(Official Form 1) (10/03)							
	nited States Ba District of Alal			on		Voluntary	Petition
Name of Debtor (if individual, enter Las Jazz Cafe, Inc.	t, First, Middle):		Name of Joint	Debtor (Spouse)	(Last, First, N	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): dba 22nd Street Jazz Cafe				es used by the Jo maiden, and trade		the last 8 years	
Last four digits of Soc. Sec. No./Comple one, state all): 20-0630132	ete EIN or other Tax I.C	D. No. (if more than	Last four digits one, state all):	of Soc. Sec. No	o./Complete E	IN or other Tax I.D	). No. (if more than
Street Address of Debtor (No. & Street, 710 22nd Street South Birningham, AL	City, State & Zip Code	e):	Street Address	of Joint Debtor	(No. & Street,	, City, State & Zip	Code):
<b>3</b> * ,		ZIPCODE <b>35233</b>					ZIPCODE
County of Residence or of the Principal <b>Jefferson</b>	Place of Business:		County of Resi	dence or of the I	Principal Place	e of Business:	
Mailing Address of Debtor (if different	from street address)		Mailing Addre	ss of Joint Debto	or (if different	from street address	s):
		ZIPCODE	_				ZIPCODE
Location of Principal Assets of Business 2131 7th Avenue South	Debtor (if different fro	om street address ab	ove):				
Birmingham, AL							ZIPCODE 35233
Type of Debtor (Form of Organization) (Check one box.)	Nature of l (Check all appli					ode Under Which	
☐ Individual (includes Joint Debtors) ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and	Health Care Busin Single Asset Real in 11 U.S.C. § 10 Railroad Stockbroker	ness Estate as defined	☐ Chapter 7 ☑ Chapter 11 ☐ Chapter 15 Petition for Recognition of a Foreign Main Proceeding ☐ Chapter 13 ☐ Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding				
provide the information requested below.) State type of entity:	Commodity Broke Clearing Bank Nonprofit Organiz under 15 U.S.C. §	zation qualified	Consumer/N	Nature Non-Business	of Debts (Ch	,	
Filing Fee (C	Theck one box)				hapter 11 De	ebtors:	
Full Filing Fee attached Filing Fee to be paid in installments (attach signed application for the court is unable to pay fee except in installments)	's consideration certify	ing that the debtor		small business de		ed in 11 U.S.C. § 1 efined in 11 U.S.C.	
3A.  Filing Fee waiver requested (Applical attach signed application for the court	ole to chapter 7 individu	uals only). Must		gregate nonconting less than \$2 mil		ed debts owed to n	on-insiders or
Statistical/Administrative Information		11101111 12111			THIS S	SPACE IS FOR COURT	USE ONLY
Debtor estimates that funds will be an Debtor estimates that, after any exemino funds available for distribution to	pt property is excluded			ere will be			
Estimated Number of Creditors							
1- 50- 100- 200- 49 99 199 999	1,000- 5,001- 5,000 10,000	10,001- 25,00 25,000 50,00	00 100,000	Over 100,000			
Estimated Assets		·					
\$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$	\$1 million \$10 m	0,001 to \$10,000,001 million \$50 million		More than \$100 million			
Estimated Debts							
\$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$500,000		0,001 to \$10,000,001 million \$50 million		More than \$100 million			

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1993-2006 EZ-Filing, Inc. [1-8

(Official Form 1) (10/05) FORM B1, Page 2 Name of Debtor(s): Voluntary Petition (This page must be completed and filed in every case) Jazz Cafe, Inc. Prior Bankruptcy Case Filed Within Last 8 Years (If more than one, attach additional sheet) Case Number: Date Filed: Location Where Filed: None Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Case Number: Name of Debtor: Date Filed: None District: Relationship: Judge: Exhibit A Exhibit R (To be completed if debtor is required to file periodic reports (e.g., forms (To be completed if debtor is an individual 10K and 10Q) with the Securities and Exchange Commission pursuant to whose debts are primarily consumer debts) Section 13 or 15(d) of the Securities Exchange Act of 1934 and is I, the attorney for the petitioner named in the foregoing petition, declare requesting relief under chapter 11.) 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 Exhibit A is attached and made a part of this petition. explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code. Signature of Attorney for Debtor(s) Date Exhibit C **Certification Concerning Debt Counseling** Does the debtor own or have possession of any property that poses or is by Individual/Joint Debtor(s) alleged to pose a threat of imminent and identifiable harm to public health or safety? ☐ I/we have received approved budget and credit counseling during the 180-day period preceding the filing of this petition Yes, and Exhibit C is attached and made a part of this petition. I/we request a waiver of the requirement to obtain budget and credit ▼ No counseling prior to filing based on exigent circumstances. (Must attach certification describing.) **Information Regarding the Debtor (Check the Applicable Boxes) 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 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. Statement 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 or lessor that obtained judgment) (Address of landlord or lessor) 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 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.

# **Voluntary Petition**

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

Name of Debtor(s):

Jazz Cafe, Inc.

## 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 State Code, understand the relief available under each such chapter, and choose to proceed under

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by § 342(b) of the Bankruptcy Code.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Х

Signature of Debtor

Х

Signature of Joint Debtor

(205) 252-0417

Telephone Number (If not represented by attorney)

# 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 main proceeding, and that I am authorized to file this petition. A certified copy of the order granting recognition is attached.

(Check one box only)

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by § 1515 of title 11 are attached.
- Pursuant to § 1511 of title 11, United States Code, 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.



Signature of Foreign Representative



Printed Name of Foreign Representative

Date

### Signature of Attorney

## X /s/ Frederick M. Garfield

Signature of Attorney for Debtor(s)

### Frederick M. Garfield

Printed Name of Attorney for Debtor(s)

## Sexton & Associates, P.C.

Firm Name

### 2116 10th Avenue South

Address

Birmingham, AL 35205

# (205) 252-5361

Telephone Number

# September 19, 2006

Date

## Signature of Non-Attorney 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); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110 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 19B 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

### 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 /s/ Randal Wayne Harper

Signature of Authorized Individual

### Randal Wayne Harper

Printed Name of Authorized Individual

### President

Title of Authorized Individual

## September 19, 2006

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Date

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.

# United States Bankruptcy Court Northern District of Alabama, Southern Division

IN RE:		Case No.
Jazz Cafe, Inc.		Chapter 11
	Debtor(s)	•

# 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, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) Name of creditor and complete mailing address	(2) Name, telephone number and complete mailing	(3) Nature of claim	(4) Indicate if claim	(5) Amount of
including zip code	address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(trade debt, bank loan, government contract, etc.)	is contingent, unliquidated, disputed or subject to setoff	claim (if secured also state value of security)
VJR, Inc. C/O Sammy Russo 6614 Remington Drive Pelham, AL 35124			Disputed	150,200.00
Charles F. Richardson, III 2700 Corporate Drive Suite 200 Birmingham, AL 35242		Purchase Money Security		50,000.00 Collateral 11,000.00 Unsecured: 39,000.00
Rewards Network, Inc. 2 North Riverside Plaze Suite 950 Chicago, IL 60606				13,234.43
ADS Security 126 Brooklane Dr. Hueytown, AL 35023				3,429.54
Alagasco 20 20th Street South Birmingham, AL 35295				3,385.26
Birmingham Weekly 2257 Highland Avenue Birmingham, AL 35205				2,614.97
ADS Security 126 Brooklane Dr. Hueytown, AL 35023				1,545.77
NTN C/O Pacific Mercantile Bank Dept. 1088 Los Angeles, CA 90084				1,441.00
Compass Bank TRS Recovery Ser., Inc. P.O. Box 60022 City Of Industry, CA 91716				1,321.03
Alabama Power 1313 North 6th Avenue Birmingham, AL 35203				1,210.78
Ecolab P.O. Box 905327 Charlotte, NC 28290				1,027.38
Itex 3625 132nd Avenue SE Suite 200 Bellevue, WA 98006				1,026.56

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BMI	1,016.39
10 Music Square East	
Nashville, TN 37203	
Alabama Power	839.56
1313 North 6th Avenue	
Birmingham, AL 35203	
Brighthouse Networks	797.02
6429 1st Avenue South	
Birmingham, AL 35212	
Xspedius Communications	762.48
8115 Innovation Way	
Chicago, IL 60682	
Paychex	741.13
P.O. Box 532641	
Atlanta, GA 30353	
Regions Bank	593.00
Checking Accounts	
P. O. Box 10247	
Birmingham, AL 35202	
Waste Management	518.46
P.O. Box 9001054	
Louisville, KY 40290	
ASCAP	406.19
2690 Cumberland Pkwy.	
Suite 490	
Atlanta, GA 30339	
DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP	

I, [the president or other officer or an authorized agent of the corporation] [or a member or an authorized agent of the partnership] named as 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: September 19, 2006 Signature: /s/ Randal Wayne Harper

Randal Wayne Harper, President

(Print Name and Title)

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# **United States Bankruptcy Court Northern District of Alabama, Southern Division**

IN RE:		Case No.
Jazz Cafe, Inc.		Chapter 11
·	Debtor(s)	•

# **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 must also complete the "Statistical Summary of Certain Liabilities."

### AMOUNTS SCHEDULED

			Л	MOUNTS SCHEDULE	D
NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 0.00		
B - Personal Property	Yes	2	\$ 13,500.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$ 50,000.00	
E - Creditors Holding Unsecured Priority Claims	Yes	2		\$ 3.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	4		\$ 186,703.90	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$
	TOTAL	15	\$ 13,500.00	\$ 236,706.90	

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# United States Bankruptcy Court Northern District of Alabama, Southern Division

IN	IN RE:	Case No
<u>Ja</u>	Jazz Cafe, Inc.	Chapter 11
	Debtor(s)	<del></del>
	DISCLOSURE OF COMPENSATION	N OF ATTORNEY FOR DEBTOR
1.		he attorney for the above-named debtor(s) and that compensation paid to me within for services rendered or to be rendered on behalf of the debtor(s) in contemplation
	For legal services, I have agreed to accept	\$200.00/hr
	Prior to the filing of this statement I have received	\$\$\$
	Balance Due	\$
2.	2. The source of the compensation paid to me was: $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$	
3.	3. The source of compensation to be paid to me is: $\square$ Debtor $\square$ Other (specify):	:
4.	4. I have not agreed to share the above-disclosed compensation with any other po	erson unless they are members and associates of my law firm.
	I have agreed to share the above-disclosed compensation with a person or per together with a list of the names of the people sharing in the compensation, is	sons who are not members or associates of my law firm. A copy of the agreement, attached.
5.	5. In return for the above-disclosed fee, I have agreed to render legal service for all as	pects of the bankruptcy case, including:
	<ul> <li>a. Analysis of the debtor's financial situation, and rendering advice to the debtor</li> <li>b. Preparation and filing of any petition, schedules, statement of affairs and plan</li> <li>c. Representation of the debtor at the meeting of creditors and confirmation hear</li> <li>d. Representation of the debtor in adversary proceedings and other contested bar</li> <li>e. [Other provisions as needed]</li> <li>Stephen L. Sexton, Co-Counsel</li> </ul>	which may be required; ring, and any adjourned hearings thereof;
6.	6. By agreement with the debtor(s), the above disclosed fee does not include the follo	wing services:
_	annum a	
	CERTIFIC.  I certify that the foregoing is a complete statement of any agreement or arrangement f proceeding.	
	September 19, 2006 /s/ Frederick M. 0	Garfield
-	Date	Signature of Attorney
	Sexton & Associ	
		Name of Law Firm

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# United States Bankruptcy Court Northern District of Alabama, Southern Division

IN RE:	Case 1	Case No				
Jazz Cafe, Inc.	Chapt	Chapter 11				
Debtor(s)	•					
LIST OF EQUITY SECU	RITY HOLDERS					
Registered name and last known address of security holder	Shares (or Percentage)	Security Class (or kind of interest)				
Randy Harper 1340 14th Avenue South, Apt. 106 Birmingham, AL 35205	100	Common Stockholder				

IN	RE	Jazz	Cafe,	Inc.
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# **SCHEDULE A - REAL PROPERTY**

Case No.

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint or "C" for Community in the column labeled "HWJC." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H W J C	DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
None				
	TOTA	AL.	0.00	

(Report also on Summary of Schedules)

IN	RE	Jazz	Cafe,	Inc
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# **SCHEDULE B - PERSONAL PROPERTY**

Case No.

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information requested in this schedule, do not include the name or address of a minor child. Simply state "a minor child."

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTORS INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1.	Cash on hand.	Х			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Regions Bank Checking Account		0.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, include audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	X			
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issue.	Х			
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(3). 11 U.S.C. § 521(c); Rule 1007(b)).	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
13.	Stock and interests in incorporated and unincorporated businesses.  Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	Х			
15.	Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16.	Accounts receivable.	X			

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# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
17.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	Х			
18.	Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) in customer lists or similar compilations provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.		Office equipment, table, chairs, electronics, kitchen equipment and miscellaneous small wares.		11,000.00
30.	Inventory.		Liquor Inventory		2,500.00
31.	Animals.	x			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			
35.	Other personal property of any kind not already listed. Itemize.	X			
			тот	AL	13,500.00

IN RE	azz Cafe, Inc.	Case No.	

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT								
Debtor elects the exemptions to which debtor is entitled under:  (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)	☐ Check if debtor claims a homestead exemption that exceeds \$125,000.							

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
Applicable			

IN	RE	Jazz	Cafe,	Inc.
----	----	------	-------	------

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

Case No.

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, indicate that by stating "a minor child." and do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See instructions above.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL  UNSECURED PORTION, IF ANY
Account No.			Note and security agreement				
Charles F. Richardson, III 2700 Corporate Drive Suite 200							50,000.00
Birmingham, AL 35242			Value \$ 11,000.00				39,000.00
Account No.							
			Value \$				
Account No.							
			Value \$				
Account No.							
			77.1				
			Value \$		Subt	otol	
<b>0</b> continuation sheets attached			(Total o				50,000.00
			(Use only on last page of the completed Schedule I	T (C	тот	ΊΑΙ.	50,000.00
			( = = = = = , on that page of the completed benedule i	- / <del>-</del>			1 .,.,.,

(Report total also on Summary of Schedules)

IN RE	Jazz	Cafe,	Inc.
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Debtor(s)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Case No.

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R.Bankr.P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total"

on the	he last sheet of the completed schedule. Report this total also on the Summary of Schedules.
	eport the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all amounts entitled to priority listed his Schedule E in the box labeled "Total" on the last sheet of the completed schedule. If applicable, also report this total on the Means Test form.
	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TY	<b>PES OF PRIORITY CLAIMS</b> (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	<b>Domestic Support Obligations</b> 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 \$10,000* 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 \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	<b>Deposits by individuals</b> Claims of individuals up to \$2,225* 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).
$\checkmark$	Taxes and Other Certain 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).
	* Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS (Continuation Sheet)

# **Taxes and Other Certain Debts Owed to Governmental Units**

(Type of Priority)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G E N T	U N L I Q U I D A T E	D I S P U T E D	TOTAL AMOUNT OF CLAIM  AMOUNT ENTITLED TO PRIORITY
Account No. 3920			Sales Taxes	-	D <b>X</b>	X	
City Of Birmingham P.O. Box 10566 Birmingham, AL 35296							1.00
							1.00
Account No. <b>5022</b>			Sales, Use, Occupational Taxes		X	X	
Jefferson County	1						
P. O. Box 12025 Birmingham, AL 35283							1.00
							1.00
Account No. 0132					X	X	
State Of Alabama Sales & Use Tax							1.00
P.O. Box 327720							
Montgomery, AL 36132							1.00
Account No.							
A							
Account No.							
Account No.							
					Subt		
Sheet no1 of1 sheets attached to S Holding Priority Claims	che	dule	of Creditors (Total	of th	is pa	age)	3.00
Holding I Hority Claims			(Use only on last page of the completed Schedule	Е) Т	гот	AL	3.00

(Report total also on Summary of Schedules)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Case No.

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R.Bankr.P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community maybe liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No. 2135							
ADS Security 126 Brooklane Dr. Hueytown, AL 35023							3,429.54
Account No. 1978							0,420.04
ADS Security 126 Brooklane Dr. Hueytown, AL 35023							
							1,545.77
Account No. 0030							
Alabama Power 1313 North 6th Avenue Birmingham, AL 35203							1,210.78
Account No. <b>0028</b>							1,210.76
Alabama Power 1313 North 6th Avenue Birmingham, AL 35203							839.56
Account No. 9002							333.33
Alagasco 20 20th Street South Birmingham, AL 35295							0.005.00
				Щ	1 ·	_4 1	3,385.26
3 continuation sheets attached			(Total o		ubte is pa		10,410.91
			(Use only on last page of the completed Schedule I	₹) <b>T</b>	тот	AL	

(Report total also on Summary of Schedules)

IN RE Jazz Cafe, Inc.	IN	$\mathbf{RE}$	Jazz	Cafe.	Inc
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\_\_\_\_\_ Case No. \_\_\_

Debtor(s)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No. 9138							
ASCAP 2690 Cumberland Pkwy. Suite 490 Atlanta, GA 30339							406.19
Account No.							
Birmingham Weekly 2257 Highland Avenue Birmingham, AL 35205							2 644 07
Account No. 3853							2,614.97
BMI 10 Music Square East Nashville, TN 37203							1,016.39
Account No. 3703							1,010.00
Brighthouse Networks 6429 1st Avenue South Birmingham, AL 35212							707.00
Account No. 6883							797.02
Cardservice Int. 5251 Westheimer Rd. 6th Floor Houston, TX 77056							59.45
Account No. <b>2255</b>							33.43
Compass Bank TRS Recovery Ser., Inc. P.O. Box 60022 City Of Industry, CA 91716							1,321.03
Account No. et01							1,021.00
Deep South Jewish Voice P.O. Box 130052 Birmingham, AL 35213							4.00
					Subt	Otal	1.00
Sheet no1 of3 sheets attached to S	chec	lule	of (Total o				6,216.05
Creditors Holding Unsecured Nonpriority Claims			(Complete only on last sheet of Schedule I	F) <b>T</b>	тот	'AL	

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IN RE Jazz Cafe, Inc.	IN	$\mathbf{RE}$	Jazz	Cafe.	Inc
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Debtor(s) Case No.

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No. 9664							
Ecolab P.O. Box 905327 Charlotte, NC 28290							1,027.38
Account No. 3200							
Itex 3625 132nd Avenue SE Suite 200 Bellevue, WA 98006							1,026.56
Account No. 1510							1,020.00
National Linen Service 4111 Pleasantdale Rd. Doraville, GA 30340							
Account No. <b>7355</b>							1.00
NTN C/O Pacific Mercantile Bank Dept. 1088 Los Angeles, CA 90084							1,441.00
Account No. M477							1,441.00
Paychex P.O. Box 532641 Atlanta, GA 30353							
							741.13
Account No.  Regions Bank Checking Accounts P. O. Box 10247 Birmingham, AL 35202							593.00
Account No. <b>7469</b>							393.00
Rewards Network, Inc. 2 North Riverside Plaze Suite 950 Chicago, IL 60606							13,234.43
Sheet no 2 of 3 sheets attached to S	Scheo	dule	of (Total o		l Subt is pa		18,064.50
Creditors Holding Unsecured Nonpriority Claims			(Complete only on last sheet of Schedule I				,

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IN RE Jazz Cafe, Inc	IN	RE	Jazz	Cafe.	Inc
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\_\_\_\_\_ Case No. \_\_\_

Debtor(s)

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N	U N L I Q U I D A T E	D I S P U T E D	AMOUNT OF CLAIM
Account No.							
Standard Fire Equipment, Inc. P.O. Box 10243 Birmingham, AL 35202							1.00
Account No.	Х		Unexpired non-residential real property			Х	
VJR, Inc. C/O Sammy Russo 6614 Remington Drive Pelham, AL 35124			leases and asset purchase agreement.				150,200.00
Account No. <b>0291</b>							130,200.00
W.D. Finance, Inc. P.O. Box 1556 Gadsden, AL 36902							270.74
Account No. 4413							270.74
Waste Management P.O. Box 9001054 Louisville, KY 40290							540.40
Account No. <b>7671</b>							518.46
Xspedius Communications 8115 Innovation Way Chicago, IL 60682							
							259.76
Account No. 8471  Xspedius Communications 8115 Innovation Way Chicago, IL 60682							762.48
Account No.							702.48
Sheet no3 of3 sheets attached to S	chec	lule	of (Total o		Subto is pa		152,012.44
Creditors Holding Unsecured Nonpriority Claims			(Complete only on last sheet of Schedule F	F) <b>T</b>	тот	ΆL	186.703.90

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Case No.

Debtor(s)

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed.R. Bankr. P. 1007(m).

Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
VJR, Inc. C/O Sammy Russo 6614 Remington Drive Pelham, AL 35124	Contract Type: Non-Residential Sales Contract Description: Two (2) non-residential real property leases and sales/purchase agreements. Terms: 26 Months Buyout Option: None Beginning Date: 3/31/05 Debtor's Interest: Lessee/Purchaser

IN RE Ja	zz Cafe, Inc.	Case No.	

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
andy Harper 840 14th Avenue South, Apt. 106 irmingham, AL 35205	VJR, Inc. C/O Sammy Russo 6614 Remington Drive Pelham, AL 35124

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IN RE Jazz Cafe, Inc	IN	RE	Jazz	Cafe.	Inc
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# DECLARATION CONCERNING DEBTOR'S SCHEDULES

Case No. \_\_\_

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of pe	rjury that I have read the foregoing su		sheets, and that
they are true and correct to the	he best of my knowledge, information		summary page plus 1)
Date:	Signature:		Debtor
			Deotor
Date:	Signature:		(Joint Debtor, if any)
		[If joint case,	both spouses must sign.]
DECLARATION A	ND SIGNATURE OF NON-ATTORNEY	Y BANKRUPTCY PETITION PREPARER (See 1	11 U.S.C. § 110)
compensation and have provide and 342 (b); and, (3) if rules or	d the debtor with a copy of this document guidelines have been promulgated pursu have given the debtor notice of the maxim	n preparer as defined in 11 U.S.C. § 110; (2) I put and the notices and information required under 1 than to 11 U.S.C. § 110(h) setting a maximum feature amount before preparing any document for filing than the setting and	1 U.S.C. §§ 110(b), 110(h), e for services chargeable by
Printed or Typed Name and Title, if	any, of Bankruptcy Petition Preparer	Social Security No. (Re	equired by 11 U.S.C. § 110.)
	arer is not an individual, state the name,	, title (if any), address, and social security numb	
Address			
Signature of Bankruptcy Petition Pro	parer	Date	
Names and Social Security num is not an individual:	bers of all other individuals who prepared	or assisted in preparing this document, unless the b	oankruptcy petition preparer
If more than one person prepare	ed this document, attach additional signed	d sheets conforming to the appropriate Official Fo	rm for each person.
A bankruptcy petition preparer imprisonment or both. 11 U.S.	s failure to comply with the provision of a C. § 110; 18 U.S.C. § 156.	title 11 and the Federal Rules of Bankruptcy Proc	edure may result in fines or
DECLARATION	UNDER PENALTY OF PERJURY	ON BEHALF OF CORPORATION OR PA	RTNERSHIP
I, the President	(the r	president or other officer or an authorized age	ent of the corporation or a
(corporation or partnership) schedules, consisting of	ent of the partnership) of the <b>Jazz Ca</b> named as debtor in this case, declare		e foregoing summary and
Date: <b>September 19, 2006</b>	Signature: /s/ Randal W	/ayne Harper	
	Randal Wayı		
		(Print or type name	e of individual signing on behalf of 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.

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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# United States Bankruptcy Court Northern District of Alabama, Southern Division

IN RE:		Case No
Jazz Cafe, Inc.		Chapter <u>11</u>
	Debtor(s)	
	STATEMENT OF FINA	ANCIAL AFFAIRS
is combined. If the case is filed und- is filed, unless the spouses are sepa farmer, or self-employed profession personal affairs. Do not include the	er chapter 12 or chapter 13, a married debtor trated and a joint petition is not filed. An in- tral, should provide the information requested	on may file a single statement on which the information for both spouse must furnish information for both spouses whether or not a joint petition dividual debtor engaged in business as a sole proprietor, partner, family on this statement concerning all such activities as well as the individual tatement. Indicate payments, transfers and the like to minor children by
25. If the answer to an applicable	e question is "None," mark the box labele	been in business, as defined below, also must complete Questions 19 d "None." If additional space is needed for the answer to any question mber (if known), and the number of the question.
	DEFINITIO	ONS
for the purpose of this form if the d an officer, director, managing exec partner, of a partnership; a sole pro	ebtor is or has been, within six years immed utive, or owner of 5 percent or more of the v prietor or self-employed full-time or part-tim	otor is a corporation or partnership. An individual debtor is "in business iately preceding the filing of this bankruptcy case, any of the following oting or equity securities of a corporation; a partner, other than a limited the. An individual debtor also may be "in business" for the purpose of this employee, to supplement income from the debtor's primary employment
which the debtor is an officer, direct	ctor, or person in control; officers, directors,	ebtor; general partners of the debtor and their relatives; corporations of and any owner of 5 percent or more of the voting or equity securities of chaffiliates; any managing agent of the debtor. 11 U.S.C. § 101.
1. Income from employment or o	peration of business	
including part-time activitie case was commenced. State maintains, or has maintaine beginning and ending dates	s either as an employee or in independent tra- also the gross amounts received during the d, financial records on the basis of a fiscal of the debtor's fiscal year.) If a joint petition	rment, trade, or profession, or from operation of the debtor's business ade or business, from the beginning of this calendar year to the date this two years immediately preceding this calendar year. (A debtor that rather than a calendar year may report fiscal year income. Identify the is filed, state income for each spouse separately. (Married debtors filing ner or not a joint petition is filed, unless the spouses are separated and a
AMOUNT SOURCE	ar to Date - Approximate)	
•	st Year - Approximate)	
· ·	vo Years Ago - Approximate)	
2. Income other than from emplo	yment or operation of business	
two years immediately pred separately. (Married debtors	ceding the commencement of this case. Give	oyment, trade, profession, operation of the debtor's business during the particulars. If a joint petition is filed, state income for each spouse tate income for each spouse whether or not a joint petition is filed, unless
3. Payments to creditors Complete a. or b., as appropriate,	and c.	
debts to any creditor made constitutes or is affected by so of a domestic support obligate counseling agency. (Married	within <b>90 days</b> immediately preceding the such transfer is not less than \$600. Indicate vation or as part of an alternative repayment	rayments on loans, installment purchases of goods or services, and othe commencement of this case if the aggregate value of all property that with an asterisk (*) any payments that were made to a creditor on accouns schedule under a plan by an approved nonprofit budgeting and credito 3 must include payments by either or both spouses whether or not a join not filed.)

NAME AND ADDRESS OF CREDITOR **Alabama Power** 

DATES OF PAYMENTS
Periodic

AMOUNT AMOUNT PAID STILL OWING 3,000.00 2,050.32

State Of Alabama ABC Board Montgomery, AL

**Periodic** 

6,000.00

0.00

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 4. Suits and administrative proceedings, executions, garnishments and attachments

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**CAPTION OF SUIT** AND CASE NUMBER

NATURE OF PROCEEDING

AND LOCATION

STATUS OR DISPOSITION

VJR, Inc. v. Jazz Cafe, Inc.; Case Appeal of unlawful detainer

**Jefferson - Circuit Court** 

**Pending on Appeal** 

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 6. Assignments and receiverships

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 7. Gifts

None List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 8. Losses

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 9. Payments related to debt counseling or bankruptcy

None List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE Sexton & Associates, P.C. 2116 10th Avenue South Birmingham, AL 35205

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 9/15/2006

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY 2,500.00

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### 10. Other transfers

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

# 11. Closed financial accounts



List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

# 12. Safe deposit boxes

None List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 13. Setoffs





List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 14. Property held for another person

List all property owned by another person that the debtor holds or controls.



### 15. Prior address of debtor

If debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

### 16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.



a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate  $\checkmark$  the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

### 18. Nature, location and name of business

None a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

 $\checkmark$ 

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

### 19. Books, records and financial statements

a. List all bookkeepers and accountants who within the **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Randy Harper 1340 14th Avenue South, Apt. 106 Birmingham, AL 35205

DATES SERVICES RENDERED

**Since 2004** 

b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME AND ADDRESS

Randy Harper 1340 14th Avenue South, Apt. 106 Birmingham, AL 35205

d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of the case by the debtor.

### 20. Inventories

 $\checkmark$ 

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

 $\checkmark$ 

# 21. Current Partners, Officers, Directors and Shareholders

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

 $\checkmark$ 

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or holds 5 percent or more of the voting or NAME AND ADDRESS  Randy Harper	TITLE Owner & President	NATURE AND PERCENTAGE OF STOCK OWNERSHIP 100% Ownership
1340 14th Avenue South, Apt. 106 Birmingham, AL 35205		
22. Former partners, officers, directors and sh	areholders	
None a. If the debtor is a partnership, list each model of this case.	ember who withdrew from the partnership	o within <b>one year</b> immediately preceding the commencemen
None b. If the debtor is a corporation, list all of preceding the commencement of this case.		ith the corporation terminated within <b>one year</b> immediately
23. Withdrawals from a partnership or distrib	utions by a corporation	
		ted or given to an insider, including compensation in any form g one year immediately preceding the commencement of this
NAME & ADDRESS OF RECIPIENT,	DATE AND PURPOSE	AMOUNT OF MONEY OR DESCRIPTION
RELATIONSHIP TO DEBTOR Randy Harper 1340 14th Avenue South, Apt. 106	OF WITHDRAWAL Periodic Draws	AND VALUE OF PROPERTY <b>15,000.00</b>
Birmingham, AL 35205 Owner & President		
Birmingham, AL 35205		

# 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information, and belief.		
Date: September 19, 2006 Signature: /s/ Randal Wayne Harper		
Randal Wayne Harper, President  Print Name and Title		
[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]		
ocntinuation pages attached		
Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.		

[If completed on behalf of a partnership or corporation]

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# United States Bankruptcy Court Northern District of Alabama, Southern Division

IN RE:		Case No
Jazz Cafe, Inc.		Chapter 11
	Debtor(s)	
	VERIFICATION OF CREDITOR MAT	RIX
The above named debtor(s) here	by verify(ies) that the attached matrix listing credito	ors is true to the best of my(our) knowledge.
Date: September 19, 2006	Signature: /s/ Randal Wayne Harper	
	Randal Wayne Harper, President	Debtor
Date:	Signature:	
	<u> </u>	Joint Debtor, if any

Jazz Cafe Inc 710 22nd Street South Birningham AL 35233 Charles F Richardson III 2700 Corporate Drive Suite 200 Birmingham AL 35242 Randy Harper 1340 14th Avenue South Apt 106 Birmingham AL 35205

Sexton & Associates PC 2116 10th Avenue South Birmingham AL 35205 City Of Birmingham PO Box 10566 Birmingham AL 35296 Regions Bank Checking Accounts P O Box 10247 Birmingham AL 35202

ADS Security 126 Brooklane Dr Hueytown AL 35023 Compass Bank TRS Recovery Ser Inc PO Box 60022 City Of Industry CA 91716 Rewards Network Inc 2 North Riverside Plaze Suite 950 Chicago IL 60606

Alabama Power 1313 North 6th Avenue Birmingham AL 35203 Deep South Jewish Voice PO Box 130052 Birmingham AL 35213 Standard Fire Equipment Inc PO Box 10243 Birmingham AL 35202

Alagasco 20 20th Street South Birmingham AL 35295 Ecolab PO Box 905327 Charlotte NC 28290 State Of Alabama Sales & Use Tax PO Box 327720 Montgomery AL 36132

ASCAP 2690 Cumberland Pkwy Suite 490 Atlanta GA 30339 Itex 3625 132nd Avenue SE Suite 200 Bellevue WA 98006 VJR Inc C/O Sammy Russo 6614 Remington Drive Pelham AL 35124

Birmingham Weekly 2257 Highland Avenue Birmingham AL 35205 Jefferson County P O Box 12025 Birmingham AL 35283 WD Finance Inc PO Box 1556 Gadsden AL 36902

BMI 10 Music Square East Nashville TN 37203 National Linen Service 4111 Pleasantdale Rd Doraville GA 30340 Waste Management PO Box 9001054 Louisville KY 40290

Brighthouse Networks 6429 1st Avenue South Birmingham AL 35212 NTN C/O Pacific Mercantile Bank Dept 1088 Los Angeles CA 90084

Xspedius Communications 8115 Innovation Way Chicago IL 60682

Cardservice Int 5251 Westheimer Rd 6th Floor Houston TX 77056 Paychex PO Box 532641 Atlanta GA 30353