Case 2:11-bk-31126-TD Doc 1 Filed 05/16/11 Entered 05/16/11 11:40:28 Desc Main Document Page 1 of 10

B1 (Official Form 1) (4/10) United States Bankrupicy Court VOLUNTARY PETITION Central District of California Name of Debtor (if individual, enter Last, First, Middle): WIEN AMERICA, LLC Name of Joint Debtor (Spouse) (Last, First, Middle): All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the 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 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): (if more than one, state all): 95 - 4854 - 374 Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): 3035 West Olympic Boulevard, Los Angeles, CA ZIP CODE 90006 ZIP CODE County of Residence or of the Principal Place of Business Los Angeles County of Residence or of the Principal Place of Business Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above). 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.) Chapter 15 Petition for Health Care Business Chapter 7 靣 Single Asset Real Estate as defined in Chapter 9 Recognition of a Foreign Individual (includes Joint Debtors) 11 Ū.S.C. § 101(51B) \mathbf{Z} See Exhibit D on page 2 of this form. Chapter 11 Main Proceeding Corporation (includes LLC and LLP) Chapter 12 Chapter 15 Petition for Railroad Chapter 13 Stockbroker Partnership Recognition of a Foreign Other (If debtor is not one of the above entities, Commodity Broker Normain Proceeding check this box and state type of entity below.) Clearing Bank Other Nature of Debts Retail Food Sales (Check one box.) Tax-Exempt Entity (Check box, if applicable.) Debts are primarily consumer Debts are primarily debts, defined in 11 U.S.C. business debts. Debtor is a tax-exempt organization § 101(8) as "incurred by an under Title 26 of the United States individual primarily for a Code (the Internal Revenue Code). personal, family, or household purpose." Filing Fee (Check one box.) Chapter 11 Debtors Check one box: \square 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 \$2,343,300 (amount subject to adjustment Filing Fee waiver requested (applicable to chapter 7 individuals only). Must on 4/01/13 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. **7** 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 \square 200-999 1-49 50-99 100-199 1,000-5,001-10.001-25,001-50,001-Over 10 000 5.000 25,000 50.000 100.000 100,000 Estimated Assets ☑ П П П П \$100,001 to \$100,000,001 \$50,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$0 to \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million million Estimated Liabilities Ø \$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 \$100,000 \$500,000 to \$1 to \$10 to \$500 \$50,000 to \$50 to \$100 to \$1 billion \$1 billion

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B1 (Official Form	<u>.i 1) (4/10)</u>		Page 2		
Voluntary P		Name of Debtor(s): WIFN AMERICA LLC	Name of Debtor(s): WIEN AMERICA, LLC		
(This page mus.	t be completed and filed in every case.) All Prior Bankruptcy Cases Filed Within Last 8 Y	· · · · · · · · · · · · · · · · · · ·	eet)		
Location Where Filed:		Case Number:	Date Filed:		
Where Filed: Location		Case Number:	Date Filed:		
Where Filed:	Pending Bankruptcy Case Filed by any Spouse, Partner, or Affi				
Name of Debtor		Case Number:	Date Filed:		
District:	Central District of California	Relationship:	Judge:		
	Exhibit A	Exhibi			
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)		(To be completed if debtor is an individual whose debts are primarily consumer debts.) 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 118.S.C. § 342(b).			
☐ Exhibit A	A is attached and made a part of this petition.	X Signature of Attorney for Debtor(s)	5-16-11 (Date)		
	Exhibit		(Date)		
Does the debtor	r own or have possession of any property that poses or is alleged to pose a		nublic health or safety?		
	Exhibit C is attached and made a part of this petition.	MI DAC (Audito ileation		
	EXHIBIT C is attached and made a part of this part.				
☑ No.					
	Exhibit	(p			
- 'nlate					
_	ed by every individual debtor. If a joint petition is filed, each spouse must				
☐ Exhibit	D completed and signed by the debtor is attached and made a part of this	petition.			
If this is a joint p	petition:				
Exhibit I	D also completed and signed by the joint debtor is attached and made a pa	eart of this petition.			
	Information Regarding				
ď	(Check any appli Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 days	licable box.) of business, or principal assets in this Distric	at for 180 days immediately		
	There is a bankruptcy case concerning debtor's affiliate, general partner	ner, 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 a (Check all applica				
	Landlord has a judgment against the debtor for possession of debtor	*	following.)		
		(Name of landlord that obtained judgment)			
		(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, there are cirentire monetary default that gave rise to the judgment for possession	ircumstances under which the debtor would b in, after the judgment for possession was ente	e permitted to cure the cred, and		
	Debtor has included with this petition the deposit with the court of a of the petition.		,		
	Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(I)).				

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BI (Official Form) 1 (4/10) Page 3 Voluntary Petition NAMERI AMERICA, LLC (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 I declare under penalty of perjury that the information provided in this petition is true true and correct, that I am the foreign representative of a debtor in a foreign and correct proceeding, 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]. If 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. (Signature of Foreign Representative) Х Signature of Joint Debtor (Printed Name of Foreign Representative) Telephone Number (if not represented by attorney) 05/16/2011 Date Date Signature of Attorney Signature of Non-Attorney Bankruptcy Petition Preparer X I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s)
Dirk Anderson-Burley, Esq. 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 Printed Name of Attorney for Debtor(s)
Anderson Law Firm required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers. I have given 3701 Wilshire Boulevard, Suite 1050 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. Los Angeles, CA 90010 Official Form 19 is attached 383.5400 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, *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a responsible person or partner of the bankruptcy petition preparer.) (Required certification that the attorney has no knowledge after an inquiry that the information by 11 U.S.C. § 110.) in the schedules is incorrect. Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true Address and correct, and that I have been authorized to file this petition on behalf of the Х debtor. The debtor requests the relief in accordance with the chapter of title 11, United States Date Code, specified in this petition Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above. Signature of Authorized Individual Hae Duk Kim Names and Social-Security numbers of all other individuals who prepared or Printed Name of Authorized Individual Owner, Controlling Shareholder assisted in preparing this document unless the bankruptcy petition preparer is not an 05/16/2011 Individual individual Date 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.

B 4 (Official Form 4) (12/07)

UNITED STATES BANKRUPTCY COURT

Central District of California

In re WIEN A	MERICA, LLC Debtor	······································	Case No. Una Chapter 11.	assigned.
Follor prepared in ac	T OF CREDITORS H wing is the list of the debte cordance with Fed. R. Ba	or's creditors holding th nkr. P. 1007(d) for filin	e 20 largest unsecured of g in this chapter 11 [or of	claims. The list is chapter 9] case.
§ 101, or (2) s places the cre- creditors hold child's parent	not include (1) persons whosecured creditors unless the ditor among the holders of ing the 20 largest unsecure or guardian, such as "A.B See, 11 U.S.C. §112 and F	e value of the collateral f the 20 largest unsecure ed claims, state the child ,, a minor child, by Johr	is such that the unsecured claims. If a minor chid's initials and the name a Doe, guardian." Do no	ed deficiency ld is one of the and address of the
(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address, including zip code See attached.	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, state va disputed or subject to setoff	Amount of claim [if secured also tue of security]
Date: _	05/16/2011	Kim	Hae Du	

[Declaration as in Form 2]

Attachment to "List of 20 largest creditors":

1. Ho Soon Chung.

445 South Citrus Avenue, Los Angeles, CA 90036.

Property financing debt.

Disputed.

\$200,000 original amount has been fully paid, however lien on property still exists.

2. Tae Eon Park.

2801 Sepulveda Boulevard, Unit 55, Torrance, CA 90505.

Property financing debt.

Subject to setoff.

\$700,000.

3. Hanmi Bank, Loan Operations Department.

3660 Wilshire Boulevard, PH-A, Los Angeles, CA 90010.

Property financing debt.

Subject to setoff.

\$300,000 originally, \$40,000 balance remains.

4. CCA Financial

7275 Glen Forest Drive, Richmond, VA 23226.

Business equipment lending debt.

Subject to setoff.

\$720,000.

5. Hanmi Bank, Auto Loan Center.

P.O. Box 70039, Los Angeles, CA 90070.

Auto financing for company vehicles.

Subject to setoff.

\$15,000.

6. Moso Investment.

3700 Wilshire Boulevard, Suite 901, Los Angeles, CA 90010.

Property financing debt.

\$1,771,000.

7. U.S. Bank c/o Brigham Law Firm.

26522 La Alameda, Suite 170, Mission Viejo, CA 92691.

Judgment debt.

\$94,000.

8. Sung J. Lee, c/o The Law Office of Henry Lee. 3530 Wilshire Boulevard # 1710, Los Angeles, CA 90010 Judgment debt. \$450,000 Verification of Creditor Mailing List - (Rev. 10/05)

2003 USBC, Central District of California

MASTER MAILING LIST Verification Pursuant to Local Bankruptcy Rule 1007-2(d)

Name <u>Dirk Anderson-Burley</u> , Esq.	
Address 3701 Wilshire Boulevard, Suite 1050, Los Angeles, CA 90010	
Telephone <u>213.383.5400</u>	
⚠ Attorney for Debtor(s)☐ Debtor in Pro Per	
UNITED STATES BANKR CENTRAL DISTRICT OF	
List all names including trade names used by Debtor(s) within last 8 years):	Case No.: Unassigned.
Wien America LLC	Chapter: 11.
VERIFICATION OF CREDITO The above named debtor(s), or debtor's attorney if applicable, do hel Master Mailing List of creditors, consisting of 3 sheet(s) is comple pursuant to Local Rule 1007-2(d) and I/we assume all responsibility for	reby certify under penalty of perjury that the attached
Date: _05/16/2011	inthe Duk
/s/ Dirk Anderson-Burley, Esq. Attorney (if applicable) Joint Debtor	

Wien America LLC 3035 West Olympic Boulevard Los Angeles, CA 90006

Dirk Anderson-Burley, Esq. Anderson Law Firm 3701 Wilshire Boulevard, Suite 1050 Los Angeles, CA 90010

United States Trustee 725 South Figueroa Street, Suite 2600 Los Angeles, CA 90017-5413 CCA Financial 7275 Glen Forest Drive Richmond, VA 23226

Hanmi Bank Auto Loan Center. PO Box 70039 Los Angeles, CA 90070

Hanmi Bank Loan Operations Department. 3660 Wilshire Boulevard PH A Los Angeles, CA 90010

Ho Soon Chung 445 South Citrus Avenue Los Angeles, CA 90036

Moso Investment. 3700 Wilshire Boulevard Suite 901 Los Angeles, CA 90010

Sung J Lee c o The Law Office of Henry Lee 3530 Wilshire Boulevard Number 1710 Los Angeles, CA 90010

Tae Eon Park 2801 Sepulveda Boulevard Unit 55 Torrance, CA 90505 US Bank c o Brigham Law Firm 26522 La Alameda Suite 170 Mission Viejo, CA 92691