

United States Bankruptcy Court

Northern District of California

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Sonoma Vineyards Acquisition LLC	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) 26-3831879	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): 5700 Hwy 116 N Forestville, CA ZIP Code 95436	Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code
County of Residence or of the Principal Place of Business: Sonoma	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): Post Office Box 920 Forestville, CA ZIP Code 95436	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)	Nature of Business (Check one box)	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)
☐ Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> ☒ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)	☐ Health Care Business ☐ Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank ☒ Other Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	☐ Chapter 7 ☐ Chapter 9 ☒ Chapter 11 ☐ Chapter 12 ☐ Chapter 13 ☐ Chapter 15 Petition for Recognition of a Foreign Main Proceeding ☐ Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
		Nature of Debts (Check one box) ☐ 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." ☒ Debts are primarily business debts.

Filing Fee (Check one box) ☒ Full Filing Fee attached ☐ 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. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	Chapter 11 Debtors Check one box: ☐ 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). Check if: ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (<i>amount subject to adjustment on 4/01/13 and every three years thereafter</i>). 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).
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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.	THIS SPACE IS FOR COURT USE ONLY										
Estimated Number of Creditors <table style="width: 100%; text-align: center;"> <tr> <td>☐ 1-49</td> <td>☒ 50-99</td> <td>☐ 100-199</td> <td>☐ 200-999</td> <td>☐ 1,000-5,000</td> <td>☐ 5,001-10,000</td> <td>☐ 10,001-25,000</td> <td>☐ 25,001-50,000</td> <td>☐ 50,001-100,000</td> <td>☐ OVER 100,000</td> </tr> </table>	☐ 1-49	☒ 50-99	☐ 100-199	☐ 200-999	☐ 1,000-5,000	☐ 5,001-10,000	☐ 10,001-25,000	☐ 25,001-50,000	☐ 50,001-100,000	☐ OVER 100,000	
☐ 1-49	☒ 50-99	☐ 100-199	☐ 200-999	☐ 1,000-5,000	☐ 5,001-10,000	☐ 10,001-25,000	☐ 25,001-50,000	☐ 50,001-100,000	☐ OVER 100,000		
Estimated Assets <table style="width: 100%; text-align: center;"> <tr> <td>☐ \$0 to \$50,000</td> <td>☐ \$50,001 to \$100,000</td> <td>☐ \$100,001 to \$500,000</td> <td>☐ \$500,001 to \$1 million</td> <td>☒ \$1,000,001 to \$10 million</td> <td>☐ \$10,000,001 to \$50 million</td> <td>☐ \$50,000,001 to \$100 million</td> <td>☐ \$100,000,001 to \$500 million</td> <td>☐ \$500,000,001 to \$1 billion</td> <td>☐ More than \$1 billion</td> </tr> </table>	☐ \$0 to \$50,000	☐ \$50,001 to \$100,000	☐ \$100,001 to \$500,000	☐ \$500,001 to \$1 million	☒ \$1,000,001 to \$10 million	☐ \$10,000,001 to \$50 million	☐ \$50,000,001 to \$100 million	☐ \$100,000,001 to \$500 million	☐ \$500,000,001 to \$1 billion	☐ More than \$1 billion	
☐ \$0 to \$50,000	☐ \$50,001 to \$100,000	☐ \$100,001 to \$500,000	☐ \$500,001 to \$1 million	☒ \$1,000,001 to \$10 million	☐ \$10,000,001 to \$50 million	☐ \$50,000,001 to \$100 million	☐ \$100,000,001 to \$500 million	☐ \$500,000,001 to \$1 billion	☐ More than \$1 billion		
Estimated Liabilities <table style="width: 100%; text-align: center;"> <tr> <td>☐ \$0 to \$50,000</td> <td>☐ \$50,001 to \$100,000</td> <td>☐ \$100,001 to \$500,000</td> <td>☐ \$500,001 to \$1 million</td> <td>☒ \$1,000,001 to \$10 million</td> <td>☐ \$10,000,001 to \$50 million</td> <td>☐ \$50,000,001 to \$100 million</td> <td>☐ \$100,000,001 to \$500 million</td> <td>☐ \$500,000,001 to \$1 billion</td> <td>☐ More than \$1 billion</td> </tr> </table>	☐ \$0 to \$50,000	☐ \$50,001 to \$100,000	☐ \$100,001 to \$500,000	☐ \$500,001 to \$1 million	☒ \$1,000,001 to \$10 million	☐ \$10,000,001 to \$50 million	☐ \$50,000,001 to \$100 million	☐ \$100,000,001 to \$500 million	☐ \$500,000,001 to \$1 billion	☐ More than \$1 billion	
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Voluntary Petition

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

Name of Debtor(s):

Sonoma Vineyards Acquisition LLC**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor 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.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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

Name of Debtor(s):

Sonoma Vineyards Acquisition LLC**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 Attorney*

X /s/ Michael C. Fallon SBN
Signature of Attorney for Debtor(s)

Michael C. Fallon SBN 088313
Printed Name of Attorney for Debtor(s)

Law Office of Michael C. Fallon
Firm Name

100 E Street, Suite 219
Santa Rosa, CA 95404

Address

Email: mcfallon@fallonlaw.net

(707) 546-6770 Fax: (707) 546-5775

Telephone Number

August 10, 2011

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/ Christopher O'Neill
Signature of Authorized Individual

Christopher O'Neill
Printed Name of Authorized Individual

Managing Member
Title of Authorized Individual

August 10, 2011

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

X _____

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.

United States Bankruptcy Court
Northern District of California

In re **Sonoma Vineyards Acquisition LLC**

Debtor(s)

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; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Accurate Forklift P. O. Box 4860 Santa Rosa, CA 95402	Accurate Forklift P. O. Box 4860 Santa Rosa, CA 95402	Lease/purchase forklift		15,920.00
Barbara Kreig POB 14173 Santa Rosa, CA 95402	Barbara Kreig POB 14173 Santa Rosa, CA 95402	Legal Services		5,479.00
Board of Equalization P. O. Box 942879 Sacramento, CA 94279-6087	Board of Equalization P. O. Box 942879 Sacramento, CA 94279-6087	Sales tax		46,821.00
Devils Gulch POB 557 Nicasio, CA 94946	Devils Gulch POB 557 Nicasio, CA 94946	Wine in bulk plus 35 cases bottled		4,500.00 (14,000.00 secured) (109,376.00 senior lien)
Encore Glass, Inc. 4345 Industrial Way Benicia, CA 94510	Encore Glass, Inc. 4345 Industrial Way Benicia, CA 94510	Purchasing Wine Bottles		17,023.00
Facciola Meat Co. P.O. Box 14160 Fremont, CA 94539-1360	Facciola Meat Co. P.O. Box 14160 Fremont, CA 94539-1360	Food Supplies		5,924.00
Franchise Tax Board P.O. Box 942857 Sacramento, CA 94257-0631	Franchise Tax Board P.O. Box 942857 Sacramento, CA 94257-0631	Taxes		7,000.00
Gill Landscaping 9878 Mill Station Rd Sebastopol, CA 95472	Gill Landscaping 9878 Mill Station Rd Sebastopol, CA 95472	Landscaping Services		4,126.00
Gordon, Feinblatt, Rothman, Hoffberger & 233 East Redwood St Baltimore, MD 21202	Gordon, Feinblatt, Rothman, Hoffberger & 233 East Redwood St Baltimore, MD 21202	Attorney Services		4,996.00
Jerry & Don's Yager Pump & Well Services P.O. Box 2689 Petaluma, CA 94953-2689	Jerry & Don's Yager Pump & Well Services P.O. Box 2689 Petaluma, CA 94953-2689	Well & Water Services		13,970.00
Kelvin Cooperage 145 Jordan St San Rafael, CA 94901	Kelvin Cooperage 145 Jordan St San Rafael, CA 94901	Barrells		4,530.00

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <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>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
M.A. Silva 3433 Westwind Blvd Santa Rosa, CA 95403	M.A. Silva 3433 Westwind Blvd Santa Rosa, CA 95403	Bottling Supplies		5,952.00
Manchester Ridge LLC 3921 Alexander Street Napa, CA 94558	Manchester Ridge LLC 3921 Alexander Street Napa, CA 94558	250 cases bottled		7,500.00 (90,000.00 secured) (109,376.00 senior lien)
Perry, Johnson, Anderson, Miller & Mosk. PO Box 1028 Santa Rosa, CA 95402	Perry, Johnson, Anderson, Miller & Mosk. PO Box 1028 Santa Rosa, CA 95402	Attorney Services		7,681.00
Praxis Architects P.O Box 291 Monte Rio, CA 95416	Praxis Architects P.O Box 291 Monte Rio, CA 95416	Architectural Services		4,323.00
Sunrise Farms 395 Liberty Rd Petaluma, CA 94952-8104	Sunrise Farms 395 Liberty Rd Petaluma, CA 94952-8104	Wine in bulk plus 35 cases bottled		27,000.00 (0.00 secured)
Synergy Glass and Packaging 2360 Mendocino Avenue, A2 Santa Rosa, CA 95403	Synergy Glass and Packaging 2360 Mendocino Avenue, A2 Santa Rosa, CA 95403	Glass		6,000.00
Tonnellerie Sirugue c/o Francoise Gouges 2343 - 33rd Street Santa Monica, CA 90405	Tonnellerie Sirugue c/o Francoise Gouges 2343 - 33rd Street Santa Monica, CA 90405	Wine Barrells		9,000.00
Weibel Inc. 1 Winemaster Way Lodi, CA 95240	Weibel Inc. 1 Winemaster Way Lodi, CA 95240	Bulk Wine Purchase		7,000.00
Wine Country Shipping 7687 Bell Road Windsor, CA 95492	Wine Country Shipping 7687 Bell Road Windsor, CA 95492	Shipping		5,108.00

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

I, the Managing Member of the corporation 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 August 10, 2011

Signature /s/ Christopher O'Neill
Christopher O'Neill
Managing Member

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.