Case 8:10-bk-28115-TA Doc 1 Filed 12/23/10 Entered 12/23/10 16:50:17 Desc

Official Form 1 (04/10) Main Document Page 1 of 31 United States Bankruptcy Court Voluntary Petition CENTRAL DISTRICT OF CALIFORNIA Name of Debtor (if individual, enter Last, First, Middle) Name of Joint Debtor (Spouse)(Last, First, Middle) Motiv Sports Holdings, Inc., Corporation All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names). (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 33-0414229 (if more than one, state all) Street Address of Debtor (No & Street, City, and State) Street Address of Joint Debtor (No & Street, City, and State) 3419 E. Chapman Ave., #141 Orange CA ZIPCODE ZIPCODE 92869-3812 County of Residence or of the County of Residence or of the Principal Place of Business: Principal Place of Business: Orange Mailing Address of Debtor (if different from street address) Mailing Address of Joint Debtor (if different from street address) SAME ZIPCODE ZIPCODE Location of Principal Assets of Business Debtor ZIPCODE (if different from street address above) Nature of Business Chapter of Bankruptcy Code Under Which Type of Debtor (Form of organization) (Check one box.) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 ☐ Chapter 15 Petition for Recognition ☐ Individual (includes Joint Debtors) Chapter 9 of a Foreign Main Proceeding Single Asset Real Estate as defined See Exhibit D on page 2 of this form. Chapter 11 in 11 U.S.C. § 101 (51B) Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Railroad of a Foreign Nonmain Proceeding Partnership Chapter 13 Stockbroker Other (if debtor is not one of the above (Check one box) Nature of Debts Commodity Broker entities, check this box and state type of Debts are primarily consumer debts, defined Debts are primarily Clearing Bank entity below in 11 U.S.C. § 101(8) as "incurred by an business debts. Other . individual primarily for a personal, family, or household purpose" Tax-Exempt Entity Chapter 11 Debtors: (Check box, if applicable.) Check one box: Debtor is a tax-exempt organization Debtor is a small business as defined in 11 U.S.C. § 101(51D). under Title 26 of the United States Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Code (the Internal Revenue Code). Filing Fee (Check one box) Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts Full Filing Fee attached owed to insiders or affiliates) are less than \$2,343,300 (amount Filing Fee to be paid in installments (applicable to individuals only). Must subject to adjustment on 4/01/13 and every three years thereafter). 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. Check all applicable boxes: A plan is being filed with this petition Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Acceptances of the plan were solicited prepetition from one or more attach signed application for the court's consideration. See Offi cial Form 3B. classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors Estimated Number of Creditors Ø 25,001-1,000-5,001-10,001-50,001-Over 200-999 1-49 50-99 100-199 50,000 100,000 5.000 10,000 25,000 100,000 Estimated Assets SO to \$10,000,001 \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than to \$500 \$50,000 \$500,000 to \$10 to \$50 to \$100 to \$1 billion \$1 billion \$100,000 to \$1 million million million million million Estimated Liabilities П \$1,000,001 \$50,001 to \$100,001 to \$500,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to 51 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million million

Case 8:10-bk-28115-TA Doc 1 Filed 12/23/10 Entered 12/23/10 16:50:17 Desc Official Form 1 (04/10) Main Document Page 2 of 31 FORM B1. Page 12/23/10 16:50:17 Desc

Official Form 1 (04/10) IVIAITI DOC	ument Page 2 01 3 1	FORM B1, Page 2
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Motiv Sports Holdings, Inc.,	
	a Corporation	
All Prior Bankruptcy Cases Filed Within Last 8 Y		
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		ttach additional sheet)
Name of Debtor:	Case Number:	Date Filed:
NONE		
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 B (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I 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 under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. §342(b). X	
	Signature of Attorney for Debtor(s)	12/23/2010 Date
	Exhibit C	
or safety? Yes, and exhibit C is attached and made a part of this petition. No (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 made If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached.	part of this petition.	hibit D.)
(Check any applicable box)		
 □ Debtor has been domiciled or has had a residence, principal place of bus preceding the date of this petition or for a longer part of such 180 days t □ There is a bankruptcy case concerning debtor's affiliate, general partner. □ Debtor is a debtor in a foreign proceeding and has its principal place of principal place of business or assets in the United States but is a defendathe interests of the parties will be served in regard to the relief sought in 	than in any other District. The partnership pending in this District. The business or principal assets in the United States in the un	in this District, or has no
Certification by a Debtor Who	o Resides as a Tenant of Residential Property	y
(Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)		
Landford has a judgment against the debtor for possession of debto	ors residence. (If box checked, complete the folic	owing.)
	(Name of landlord that obtained judg	gment)
	(Address of landlord)	
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession		•
Debtor has included with 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(1)).		

Case 8:10-bk-28115-TA Doc 1 Filed 12/23/10 Entered 12/23/10 16:50:17 Desc FORM B1, Page 3 Main Document Page 3 of 31 Official Form 1 (04/10) Name of Debtor(s): Voluntary Petition Motiv Sports Holdings, Inc., (This page must be completed and filed in every case) a Corporation Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this 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 petition is true and correct, that I am the foreign representative of a debtor and has chosen to file under chapter 7] I am aware that I may proceed in a foreign proceeding, and that I am authorized to file this petition. under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to (Check only one box.) proceed under chapter 7. ☐ 1 request relief in accordance with chapter 15 of title 11, United States [If no attorney represents me and no bankruptcy petition preparer Code. Certified copies of the documents required by 11 U.S.C. § 1515 signs the petition] I have obtained and read the notice required by are attached. 11 U.S.C. §342(b) Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States chapter of title 11 specified in this petition. A certified copy of the Code, specified in this petition. order granting recognition of the foreign main proceeding is attached. Signature of Debtor (Signature of Foreign Representative) Signature of Joint Debtor (Printed name of Foreign Representative) Telephone Number (if not represented by attorney) (Date) Date Signature of Attorney* Signature of Non-Attorney Bankruptcy Petition Preparer X /s/ Michael G. Spector 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 Signature of Attorney for Debtor(s) Michael G. Spector 145035 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 Printed Name of Attorney for Debtor(s) Law Offices Of Michael G. Spector 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 2677 N. Main St., Suite 800 Address Santa Ana CA 92705 Printed Name and title, if any, of Bankruptcy Petition Preparer 714-835-3130 Telephone Number Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, <u>12/23/2010</u> responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) *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. Address 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. Signature of bankruptcy petition preparer or officer, principal, The debtor requests the relief in accordance with the chapter of responsible person, or partner whose Social-Security number is provided title 11, United States Code, specified in this petition. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition

X /s/ Kenneth L. Calvert

Signature of Authorized Individual

Kenneth L. Calvert

Printed Name of Authorized Individual

CEO

Title of Authorized Individual

12/23/2010

Date

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.