B1 (Official Form 1) (04/13) Case 13-Whatostate Bankrup To Court 1/03/13 Entered 10/03/13 17:25:11 Desc Main Page 1 of 11 **VOLUNTARY PETITION** Document **ALASKA** Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Dish, LLC 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): Dish Japanese Restaurant Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 26-2794192 (if more than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 639 West International Airport Road Anchorage, Alaska ZIP CODE 99518-1114 ZIP CODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: **ANCHORAGE** Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): 3705 Arctic Boulevard Box 282 Anchorage, AK ZIP CODE ZIP CODE 99503-5774 Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) the Petition is Filed (Check one box.) (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Individual (includes Joint Debtors) Single Asset Real Estate as defined in Chapter 9 Recognition of a Foreign х Chapter 11 See Exhibit D on page 2 of this form. 11 U.S.C. § 101(51B) Main Proceeding х Chapter 12 Chapter 15 Petition for Corporation (includes LLC and LLP) Railroad П Chapter 13 Recognition of a Foreign Partnership Stockbroker Other (If debtor is not one of the above entities, check Commodity Broker Nonmain Proceeding this box and state type of entity below.) Clearing Bank х Other Restaurant Tax-Exempt Entity Nature of Debts **Chapter 15 Debtors** (Check box, if applicable.) (Check one box.) Country of debtor's center of main interests: X Debts are ☐ Debts are primarily consumer Debtor is a tax-exempt organization debts, defined in 11 U.S.C. primarily Each country in which a foreign proceeding by, regarding, or under title 26 of the United States § 101(8) as "incurred by an business debts. against debtor is pending: Code (the Internal Revenue Code). individual primarily for a personal, family, or household purpose." Filing Fee (Check one box.) **Chapter 11 Debtors** Check one box: x Full Filing Fee attached. Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). 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 Check if: unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment Filing Fee waiver requested (applicable to chapter 7 individuals only). Must on 4/01/16 and every three years thereafter). attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY 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** 200-999 50-99 100-199 5.001-10.001-25.001-50.001-1-49 1.000-Over 100,000 5,000 10,000 25,000 50,000 100,000 Estimated Assets Х \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 to \$1 billion \$1 billion \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 million million million million million **Estimated Liabilities**

П

\$0 to

\$50,000

х

\$100,001 to

\$500,000

\$50,001 to

\$100,000

to \$1

million

\$500,001

to \$10

million

\$1,000,001

П

to \$50

million

\$10,000,001

П

\$50,000,001

to \$100

million

\$100,000,001

to \$500

million

П

More than

\$1 billion

\$500,000,001

to \$1 billion

B1 (Official Form 1)_(04/13) Voluntary Petition ase 13-00472 Doc 1 Tanter Bolid () (Main Page <u>2 of 11</u> (This page must be completed and filed in every case.) Document All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Case Number: Date Filed: Location NONE Where Filed: 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 A Exhibit B (To be completed if debtor is required to file periodic reports (e.g., forms 10K and (To be completed if debtor is an individual 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) whose debts are primarily consumer debts.) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) 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). 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. Х 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 х 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 certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

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

П

of the petition.

B1 (Official Form 1) (04/13) Page 3

Voluntary Petition ase 13-00472 Doc 1 Filed 10/03/13 Manuer Ballow Walnut C. 25:11 Desc Main **Document** Page 3 of 11 (This page must be completed and filed in every case.) 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 petition is true 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 correct. and that I am authorized to file this petition. [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 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. ☐ I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 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 Code, chapter of title 11 specified in this petition. A certified copy of the specified in this petition. order granting recognition of the foreign main proceeding is attached. X Signature of Debtor (Signature of Foreign Representative) X 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** s/David H. Bundy I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s) defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have David H. Bundy provided the debtor with a copy of this document and the notices and information Printed Name of Attorney for Debtor(s) **David H. Bundy, P.C.** 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 Firm Name 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 310 K Street Suite 200 or accepting any fee from the debtor, as required in that section. Official Form 19 is Anchorage, Alaska 99501 attached. (907) 248-8431 Telephone Number Printed Name and title, if any, of Bankruptcy Petition Preparer October 3, 2013 Social-Security number (If the bankruptcy petition preparer is not an individual, Bar No.: 7210043 state the Social-Security number of the officer, principal, responsible person or Fax: (907) 248-8434 partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) E-mail: dhb@alaska.net *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) Χ I declare under penalty of perjury that the information provided in this petition is true Signature and correct, and that I have been authorized to file this petition on behalf of the debtor. Date The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition. Signature of bankruptcy petition preparer or officer, principal, responsible person, or s/Clyde S. Kim partner whose Social-Security number is provided above. Signature of Authorized Individual Clyde S. Kim Names and Social-Security numbers of all other individuals who prepared or assisted Printed Name of Authorized Individual in preparing this document unless the bankruptcy petition preparer is not an **Managing Member** individual. Title of Authorized Individual October 3, 2013 If more than one person prepared this document, attach additional sheets conforming Date 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.

UNITED STATES BANKRUPTCY COURT

In re Dish, LLC,			Case No.	
	Debtor		Chapter	11
LIST OF C	CREDITORS HOLDI	NG 20 LARGEST	UNSECURED (CLAIMS
(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]
Hickel Investment Company Account Number: ***Creditor unsecured account number RTE*** c/o Cange & Chambers P O Box 242263 Anchorage, AK 99524				\$70,000.00
10th and M Lockers Account Number: ***Creditor unsecured account number RTE*** 1020 M Street Anchorage, AK 99501				\$11,000.00
K & L Distributors Account Number: ***Creditor unsecured account number RTE*** 420 L Street #400 Anchorage, AK 99501				\$7,000.00

B 4 (Official Form 4) (12/07)	Document	Page 5 of 11	
American Express Account Number: 2005 P O Box 360001 Fort Lauderdale, FL 33336			\$4,692.00
American Express Account Number: 1008 P O Box 360001 Fort Lauderdale, FL 33336			\$3,932.32
Sagaya Account Number: ***Creditor unsecured account number RTE*** 1101 Whitney Road Anchorage, AK 99501			\$3,468.43
Bank of America Account Number: 0834 P O Box 15019 Wilmington, DE 19850			\$2,312.00
Cornerstone Credit Services Account Number: ***Creditor unsecured account number RTE*** 1835 S Bragaw St. Anchorage, AK 99508			Unknown

Doc 1 Filed 10/03/13 Entered 10/03/13 17:25:11 Desc Main

Date: October 3, 2013

s/Clyde S. Kim Debtor

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

I, Clyde S. Kim, the Managing Member of Dish, LLC named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding 20 Largest Unsecured Claims and that it is true and correct to the best of my information and belief.

Date: October 3, 2013 s/Clyde S. Kim

Clyde S. Kim, Managing Member

Case 13-00472 Doc 1 Filed 10/03/13 Entered 10/03/13 17:25:11 Desc Main Document Page 7 of 11

UNITED STATES BANKRUPTCY COURT ALASKA

In Re:			
	Dish, LLC,		
		Debtor	
			Case No

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007, Fed. R. Bank. P. for filing in this Chapter 11 case.

Security Holder's Registered Name and Last Known Address or Place of Business	Class of Security	Number of Securities or Percentage	Kind of Interest
Clyde S. Kim 12000 Lilac Drive Anchorage, AK 99516	membership	100%	membership

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, <u>Clyde S. Kim, Managing Member</u> of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing **List of Equity Security Holders** and that it is true and correct to the best of my information and belief.

Date: October 3, 2013
Signature: s/Clyde S. Kim
Printed Name: Clyde S. Kim
Title: Managing Member

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.

Case 13-00472 Doc 1 Filed 10/03/13 Entered 10/03/13 17:25:11 Desc Main Document Page 8 of 11

UNITED STATES BANKRUPTCY COURT Alaska

In re:	Case No. BKY
Dish, LLC,	Case No. BK I
Debtor(s)	Chapter 11 Case

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Clyde S. Kim, declare under penalty of perjury that I am the Managing Member of Dish, LLC, a Alaska corporation and that on October 1, 2013 the following resolution was duly adopted by the Members of this corporation:

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Clyde S. Kim, Managing Member of this corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Clyde S. Kim, Managing Member of this corporation, is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case; and

Be It Further Resolved, that Clyde S. Kim, Managing Member of this corporation, is authorized and directed to employ David H. Bundy, attorney and the law firm of David H. Bundy, P.C. to represent the corporation in such bankruptcy case."

Executed on: October 3, 2013	Signed: s/Clyde S. Kim
	Clyde S. Kim 639 West International Airport
	Road, Anchorage, AK 99518-1114 (Name
	and Address of Subscriber)

Case 13-00472 Doc 1 Filed 10/03/13 Entered 10/03/13 17:25:11 Desc Main Document Page 9 of 11 Dish, LLC

639 West International Airport Road Anchorage, AK 99518-1114

David H. Bundy 310 K Street Suite 200 Anchorage, AK 99501

10th and M Lockers 1020 M Streeet Anchorage, AK 99501

Alaska Department of Labor and Workforce P O Box 115509 Juneau, AK 99811-5509

American Express P O Box 360001 Fort Lauderdale, FL 33336

Bank of America P O Box 15019 Wilmington, DE 19850

Cornerstone Credit Services 1835 S Bragaw St. Anchorage, AK 99508

Hickel Investment Company c/o Cange & Chambers P O Box 242263 Anchorage, AK 99524

Internal Revenue Service Centralized Insolvency Operations P O Box 21116 Philadelphia, PA 19144-2036

Case 13-00472 Doc 1 Filed 10/03/13 Entered 10/03/13 17:25:11 Desc Main Document In Page $10 \text{ refvel}_{\text{nue}}$ Service

949 East 36th Avenue MS-A201 Anchorage, AK 99508

K & L Distributors
420 L Street #400
Anchorage, AK 99501

Merchants Advance LLC 475 Park Avenue South 16th Floor
New York, NY 10016

Sagaya 1101 Whitney Road Anchorage, AK 99501

Case 13-00472 Doc 1 Filed 10/03/13 Entered 10/03/13 17:25:11 Desc Main Document Page 11 of 11

UNITED STATES BANKRUPTCY COURT Alaska

In re:	Dish, LLC	Case No
	Debtors	Chapter 11
		'

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated:	October 3, 2013	Signed: s/Clyde S. Kim
Dated:		Signed:
Signed:	s/David H. Bundy	
Olgi lou.	David H. Bundy Attorney for Debtor(s)	
	Bar no.: 7210043	

310 K Street Suite 200 Anchorage, Alaska 99501 Telephone No: (907) 248-8431 Fax No: (907) 248-8434

E-mail address: dhb@alaska.net