

**United States Bankruptcy Court
Eastern District of California**

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Food Service Management, Inc.	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 68-0154870	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 3001 Lavaridge Court, Ste 340 Roseville, CA ZIP Code 95661	Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code
County of Residence or of the Principal Place of Business: Placer	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): ZIP Code	Mailing Address of Joint Debtor (if different from street address): ZIP Code

Location of Principal Assets of Business Debtor
(if different from street address above):

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
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Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Check one box: Chapter 11 Debtors <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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Statistical/Administrative Information

Debtor estimates that funds will be available for distribution to unsecured creditors.
 Debtor estimates that, after any exempt property is excluded and administrative expenses paid,
 there will be no funds available for distribution to unsecured creditors.

Estimated Number of Creditors

<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input checked="" type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000
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Estimated Assets

<input checked="" type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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Estimated Liabilities

<input checked="" type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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THIS SPACE IS FOR COURT USE ONLY

2009-40066
 FILED
 September 18, 2009
 1:35 PM
RELIEF ORDERED
 CLERK, U. S. BANKRUPTCY COURT
 EASTERN DISTRICT OF CALIFORNIA

 0002097681

<p>Voluntary Petition <i>(This page must be completed and filed in every case)</i></p>		<p>Name of Debtor(s): Food Service Management, Inc.</p>	
<p>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)</p>			
<p>Location Where Filed: - None -</p>	<p>Case Number:</p>	<p>Date Filed:</p>	
<p>Location Where Filed:</p>	<p>Case Number:</p>	<p>Date Filed:</p>	
<p>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)</p>			
<p>Name of Debtor: - None - See Attached</p>	<p>Case Number:</p>	<p>Date Filed:</p>	
<p>District:</p>	<p>Relationship:</p>	<p>Judge:</p>	
<p style="text-align: center;">Exhibit A</p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>		<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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 delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p>X _____ Signature of Attorney for Debtor(s) (Date)</p>	
<p>Exhibit C</p>			
<p>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?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.</p> <p><input checked="" type="checkbox"/> No.</p>			
<p>Exhibit D</p>			
<p>(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)</p> <p><input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.</p> <p>If this is a joint petition:</p> <p><input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.</p>			
<p>Information Regarding the Debtor - Venue (Check any applicable box)</p>			
<p><input checked="" type="checkbox"/> 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.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p> <p><input type="checkbox"/> 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.</p>			
<p>Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes)</p>			
<p><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)</p> <p>_____ (Name of landlord that obtained judgment)</p> <p>_____ (Address of landlord)</p> <p><input type="checkbox"/> 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</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(f)).</p>			

Voluntary Petition

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

Name of Debtor(s):
Food Service Management, 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 States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

Date

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

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Signature of Attorney*

X /s/ Matthew Eason _____
Signature of Attorney for Debtor(s)

Matthew Eason 160148
Printed Name of Attorney for Debtor(s)

Eason & Tambornini
Firm Name

1819 K Street, Suite 200
Sacramento, CA 95811

Address

(916)438-1819 Fax: (916)438-1820
Telephone Number

September 16, 2009
Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of 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/ Abe Alizadeh _____
Signature of Authorized Individual

Abe Alizadeh
Printed Name of Authorized Individual

President

September 16, 2009
Date

Date

Affiliated Entity: **Taxpayer ID NO.**

SIERRA VALLEY ASSOCIATES, INC., a California corporation 20-5417336
Case No. Pending filed September 18, 2009

CENTRAL VALLEY FOOD SERVICES, INC., 68-0154873
a California corporation
Case No. Pending filed September 18, 2009

The following entities are being listed out of the abundance of caution as potentially affiliated based on common ownership. However, these entities are no longer affiliated by common control of business and are not believed to be technically affiliated:

Entity **Taxpayer ID NO.**

KOBRA PROPERTIES, a California General Partnership 33-0358425
Case No. 2008-37271-C-11 filed November 25, 2008 Eastern District of California;
Honorable Christopher M. Klein

VERNON STREET ASSOCIATES, LLC, a California limited liability company 20-2666528
Case No. 2008-37273-C-11 filed November 25, 2008
Eastern District of California; Honorable Christopher M. Klein

KOBRA PRESERVE, LLC, a California limited liability company 20-3161918
Case No. 2008-37272-C-11 filed November 25, 2008 Eastern District of California;
Honorable Christopher M. Klein

ROCKY RIDGE CENTER, LLC, a California limited liability company 26-1431897
Case No. 2008-38105-C-11 filed December 9, 2008
Eastern District of California; Honorable Christopher M. Klein

DOUGLAS POINTE, LLC, a California limited liability company 20-1476548
Case No. 2009-32854-C-11 filed June 23, 2009
Eastern District of California; Honorable Christopher M. Klein

**FOOD SERVICE MANAGEMENT, INCORPORATED, A CALIFORNIA CORPORATION
ACTION BY UNANIMOUS WRITTEN CONSENT OF ALL MEMBERS**

September 17, 2009

The undersigned, being the President of the above-named Corporation, individually certifies that the Bylaws of the Company authorized the President to act by majority consent without a meeting. Pursuant to the applicable sections of the California Corporations Code and the applicable sections of the Bylaws of the Company, the undersigned hereby consent to the adoption of the following resolutions and to transact the following business of the Company without a meeting as of the date shown above.

WHEREAS, it is in the best interest of this Company to file a Voluntary Petition in the United States Bankruptcy Court pursuant to Chapter 11 of the Title 11 of the United States Code;

BE IT THEREFORE RESOLVED, that the President, and any other person so authorized by the Company, 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 Company; and

BE IT FURTHER RESOLVED, that the President of the Company, and any other person so authorized by the Company, is authorized and directed to appear in all bankruptcy proceedings on behalf of the Company, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Company in connection with such bankruptcy case; and

BE IT FURTHER RESOLVED, that the President of the Company, and any other person so authorized by the Company, is authorized and directed to employ the law firm of Eason & Tambornini to represent the Company in such bankruptcy case.

SAID RESOLUTION is still in full force and effect.

FOOD SERVICE MANAGEMENT, INCORPORATED
a California corporation

By



Abolghassem Alizadeh,
President

UNITED STATES BANKRUPTCY COURT

Eastern District of California

In re Food Service Management, Inc,
Debtor

Case No. _____

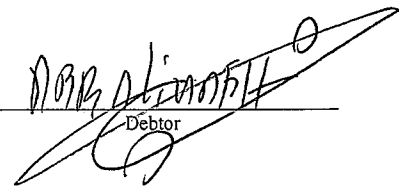
Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address, including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i>	<i>Amount of claim [if secured also state value of security]</i>
See Attached				

Date: 9/17/09


Debtor

[Declaration as in Form 2]

FOOD SERVICE MANAGEMENT, INC. -

ALLIED INSURANCE COMPANY
P.O. BOX 514540
LOS ANGELES, CA 95001

ALLIED WASTE SERVICES #917
P.O. BOX 78031
PHOENIX, AZ 85062

CITY OF REDDING
777 CYPRESS AVENUE
REDDING, CA 96049

CITY OF ROSEVILLE
311 VERNON ST
ROSEVILLE, CA 95678

COCA-COLA USA
PO BOX 102190
68 ANNEX
ATLANTA, GA 30368

CONOCO PHILLIPS FLEET
PO BOX 19107
HOUSTON, TX 77224-9107

COUNTY OF SACRAMENTO UTILITIES
9700 GOETHE RD
SUITE C
SACRAMENTO, CA 95827

DANA CENTRE
PO BOX 2990
NEWPORT BEACH, CA 92658

FREUND BAKING CO.
P. O. BOX 152
MT. EDEN, CA 94545

JACK IN THE BOX CORPORATE
9330 BALBOA AVE
SAN DIEGO, CA 92123-1516

NEVADA COUNTY TAX
P. O. BOX 128
NEVADA CITY, CA 95959-0128

FOOD SERVICE MANAGEMENT, INC. -

PG&E
BOX 997300
SACRAMENTO, CA 95853

PLACER COUNTY TAX COLLECTOR
TREASURER/TAX COLLECTOR
P O BOX 7790
AUBURN, CA 95603

SACRAMENTO COUNTY TAX COLLECTOR
PO BOX 508
SACRAMENTO, CA 95812-0508

SHASTA COUNTY TAX COLLECTOR
P. O. BOX 1830
REDDING, CA 96001

SMUD
PO BOX 15555
SACRAMENTO, CA 95853

THE WASSERSTROM COMPANY
471 S. FRONT ST
COLUMBUS, OH 43215

TRAINOR FAIRBROOK
PO BOX 255824
SACRAMENTO, CA 95865

VSA VISTAR
P O BOX 951080
DALLAS, TX 75395

WASTE MANAGEMENT
PO BOX 78251
PHOENIX, AZ 85062