, MA 02196

Sears Sears Charge Plus  
P.O. Box 740281  
Houston, TX 77274

Sears/Citibank SD, N  
P.O. Box 6189  
Sioux Falls, SD 57117

THD/CBSD  
P.O. Box 6497  
Sioux Falls, SD 57117

Town of Framingham  
c/o Treasurer/Collectors Office  
150 Concord Street  
Framingham, MA 01702

Toyota Motor Credit  
1500 West Park Drive  
Westborough, MA 01581