

United States Bankruptcy  
Court

Northern District of  
California

In re Syu Sing Investment, LLC  
Debtor

Case No.17-51995-SLJ

Small Business Case under Chapter 11

**SYU SING INVESTMENT, LLC DISCLOSURE STATEMENT DATED OCT. 26, 2017**

**Table of Contents**

I.	INTRODUCTION.....	2
A.	Purpose of Document.....	2
B.	Deadlines for Voting and Objecting; Date of Plan Confirmation Hearing	2
C.	Disclaimer.....	3
II.	BACKGROUND.....	3
A.	Description and History of the Debtor's Business.....	3
B.	Insiders of the Debtor.....	4
C.	Management of the Debtor Before and During the Bankruptcy.....	4
D.	Events Leading to Chapter 11 Filing.....	4
E.	Significant Events During the Bankruptcy .....	4
F.	Projected Recovery of Avoidable Transfers .....	4
G.	Claims Objections.....	4
H.	Current and Historical Financial Conditions.....	4
III.	<b>SUMMARY OF THE PLAN OF REORGANIZATION AND TREATMENT OF CLAIMS AND EQUITY INTERESTS .....</b>	<b>5</b>

A.	What is the Purpose of the Plan of Reorganization?.....	5
B.	Unclassified Classss.....	5
C.	Classes of Claims and Equity Interests.....	7
D.	Means of Implementing the Plan.....	10
E.	Risk Factors.....	10
F.	Executory Contracts and Unexpired Leases.....	10
G.	Tax Consequences of Plan .....	11
IV.	<b>CONFIRMATION REQUIREMENTS AND PROCEDURES.....</b>	<b>11</b>
A.	Who May Vote or Object.....	12
B.	Votes Necessary to Confirm the Plan .....	13
C.	Liquidation Analysis.....	14
D.	Feasibility.....	14
V.	<b>EFFECT OF CONFIRMATION OF PLAN.....</b>	<b>14</b>
A.	Discharge of Debtor .....	15
B.	Modification of Plan.....	15
C.	Final Decree .....	15

## I. INTRODUCTION

This is the disclosure statement (the “Disclosure Statement”) in the single asset chapter 11 case of Syu Sing Investment, LLC. (the Debtor). This Disclosure Statement contains information about the Debtor and describes the Plan dated Oct. 26, 2017 (the “Plan”) filed by the Debtor on Oct. 26, 2017. A full copy of the Plan is attached to this Disclosure Statement as Exhibit A. ***Your rights may be affected. You should read the Plan and this Disclosure Statement carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult one.***

. The proposed distributions under the Plan are discussed at pages 7-8 of this Disclosure Statement. General unsecured creditors are Classified in Class 3 and will be paid in full together with interest at 1.38% per annum

### A. Purpose of This Document

This Disclosure Statement describes:

1. The Debtor and significant events during the bankruptcy case,
2. How the Plan proposes to treat claims or equity interests of the type you hold (*i.e.*, what you will receive on your claim or equity interest if the plan is confirmed),
3. Who can vote on or object to the Plan,
4. What factors the Bankruptcy Court (the “Court”) will consider when deciding whether to confirm the Plan,
5. Why the Proponent believes the Plan is feasible, and how the treatment of your claim or equity interest under the Plan compares to what you would receive on your claim or equity interest in liquidation, and
6. The effect of confirmation of the Plan.

Be sure to read the Plan as well as the Disclosure Statement. This Disclosure Statement describes the Plan, but it is the Plan itself that will, if confirmed, establish your rights.

### B. Deadlines for Voting and Objecting; Date of Plan Confirmation Hearing

The Court has not yet confirmed the Plan described in this Disclosure Statement. This section describes the procedures pursuant to which the Plan will or will not be confirmed.

1. *A hearing on the approval of this Disclosure Statement will be held on Dec. 7, 2017 at 1:30 p.m.*

The hearing at which the Court will determine whether to approve this Disclosure Statement will take place on Dec. 7, 2017, at 1:30 P.M. in Courtroom 3099, at the United States Bankruptcy Court, Northern District of California, San Jose Division at 280 So. First St., San Jose, CA 95113.

2. *Deadline For Voting to Accept or Reject the Plan*

If you are entitled to vote to accept or reject the plan, vote on the enclosed ballot and return the ballot in the enclosed envelope to The Fuller Law Firm, P.C., 60 No. Keeble Ave. San Jose, CA 95126. See section IV.A. below for a discussion of voting eligibility requirements.

Your ballot must be received by insert date or it will not be counted.

3. *Deadline For Objecting to the Confirmation of the Plan*

Objections to this Disclosure Statement must be filed with the Court and served upon debtor, debtor's counsel, the Office of the United States Trustee and all parties requesting special notice by\_\_\_\_\_.

4. *Identity of Person to Contact for More Information*

If you want additional information about the Plan, you should contact The Fuller Law Firm, P.C. 60 No. Keeble Ave. San Jose, CA 95126 at 408 295-5595.

C. **Disclaimer**

*This Disclosure Statement, if approved, does not constitute an endorsement of the Plan by the Court, or a recommendation that it be accepted.*

II. **BACKGROUND**

A. **Description and History of the Debtor-s Business**

Debtor was formed on Oct. 27, 2016 and acquired title to the property at 2201 Lafayette St. Santa Clara, CA ["Santa Clara Property"] on Nov. 18, 2016. The Santa Clara Property is a commercial/industrial building proximate to Home Depot, material suppliers and building contractors on Lafayette St. in Santa Clara, CA. Other than nominal cash, this is Debtor's only asset.

The Santa Clara Property was leased, but the tenant vacated within a month citing disagreement as to available parking for the building.

Debtor wishes to sell the Santa Clara Property. Because marketing time is unknown, debtor intends to re-finance the existing 1st trust deed on the Santa Clara Property allowing debtor additional time to sell the Santa Clara Property.

**B. Insiders of the Debtor**

Kan Fan Cheung and Yim Ho Leung. Husband and wife are the sole members of the debtor.

**C. Management of the Debtor Before and During the Bankruptcy**

From the date of formation to the date on which the bankruptcy petition was filed, the Yim Ho Leung was the managing member of the debtor.

After the effective date of the order confirming the Plan, the directors, officers, and voting trustees of the Debtor, any affiliate of the Debtor participating in a joint Plan with the Debtor, or successor of the Debtor under the Plan (collectively the “Post Confirmation Managers”), will be Yim Ho Leung.

**D. Events Leading to Chapter 11 Filing**

When the tenant for the Santa Clara Property vacated, debtor lacked the cash flow to debt service the existing loan. Evergreen Advantage, LLC proceeded to record a Notice of Default and Notice of Sale.

**E. Significant Events During the Bankruptcy Case**

Since the filing of this petition, debtor has solicited lenders to refinance the Property. Casco Financial Group, apparently lacking an appropriate investor appears to have declined the financing. Heisenberg Investments, LLC issued a term sheet willing to fund the re-finance but at unattractive rates. Stonecrest Financial is performing it due diligence and a term sheet is expected shortly.

A listing agreement has been executed with Cornish and Carey to sell the Santa Clara Property. A motion to employ Cornish and Carey has been drafted and will be filed once executed by the broker.

**F. Projected Recovery of Avoidable Transfers**

The Debtor does not intend to pursue preference, fraudulent conveyance, or other avoidance actions.

**G. Claims Objections**

Except to the extent that a claim is already allowed pursuant to a final non-appealable order, the Debtor reserves the right to object to claims. Therefore, even if your claim is allowed for voting purposes, you may not be entitled to a distribution if an objection to your claim is later upheld. The procedures for resolving disputed claims are set forth in Article V of the Plan.

**H. Current and Historical Financial Conditions**

The identity and fair market value of the estate's assets are listed in Exhibit B.

The most recent post-petition operating report filed since the commencement of the Debtor's bankruptcy case are set forth in Exhibit C.

### III. SUMMARY OF THE PLAN OF REORGANIZATION AND TREATMENT OF CLAIMS AND EQUITY INTERESTS

#### A. What is the Purpose of the Plan of Reorganization?

As required by the Code, the Plan places claims and equity interests in various classes and describes the treatment each class will receive. The Plan also states whether each class of claims or equity interests is impaired or unimpaired. If the Plan is confirmed, your recovery will be limited to the amount provided by the Plan.

#### B. Unclassified Claims

Certain types of claims are automatically entitled to specific treatment under the Code. They are not considered impaired, and holders of such claims do not vote on the Plan. They may, however, object if, in their view, their treatment under the Plan does not comply with that required by the Code. As such, the Plan Proponent has *not* placed the following claims in any class:

##### 1. *Administrative Expenses*

Administrative expenses are costs or expenses of administering the Debtor's chapter 11 case which are allowed under § 507(a)(2) of the Code. Administrative expenses also include the value of any goods sold to the Debtor in the ordinary course of business and received within 20 days before the date of the bankruptcy petition. The Code requires that all administrative expenses be paid on the effective date of the Plan, unless a particular claimant agrees to a different treatment.

The following chart lists the Debtors estimated administrative expenses, and their proposed treatment under the Plan:

Type	Estimated Amount Owed	Proposed Treatment
Professional Fees, as approved by the Court.	\$10,000	Payable on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA but subject to an accounting and approval of an Application for Compensation
Office of the U.S. Trustee Fees	325	Paid in full on the effective date of the Plan
<b>TOTAL</b>	<b>10,325</b>	

## 2. *Priority Tax Claims*

Priority tax claims are unsecured income, employment, and other taxes described by § 507(a)(8) of the Code. Unless the holder of such a § 507(a)(8) priority tax claim agrees otherwise, it must receive the present value of such claim, in regular installments paid over a period not exceeding 5 years from the order of relief.

The following chart lists the Debtors estimated § 507(a)(8) priority tax claims and their proposed treatment under the Plan:

Description (name and type of tax)	Estimated Amount Owed	Date of Assessment	Treatment
IRS	0	NA	
FTB	7.06		Payable in full together with interest at 4.00% per annum, on the Effective Date.

### C. Classes of Claims and Equity Interests

The following are the classes set forth in the Plan, and the proposed treatment that they will receive under the Plan:

#### 1. *Classes of Secured Claims*

Allowed Secured Claims are claims secured by property of the Debtor's bankruptcy estate (or that are subject to setoff) to the extent allowed as secured claims under § 506 of the Code. If the value of the collateral or setoffs securing the creditor's claim is less than the amount of the creditor's allowed claim, the deficiency will be classified as a general unsecured claim.



The following chart lists all classes containing Debtor's secured prepetition claims and their proposed treatment under the Plan:

Class #	Description	Insider? (Yes or No)	Impairment	Treatment
1	<p><i>Secured claim of:</i>  Name = Santa Clara Co. Tax Collector  Collateral description = commercial real property at 2201 Lafayette St. Santa Clara, CA  Allowed Secured Amount = \$ 15,818.90  Priority of lien: Senior to _____ mortgage</p>	No	impaired	Payable in full together with interest at 18% per annum on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA but in no event later than 6 months from the Effective Date.
2	<p><i>Secured claim of:</i>  Name = The Evergreen Advantage, LLC  Collateral description = Commercial real property at 2201 Lafayette St., Santa Clara, CA  Allowed Secured Amount = \$ 2,581,421.07  _____</p>	No	impaired	Payable in full together with note interest , costs and fees on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA but in no event later than 6 months from the Effective Date.

## 2. Classes of Priority Unsecured Claims

Certain priority claims that are referred to in §§ 507(a)(1), (4), (5), (6), and (7) of the Code are required to be placed in classes. The Code requires that each holder of such a claim receive cash on the effective date of the Plan equal to the allowed amount of such claim. However, a class of holders of such claims may vote to accept different treatment.

The following chart lists all classes containing claims under §§ 507(a)(1), (4), (5), (6), and (a)(7) of the Code and their proposed treatment under the Plan:

Class #	Description	Impairment	Treatment
	None		

### 3. *Class of General Unsecured Claims*

General unsecured claims are not secured by property of the estate and are not entitled to priority under § 507(a) of the Code.

The following chart identifies the Plan's proposed treatment of Class 3 which contain general unsecured claims against the Debtor:

Class #	Description	Impairment	Treatment
3	General Unsecured Class	Impaired	Payable in full together with interest at 1.38% per annum on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA provided such dates are post-confirmation. In any event, these creditors shall be paid within 6 months of the Effective Date of the Plan. <sup>1</sup> A list of General unsecured creditors is attached as Exhibit G

### 4. *Class of Equity Interest Holders*

Equity interest holders are parties who hold an ownership interest (*i.e.*, equity interest) in the Debtor. In a corporation, entities holding preferred or common stock are equity interest holders. In a partnership, equity interest holders include both general and limited partners. In a limited liability company (“LLC”), the equity interest holders are the members. Finally, with respect to an individual

<sup>1</sup> Debtor's preference is to refinance the Santa Clara Property and to sell the Stockton Property as an exit to the refinance. However, if a suitable offer on the Santa Clara property comes through first, debtor will entertain selling the Santa Clara property.

who is a debtor, the Debtor is the equity interest holder.

The following chart sets forth the Plan's proposed treatment of the class of equity interest holders:

Class #	Description	Impairment	Treatment
4	Equity interest holders	Unimpaired	Retain membership interest

#### D. Means of Implementing the Plan

##### 1. *Source of Payments*

Payments and distributions under the Plan will be funded by the sale or refinance of the Santa Clara Property or from the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA

##### 2. *Post-confirmation Management*

The Post-Confirmation Managers of the Debtor, and their compensation, shall be as follows:

Name	Affiliations	Insider (yes or no)?	Position	Compensation
Yim Ho Leung	Managing Member	Yes	President	None

#### E. Risk Factors

The proposed Plan has the following risks:

**Market Risk.** Though the commercial real estate market appears healthy, the Holiday Season may result in deferment of purchase decisions. Unknown economic or political events could have a detrimental impact on the real estate market.

#### F. Executory Contracts and Unexpired Leases

None

All executory contracts and unexpired leases that are not identified will be rejected under the Plan. Consult your adviser or attorney for more specific information about particular contracts or leases.

#### G. Tax Consequences of Plan

***Creditors and Equity Interest Holders Concerned with How the Plan May Affect Their Tax Liability Should Consult with Their Own Accountants, Attorneys, And/Or Advisors.***

The following are the anticipated tax consequences of the Plan: At a sales price of \$4,200,000 assuming 7% costs of sale, the taxable gain is estimated as:

$$4,110,000 \text{ (sales price)} - \$287,700 \text{ (costs of sale)} - \$2,700,000 \text{ (purchase price)} = \$1,122,300^2$$

Federal Tax (20% for income over \$470,701)	\$224,460
State Tax (10% average tax rate)	\$112,230
TOTAL Tax	\$336,690

#### IV. CONFIRMATION REQUIREMENTS AND PROCEDURES

To be confirmable, the Plan must meet the requirements listed in §§ 1129(a) or (b) of the Code. These include the requirements that: the Plan must be proposed in good faith; at least one impaired class of claims must accept the plan, without counting votes of insiders; the Plan must distribute to each creditor and equity interest holder at least as much as the creditor or equity interest holder would receive in a chapter 7 liquidation case, unless the creditor or equity interest holder votes to accept the Plan; and the Plan must be feasible. These requirements are not the only requirements listed in § 1129, and they are not the only requirements for confirmation.

<sup>2</sup> Debtor has not depreciated the property since acquisition.

### A. Who May Vote or Object

Any party in interest may object to the confirmation of the Plan if the party believes that the requirements for confirmation are not met.

Many parties in interest, however, are not entitled to vote to accept or reject the Plan. A creditor or equity interest holder has a right to vote for or against the Plan only if that creditor or equity interest holder has a claim or equity interest that is both (1) allowed or allowed for voting purposes and (2) impaired.

In this case, the Plan Proponent believes that classes 1-3 are impaired and that holders of claims in each of these classes are therefore entitled to vote to accept or reject the Plan.

#### 1. *What Is an Allowed Claim or an Allowed Equity Interest?*

Only a creditor or equity interest holder with an allowed claim or an allowed equity interest has the right to vote on the Plan. Generally, a claim or equity interest is allowed if either (1) the Debtor has scheduled the claim on the Debtor's schedules, unless the claim has been scheduled as disputed, contingent, or unliquidated, or (2) the creditor has filed a proof of claim or equity interest, unless an objection has been filed to such proof of claim or equity interest. When a claim or equity interest is not allowed, the creditor or equity interest holder holding the claim or equity interest cannot vote unless the Court, after notice and hearing, either overrules the objection or allows the claim or equity interest for voting purposes pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure.

***The non-governmental deadline for filing a proof of claim in this case 12-12-18-2017.***

#### 2. *What Is an Impaired Claim or Impaired Equity Interest?*

As noted above, the holder of an allowed claim or equity interest has the right to vote only if it is in a class that is *impaired* under the Plan. As provided in § 1124 of the Code, a class is considered impaired if the Plan alters the legal, equitable, or contractual rights of the members of that class.

#### 3. *Who is **Not** Entitled to Vote*

The holders of the following five types of claims and equity interests are *not* entitled to vote:

- holders of claims and equity interests that have been disallowed by an order of the Court;
- holders of other claims or equity interests that are not “allowed claims” or “allowed equity interests” (as discussed above), unless they have been “allowed” for voting purposes.
- holders of claims or equity interests in unimpaired classes;

- holders of claims entitled to priority pursuant to §§ 507(a)(2), (a)(3), and (a)(8) of the Code; and
- holders of claims or equity interests in classes that do not receive or retain any value under the Plan;
- administrative expenses.

***Even If You Are Not Entitled to Vote on the Plan, You Have a Right to Object to the Confirmation of the Plan [and to the Adequacy of the Disclosure Statement].***

4. *Who Can Vote in More Than One Class*

A creditor whose claim has been allowed in part as a secured claim and in part as an unsecured claim, or who otherwise hold claims in multiple classes, is entitled to accept or reject a Plan in each capacity, and should cast one ballot for each claim.

**B. Votes Necessary to Confirm the Plan**

If impaired classes exist, the Court cannot confirm the Plan unless (1) at least one impaired class of creditors has accepted the Plan without counting the votes of any insiders within that class, and (2) all impaired classes have voted to accept the Plan, unless the Plan is eligible to be confirmed by cram down on non-accepting classes, as discussed later in Section [B.2.].

1. *Votes Necessary for a Class to Accept the Plan*

A class of claims accepts the Plan if both of the following occur: (1) the holders of more than one-half (1/2) of the allowed claims in the class, who vote, cast their votes to accept the Plan, and (2) the holders of at least two-thirds (2/3) in dollar amount of the allowed claims in the class, who vote, cast their votes to accept the Plan.

A class of equity interests accepts the Plan if the holders of at least two-thirds (2/3) in amount of the allowed equity interests in the class, who vote, cast their votes to accept the Plan.

2. *Treatment of Nonaccepting Classes*

Even if one or more impaired classes reject the Plan, the Court may nonetheless confirm the Plan if the nonaccepting classes are treated in the manner prescribed by § 1129(b) of the Code. A plan that binds nonaccepting classes is commonly referred to as a "cram down" plan. The Code allows the Plan to bind nonaccepting classes of claims or equity interests if it meets all the requirements for consensual confirmation except the voting requirements of § 1129(a)(8) of the Code, does not "discriminate unfairly," and is "fair and equitable" toward each impaired class that has not voted to accept the Plan.

***You should consult your own attorney if a "cramdown" confirmation will affect your claim or equity interest, as the variations on this general rule are numerous and complex.***

**C. Liquidation Analysis**

To confirm the Plan, the Court must find that all creditors and equity interest holders who do not accept the Plan will receive at least as much under the Plan as such claim and equity interest holders would receive in a chapter 7 liquidation. A liquidation analysis is attached to this Disclosure Statement as Exhibit D.

**D. Feasibility**

The Court must find that confirmation of the Plan is not likely to be followed by the liquidation, or the need for further financial reorganization, of the Debtor or any successor to the Debtor, unless such liquidation or reorganization is proposed in the Plan.

**1. *Ability to Initially Fund Plan***

The Plan Proponent believes that the Debtor will have enough cash on hand on the effective date of the Plan to pay all the claims and expenses that are entitled to be paid on that date. Tables showing the amount of cash on hand on the effective date of the Plan, and the sources of that cash are attached to this disclosure statement as Exhibit E.

**2. *Ability to Make Future Plan Payments And Operate Without Further Reorganization***

The Plan Proponent must also show that it will have enough cash over the life of the Plan to make the required Plan payments.

Except for insurance and UST fees, which will be paid from non-estate funds the Plan will be funded from the refinance or sale of the Santa Clara Property or the sale of non-estate property at 22135 Stagecoach Rd. Stockton, CA.

***You Should Consult with Your Accountant or other Financial Advisor If You Have Any Questions Pertaining to These Projections.***

**V. EFFECT OF CONFIRMATION OF PLAN****A. DISCHARGE OF DEBTOR**

Discharge. On the effective date of the Plan, the Debtor shall be discharged from any debt that arose before confirmation of the Plan, subject to the occurrence of the effective date, to the extent specified in § 1141(d)(1)(A) of the Code, except that the Debtor shall not be discharged of any debt (i) imposed by the Plan, (ii) of a kind specified in § 1141(d)(6)(A) if a timely complaint was filed in accordance with Rule 4007(c) of the Federal Rules of Bankruptcy Procedure, or (iii) of a kind specified in § 1141(d)(6)(B). After the effective date of the Plan your claims against the Debtor will be limited to the debts described in clauses (i) through (iii) of the preceding sentence.

**B. Modification of Plan**

The Plan Proponent may modify the Plan at any time before confirmation of the Plan. However, the Court may require a new disclosure statement and/or revoting on the Plan.

The Plan Proponent may also seek to modify the Plan at any time after confirmation only if (1) the Plan has not been substantially consummated *and* (2) the Court authorizes the proposed modifications after notice and a hearing.

**C. Final Decree**



Once the estate has been fully administered, as provided in Rule 3022 of the Federal Rules of Bankruptcy Procedure, the Plan Proponent, or such other party as the Court shall designate in the Plan Confirmation Order, shall file a motion with the Court to obtain a final decree to close the case. Alternatively, the Court may enter such a final decree on its own motion.

## VI. OTHER PLAN PROVISIONS

None

Dated: Oct. 26, 2017

/s/ Yim Ho,. Leung

/s/Lars T. Fuller

**EXHIBITS**

**Exhibit A** Copy of Proposed Plan of Reorganization

United States Bankruptcy Court  
Northern District of California

In re SYU SING INVESTMENT, LLC., Case No. 17-51995-SLJ  
Debtor  
Chapter 11

**SYU SING INVESTMENT, LLC'S PLAN OF REORGANIZATION, DATED OCT. 26, 2017**

**ARTICLE I**  
**SUMMARY**

This Plan of Reorganization (the "Plan") under chapter 11 of the Bankruptcy Code (the "Code") proposes to pay creditors of Syu Sing Investment, LLC. (the "Debtor") from the sale or refinance of the Property or alternatively from the sale of non-estate property.

This Plan provides for two classes of secured, one class of unsecured and one class of equity security holders. Unsecured creditors holding allowed claims will be paid in full together with interest at 1.38% per annum. The Plan also provides for the payment of administrative and priority claims.

All creditors and equity security holders should refer to Articles III through VI of this Plan for information regarding the precise treatment of their claim. A disclosure statement that provides more detailed information regarding this Plan and the rights of creditors and equity security holders has been circulated with this Plan. **Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.)**

**ARTICLE II**  
**CLASSIFICATION OF CLAIMS AND INTERESTS**

2.01 The claim of Santa Clara County Property Tax Collector as a secured claim under § 506 of the Code [Class 1]

2.02 The claim of The Evergreen Advantage, LLC, as a secured claim under § 506 of the Code [Class 2].

2.03 All unsecured claims allowed under §502 of the Code.

2.04 Equity interests of the Debtor

**ARTICLE III**  
**TREATMENT OF ADMINISTRATIVE EXPENSE CLAIMS,**  
**U.S. TRUSTEES FEES, AND PRIORITY TAX CLAIMS**

3.01 Unclassified Claims. Under section §1123(a)(1), administrative expense claims, and priority tax claims are not in classes.

3.02 Administrative Expense Claims. Each holder of an administrative expense claim allowed under § 503 of the Code will be paid in full on the effective date of this Plan (as defined in Article VII), in cash, or upon such other terms as may be agreed upon by the holder of the claim and the Debtor.

3.03 Priority Tax Claims. Each holder of a priority tax claim will be paid. The claim of the Franchise Tax Board in the amount of \$7.06 will be paid in full together with interest at 4% per annum on the Effective Date.

3.04 United States Trustee Fees. All fees required to be paid by 28 U.S.C. §1930(a)(6) (U.S. Trustee Fees) will accrue and be timely paid until the case is closed, dismissed, or converted to another chapter of the Code. Any U.S. Trustee Fees owed on or before the effective date of this Plan will be paid on the effective date.

**ARTICLE IV**  
**TREATMENT OF CLAIMS AND INTERESTS UNDER THE PLAN**

4.01 Claims and interests shall be treated as follows under this Plan:

<b>Class</b>	<b>Impairment</b>	<b>Treatment</b>
Class 1 – Santa Clara County Tax Collector	Impaired	Pay \$15,818.90 or allowed claim, if any claim is filed, together with interest at 18% per annum from the commencement date, on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA but in any event not later than 6 months from the Effective Date.
Class 2 – The Evergreen Advantage, LLC	Impaired	Pay the allowed claim together with post-petition, interest costs and fees on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA but in any event not later than 6 months from the Effective Date.
Class 3 - General Unsecured Creditors	Impaired	The Class 3 Claimants shall receive 100% of their allowed claim together with interest at the rate of 1.38% from the Effective Date on the earlier of the closing of the refinance or sale of the property at 2201 Lafayette St. Santa Clara, CA 95050 or within 15 days of the sale of non-estate real property at 2135 Stagecoach Rd. Stockton, CA provided the case is confirmed, but in any event not later than the Effective Date of the Plan.
Class 4 - Equity Security Holders of the Debtor	Impaired (cannot vote because insider)	Shall retain all membership interest

**ALLOWANCE AND DISALLOWANCE OF CLAIMS**

5.01 Disputed Claim. A disputed claim is a claim that has not been allowed or disallowed [by a final non-appealable order], and as to which either: (i) a proof of claim has been filed or deemed filed, and the Debtor or another party in interest has filed an objection; or (ii) no proof of claim has been filed, and the Debtor has scheduled such claim as disputed, contingent, or unliquidated.

5.02 Delay of Distribution on a Disputed Claim. No distribution will be made on account of a disputed claim unless such claim is allowed.

5.03 Settlement of Disputed Claims. The Debtor will have the power and authority to settle and compromise a disputed claim with court approval and compliance with Rule 9019 of the Federal Rules of Bankruptcy Procedure.

**ARTICLE VI**  
**PROVISIONS FOR EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

6.01 Assumed Executory Contracts and Unexpired Leases.

(a) There are no executory contracts or unexpired leases.

(b) The Debtor will be conclusively deemed to have rejected all executory contracts and/or unexpired leases not expressly assumed under section 6.01(a) above, or before the date of the order confirming this Plan, upon the effective date of this Plan. A proof of a claim arising from the rejection of an executory contract or unexpired lease under this section must be filed no later than ninety (90) days after the date of the order confirming this Plan.

**ARTICLE VII**  
**MEANS FOR IMPLEMENTATION OF THE PLAN**

7.01 The Plan will be funded from the refinance or sale of the property at 2201 Lafayette St. Santa Clara CA ["Santa Clara Property"], or alternatively from the sale of non-estate real property at 2135 Stagecoach Rd., Stockton, CA ["Stockton Property"]. Debtor's preference is to lease the Santa Clara Property and to sell the Stockton Property but will proceed with whatever offers come in first.

Debtor executed a listing agreement on the Santa Clara Property. An application for the employment of Cornish and Carey is being filed. Stonecrest Financial is performing its due diligence before providing a term sheet for the refinance of the Santa Clara Property. If Stonecrest does not proceed with the re-finance, debtor will seek alternative lenders.

**ARTICLE VIII**  
**GENERAL PROVISIONS**

8.01 Definitions and Rules of Construction. The definitions and rules of construction set forth in §§ 101 and 102 of the Code shall apply when terms defined or construed in the Code are used in this Plan.

8.02 Effective Date of Plan. The effective date of this Plan is the first business day following the date that is fourteen days after the entry of the order of confirmation. If, however, a stay of the confirmation order is in effect on that date, the effective date will be the first business day after the date on which the stay of the confirmation order expires or is otherwise terminated.

8.03 If any provision in this Plan is determined to be unenforceable, the



determination will in no way limit or affect the enforceability and operative effect of any other provision of this Plan.

8.04 Binding Effect. The rights and obligations of any entity named or referred to in this Plan will be binding upon, and will inure to the benefit of the successors or assigns of such entity.

8.05 Captions. The headings contained in this Plan are for convenience of reference only and do not affect the meaning or interpretation of this Plan.

8.06 Controlling Effect. Unless a rule of law or procedure is supplied by federal law (including the Code or the Federal Rules of Bankruptcy Procedure), the laws of the State of California govern this Plan and any agreements, documents, and instruments executed in connection with this Plan, except as otherwise provided in this Plan.

8.07 Corporate Governance. The Debtor shall amend its by-laws to prohibit the issuance of non-voting equity securities.

## **ARTICLE IX**

### **DISCHARGE**

Discharge. On the confirmation date of this Plan, the debtor will be discharged from any debt that arose before confirmation of this Plan, subject to the occurrence of the effective date, to the extent specified in § 1141(d)(1)(A) of the Code, except that the Debtor will not be discharged of any debt: (i) imposed by this Plan; (ii) of a kind specified in § 1141(d)(6)(A) if a timely complaint was filed in accordance with Rule 4007(c) of the Federal Rules of Bankruptcy Procedure; or (iii) of a kind specified in § 1141(d)(6)(B).

**ARTICLE X OTHER  
PROVISIONS**

Dated: Oct. 26, 2017

Respectfully submitted,

By: /s/ Yim Ho Leung

\_\_\_\_\_  
The Plan Proponent

By:/s/ Lars T. Fuller

\_\_\_\_\_  
Attorney for the Plan Proponent

**Exhibit B** Identity and Value of Material Assets of Debtor

Real Property at 2201 Lafayette St Santa Clara, CA		\$4,110,000 <sup>3</sup>
Costs of sale @ 6%		\$ 287,700
Property taxes	\$ 15,919.90	
Post-pet int. to Jan. 21, 2018	<u>955.14</u>	
		\$ 16,875.04
1 <sup>st</sup> T.D.	\$2,581,421.07	
Post-pet. Int. to Jan. 21, 2018	<u>172,094.74</u>	
		<u>\$2,753,515.81</u>
		\$3,058,090.85
Net equity before tax		\$1,0051,909
Cash		\$ 500
Cause of action against former tenant		\$ 0.00 <sup>4</sup>
TOTAL NET ASSETS		\$1,093,510

---

<sup>3</sup> Based on 2015 appraisal.

<sup>4</sup> Debtor has no present intent to pursue

**Exhibit C** Most Recently Filed Post-petition Operating Report



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

ASE NAME]

Syu Sing Investment, LLC

Case No.

17-51995 SLJ

CHAPTER 11  
MONTHLY OPERATING REPORT  
(GENERAL BUSINESS CASE)

SUMMARY OF FINANCIAL STATUS

MONTH ENDED: 9/1/2017 - 9/21/2017

PETITION DATE: August 22<sup>nd</sup>, 2017

Debtor in possession (or trustee) hereby submits this Monthly Operating Report on the Accrual Basis of accounting (or if checked here on the Office of the U.S. Trustee or the Court has approved the Cash Basis of Accounting for the Debtor).  
Dollars reported in \$1

Asset and Liability Structure

Current Assets

Total Assets

Current Liabilities

Total Liabilities

End of Current  
Month

4,110,000 \$0  
4,110,000 \$0  
2,675,818.92 \$0  
2,675,818.92 \$0

End of Prior  
Month

4,110,000  
4,110,000  
2,675,818.92  
2,675,818.92

As of Petition  
Filing

Statement of Cash Receipts & Disbursements for Month

Total Receipts

Total Disbursements

Excess (Deficiency) of Receipts Over Disbursements (a - b)

Cash Balance Beginning of Month

Cash Balance End of Month (c + d)

Current Month

0 \$0  
0 \$0  
0 \$0  
0 \$0  
0 \$0

Prior Month

0  
0  
0 \$0  
0  
0 \$0

Cumulative  
(Case to Date)

\$0  
\$0  
\$0  
\$0  
\$0

Current Month

0 \$0  
0 \$0  
2,675,818.92 \$0  
0 \$0

Prior Month

0  
0  
2,675,818.92  
0

Cumulative  
(Case to Date)

Profit/(Loss) from the Statement of Operations

Account Receivables (Pre and Post Petition)

Post-Petition Liabilities

Post Due Post-Petition Account Payables (over 30 days)

Did any payments be made on pre-petition debt, other than payments in the normal course of business to secured creditors or lessors? (if yes, attach listing including date of payment, amount of payment and name of payee)

Did any payments be made to professionals? (if yes, attach listing including date of payment, amount of payment and name of payee)

Yes

No

X

X

(The Fuller Law Firm - Attorney cost (To be determined))  
- No professionals to handle this transaction  
beside the attorney. bankruptcy



# STATEMENT OF OPERATIONS

(General Business Case) 9/1 - 9/21/2017  
For the Month Ended

Current Month						
al	Forecast	Variance			Cumulative (Case to Date)	Next Month Forecast
		\$0	Revenues:			
		\$0	1 Gross Sales			
\$0	\$0	\$0	2 less: Sales Returns & Allowances			
\$0		\$0	3 Net Sales		\$0	\$0
\$0	\$0	\$0	4 less: Cost of Goods Sold (Schedule 'B')			
		\$0	5 Gross Profit		\$0	\$0
		\$0	6 Interest			
		\$0	7 Other Income:			
		\$0	8			
		\$0	9			
\$0	\$0	\$0	10 Total Revenues		\$0	\$0
		\$0	Expenses:			
		\$0	11 Compensation to Owner(s)/Officer(s)			
		\$0	12 Salaries			
		\$0	13 Commissions			
		\$0	14 Contract Labor			
		\$0	Rent/Lease:			
		\$0	15 Personal Property			
		\$0	16 Real Property		1,240	1,240
		\$0	17 Insurance		2,626.26	2,626.26
		\$0	18 Management Fees			
		\$0	19 Depreciation			
		\$0	Taxes:			
		\$0	20 Employer Payroll Taxes			
		\$0	21 Real Property Taxes			
		\$0	22 Other Taxes			
		\$0	23 Other Selling			
		\$0	24 Other Administrative			
		\$0	25 Interest			
		\$0	26 Other Expenses:			
		\$0	27 Utilities		300	300
		\$0	28 Repairs		1,500	1,500
		\$0	29 Janitorial		500	500
		\$0	30			
		\$0	31			
		\$0	32			
		\$0	33			
		\$0	34			
\$0	\$0	\$0	35 Total Expenses		6,166.26	6,166.26



he answer is yes to 8 or 9, were all such payments approved by the court?  
ve any payments been made to officers, insiders, shareholders, relatives? (if yes,  
ach listing including date of payment, amount and reason for payment, and name of payee)  
he estate insured for replacement cost of assets and for general liability?  
e a plan and disclosure statement on file?  
is there any post-petition borrowing during this reporting period?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

→ Pending for the court approval for  
hiring the attorney


→ Pending to submit a plan by next week  
→ Seeking for the potential investors to  
obtain the loan.

Check if paid: Post-petition taxes \_\_\_\_; U.S. Trustee Quarterly Fees \_\_\_\_; Check if filing is current for: Post-petition  
reporting and tax returns: \_\_\_\_

Attach explanation, if post-petition taxes or U.S. Trustee Quarterly Fees are not paid current or if post-petition tax  
reporting and tax return filings are not current.)

Under penalty of perjury I have reviewed the above summary and attached financial statements, and after making reasonable inquiry  
these documents are correct.

10/18/2017

  
\_\_\_\_\_  
Responsible Individual

I've answered these questions base on my best knowledge and  
understanding of the fact.

\$0	\$0	\$0	36 Subtotal	\$0	\$0
			<b>Reorganization Items:</b>		
		\$0	37 Professional Fees		
		\$0	38 Provisions for Rejected Executory Contracts		
		\$0	39 Interest Earned on Accumulated Cash from Resulting Chp 11 Case		
		\$0	40 Gain or (Loss) from Sale of Equipment		
		\$0	41 U.S. Trustee Quarterly Fees		
		\$0	42		
\$0	\$0	\$0	43 Total Reorganization Items	\$0	\$0
\$0	\$0	\$0	44 Net Profit (Loss) Before Federal & State Taxes	\$0	\$0
		\$0	45 Federal & State Income Taxes		
\$0	\$0	\$0	46 Net Profit (Loss)	\$0	\$0

Explanation of Variance to Statement of Operations (For variances greater than +/- 10% only):



**BALANCE SHEET**  
**(General Business Case)**  
For the Month Ended 9/1 - 9/21/2017

**Assets**

**Current Assets**

Cash and cash equivalents - unrestricted  
Cash and cash equivalents - restricted  
Accounts receivable (net)  
Inventory  
Prepaid expenses  
Professional retainers  
Other: \_\_\_\_\_

**From Schedules**

**Market Value**

\$4,110,000

A  
B

✓  
\_\_\_\_\_  
\$0  
\_\_\_\_\_  
\$0  
\_\_\_\_\_  
20,309.00  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
4,110,000 \$0

**Total Current Assets**

**Property and Equipment (Market Value)**

Real property  
Machinery and equipment  
Furniture and fixtures  
Office equipment  
Leasehold improvements  
Vehicles  
Other: \_\_\_\_\_

C  
D  
D  
D  
D  
D  
D  
D  
D  
D  
D

4,110,000 \$0  
\_\_\_\_\_  
\$0  
\_\_\_\_\_  
\$0  
\_\_\_\_\_  
\$0  
\_\_\_\_\_  
\$0  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
4,110,000 \$0

**Total Property and Equipment**

**Other Assets**

Loans to shareholders  
Loans to affiliates  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# **Liabilities and Equity** (General Business Case)

## **Liabilities From Schedules**

### **Post-Petition**

#### **Current Liabilities**

Salaries and wages	
Payroll taxes	
Real and personal property taxes	
Income taxes	
Sales taxes	
Notes payable (short term)	
Accounts payable (trade)	A
Real property lease arrearage	
Personal property lease arrearage	
Accrued professional fees	
Current portion of long-term post-petition debt (due within 12 months)	
Other:	
<u>FCI Lender Services, Inc</u>	
<u>Annual Property Tax \$27,995, CP Studio, LLC \$28,000</u>	
<u>Wing's Roofing \$10,000</u>	

	<u>0</u>	
	<u>0</u>	
	<u>2,325</u>	
	<u>0</u>	
	<u>0</u>	
	<u>0</u>	
	<u>0</u>	\$0
	<u>0</u>	
	<u>0</u>	
	<u>2,660,000</u>	
		\$0

#### **Total Current Liabilities**

#### **Long-Term Post-Petition Debt, Net of Current Portion**

#### **Total Post-Petition Liabilities**

		\$0

#### **Pre-Petition Liabilities (allowed amount)**

Secured claims	F
Priority unsecured claims	F
General unsecured claims	F

	\$0
	\$0
	\$0

#### **Total Pre-Petition Liabilities**

	\$0
--	-----

#### **Total Liabilities**

<u>2,675,818</u>	\$0
------------------	-----

#### **Equity (Deficit)**

Retained Earnings/(Deficit) at time of filing

Capital Stock

Additional paid-in capital

Cumulative profit/(loss) since filing of case

Post-petition contributions/(distributions) or (draws)

Market value adjustment

**Total Equity (Deficit)**

**Total Liabilities and Equity (Deficit)**

	\$0
	\$0



# **SCHEDULES TO THE BALANCE SHEET** (General Business Case)

## **Schedule A**

### **Accounts Receivable and (Net) Payable**

#### **Accounts and Payables Agings**

Days  
Days  
Days  
Days  
Accounts receivable/payable  
Allowance for doubtful accounts  
Accounts receivable (net)

Accounts Receivable [Pre and Post Petition]	Accounts Payable [Post Petition]	Past Due Post Petition Debt
		\$0
\$0	\$0	
\$0		

## **Schedule B**

### **Inventory/Cost of Goods Sold**

#### **Identified Amount of Inventory(ies)**

Inventory(ies) Balance at End of Month
/Restaurants - Product for resale
Contribution - Products for resale
Manufacturer - Materials
Work-in-progress Shed goods
- Explain
TOTAL

#### **Cost of Goods Sold**

Inventory Beginning of Month	
Add -	
Net purchase	
Direct labor	
Manufacturing overhead	
Freight in	
Other:	
Less -	
Inventory End of Month	
Shrinkage	
Personal Use	
Cost of Goods Sold	\$0

#### **Method of Inventory Control**

Do you have a functioning perpetual inventory system?

#### **Inventory Valuation Methods**

Indicate by a checkmark method of inventory used.

Yes \_\_\_\_\_ No \_\_\_\_\_  
often do you take a complete physical inventory?

daily \_\_\_\_\_  
monthly \_\_\_\_\_  
quarterly \_\_\_\_\_  
semi-annually \_\_\_\_\_  
annually \_\_\_\_\_  
last physical inventory was \_\_\_\_\_

next physical inventory is \_\_\_\_\_

Valuation methods -

FIFO cost \_\_\_\_\_  
LIFO cost \_\_\_\_\_  
Lower of cost or market \_\_\_\_\_  
Retail method \_\_\_\_\_  
Other \_\_\_\_\_  
Explain \_\_\_\_\_



**Schedule C  
Real Property**

	<u>Cost</u>	<u>Market Value</u>
ion	4,110,000	4,110,000
tal	\$0	\$0

**Schedule D  
Other Depreciable Assets**

	<u>Cost</u>	<u>Market Value</u>
ion		
ry & Equipment -		
tal	\$0	\$0
e & Fixtures -		
tal	\$0	\$0
quipment -		
tal	\$0	\$0
ld Improvements -		

tal

;-

tal

tal

	\$0
	\$0

	\$0
	\$0

---



---

\$0

---



---

---



---

\$0

---



---



**Schedule E**  
**Aging of Post-Petition Taxes**  
**(As of End of the Current Reporting Period)**

Payable	<u>0-30 Days</u>	<u>31-60 Days</u>	<u>61-90 Days</u>	<u>91+ Days</u>	<u>Total</u>
Income Tax Withholding					\$0
CA - Employee					\$0
CA - Employer					\$0
Unemployment (FUTA)					\$0
Income					\$0
Other (Attach List)					\$0
<b>Federal Taxes</b>	\$0	\$0	\$0	\$0	\$0
<b>State &amp; Local</b>					
Income Tax Withholding					\$0
Unemployment (UT)					\$0
Disability Insurance (DI)					\$0
Appl. Training Tax (ETT)					\$0
Real property taxes					\$0
Personal property taxes					\$0
Other (Attach List)					\$0
<b>State &amp; Local Taxes</b>	\$0	\$0	\$0	\$0	\$0
<b>Taxes</b>	\$0	\$0	\$0	\$0	\$0

**Schedule F**  
**Pre-Petition Liabilities**

**Unsecured Claims For Each Classification -**

Secured claims (a)  
Priority claims other than taxes  
Priority tax claims  
General unsecured claims

<u>Claimed Amount</u>	<u>Allowed Amount (b)</u>

- 1) List total amount of claims even if under secured.
- 2) Estimated amount of claim to be allowed after compromise or litigation. As an example, you are a defendant in a lawsuit alleging damage of \$10,000,000 and a proof of claim is filed in that amount. You believe that you can settle the case for a claim of \$3,000,000. For Schedule F reporting purposes you should list \$10,000,000 as the Claimed Amount and



\$3,000,000 as the Allowed Amount.

**Schedule G**  
**Rental Income Information**  
**Not applicable to General Business Cases**

**Schedule H**  
**Recapitulation of Funds Held at End of Month**

	<u>Account 1</u>	<u>Account 2</u>	<u>Account 3</u>	<u>Account 4</u>
Type				
No.				
Purpose				
End of Month				
Funds on Hand for all Accounts	\$0			

Copies of the month end bank statement(s), reconciliation(s), and the check register(s) to the Monthly Operating Report.

# STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

Increase/(Decrease) in Cash and Cash Equivalents

For the Month Ended \_\_\_\_\_

	Actual Current Month	Cumulative (Case to Date)
<b>Receipts</b>		
Rent/Leases Collected		
Cash Received from Sales		
Interest Received		
Borrowings		
Funds from Shareholders, Partners, or Other Insiders		
Capital Contributions		
<b>Total Cash Receipts</b>	\$0	\$0
<b>Disbursements</b>		
Payments for Inventory		
Selling		
Administrative		
Capital Expenditures		
Principal Payments on Debt		
Interest Paid		
Rent/Lease:		
Personal Property		
Real Property		
Amount Paid to Owner(s)/Officer(s)		
Salaries		
Draws		
Commissions/Royalties		
Expense Reimbursements		
Other		
Salaries/Commissions (less employee withholding)		
Management Fees		
Taxes:		
Employee Withholding		
Employer Payroll Taxes		

Real Property Taxes		
Other Taxes		
Other Cash Outflows:		
<b>Total Cash Disbursements:</b>	\$0	\$0
<b>Increase (Decrease) in Cash</b>	\$0	\$0
<b>Balance, Beginning of Period</b>		
<b>Balance, End of Period</b>	\$0	\$0



**STATEMENT OF CASH FLOWS**  
 (Optional) Increase/(Decrease) in Cash and Cash Equivalents  
 For the Month Ended \_\_\_\_\_

	<u>Actual</u> <u>Current Month</u>	<u>Cumulative</u> <u>(Case to Date)</u>
<b>Flows From Operating Activities</b>		
Cash Received from Sales		
Rent/Leases Collected		
Interest Received		
Cash Paid to Suppliers		
Cash Paid for Selling Expenses		
Cash Paid for Administrative Expenses		
Cash Paid for Rents/Leases:		
Personal Property		
Real Property		
Cash Paid for Interest		
Cash Paid for Net Payroll and Benefits		
Cash Paid to Owner(s)/Officer(s)		
Salaries		
Draws		
Commissions/Royalties		
Expense Reimbursements		
Other		
Cash Paid for Taxes Paid/Deposited to Tax Acct.		
Employer Payroll Tax		
Employee Withholdings		
Real Property Taxes		
Other Taxes		
Cash Paid for General Expenses		
<b>Net Cash Provided (Used) by Operating Activities before Reorganization Items</b>	\$0	\$0
<b>Flows From Reorganization Items</b>		
Interest Received on Cash Accumulated Due to Chp 11 Case		
Professional Fees Paid for Services in Connection with Chp 11 Case		
J.S. Trustee Quarterly Fees		
<b>Net Cash Provided (Used) by Reorganization Items</b>	\$0	\$0
<b>Cash Provided (Used) for Operating Activities and Reorganization Items</b>	\$0	\$0
<b>Flows From Investing Activities</b>		
Capital Expenditures		

Proceeds from Sales of Capital Goods due to Chp 11 Case

---

**Net Cash Provided (Used) by Investing Activities**

**Flows From Financing Activities**

Net Borrowings (Except Insiders)

Net Borrowings from Shareholders, Partners, or Other Insiders

Capital Contributions

Principal Payments

---

**Net Cash Provided (Used) by Financing Activities**

**Increase (Decrease) in Cash and Cash Equivalents**

**Cash and Cash Equivalents at Beginning of Month**

**Cash and Cash Equivalents at End of Month**

	\$0	\$0
	\$0	\$0
	\$0	\$0
	\$0	\$0
	\$0	\$0





**CATHAY BANK**

1-800-9CATHAY (922-8429)  
www.Cathaybank.com

9650 Flair Drive, El Monte, CA 91731

RETURN SERVICE REQUESTED

00000416-0002491-0001-0003-TIMR8006171001177252

SYU SING INVESTMENT, LLC  
331 GIRARD ST  
SAN FRANCISCO CA 94134-1417

Last statement: August 31, 2017  
This statement: September 30, 2017  
Total days in statement period: 30

Page 1  
0810  
(1)

Direct inquiries to:  
800-922-8429

Cathay Bank  
710 Webster St  
Oakland CA 94607

ASK HOW YOU CAN EARN AN ATTRACTIVE ANNUAL PERCENTAGE YIELD ON A 12-MONTH TERM CD DURING OUR CD PROMOTION, AUGUST 21 TO OCTOBER 16, 2017! VISIT YOUR BRANCH TODAY OR CALL US AT 1-800-9CATHAY! TERMS AND CONDITIONS APPLY.

\*\* Closed Account - Final Statement

### Business Checking

Account number	0810	Beginning balance	\$500.00
Enclosures	1	Total additions	.00
Low balance	\$0.00	Total subtractions	500.00
Average balance	\$0.00	Ending balance	\$0.00
Avg collected balance	\$0		

### DEBITS

Date	Description	Subtractions
09-08	Temporary Check	500.00

### DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
08-31	500.00	09-08	0.00		



00000416-0002491-0001-0003-TIMR8006171001177252/00000416-000002493





**CATHAY BANK**

9650 Flair Drive, El Monte, CA 91731

RETURN SERVICE REQUESTED

1-800-9CATHAY (922-8429)  
www.Cathaybank.com

SYU SING INVESTMENT, LLC  
September 30, 2017

Page 2  
0810

**OVERDRAFT/RETURN ITEM FEES**

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



*Thank you for banking with Cathay Bank*

00000416-0002493 0000 0000 74450000 101

Page  
Account:  
Date

3 of 3  
09/30/17

CATHAY BANK  
115001240  
DATE 09/08/2017  
10-286/1022  
PAY TO THE ORDER OF Cathy Bank for Purchase of Cdn Govt 500.00  
The sum of \$500 and 00/100 DOLLARS  
FOR Closing Account Spu Sing Investment LLC  
09/08/2017 115001240 \$500.00

DO NOT WRITE, TYPED OR STAMPED IN THIS LINE  
52150002 - 666222626 - 122203550 - Cathay

00000416-0002495-0003-0003-TIMR8006171001177252(00000416)-000002497



00000416-0002495-0003-0003-TIMR8006171001177252(00000416)-000002497





CATHAY BANK

SYU SING INVESTMENT, LLC  
331 GIRARD ST  
SAN FRANCISCO CA 94134-1417

Last statement: May 31, 2017  
This statement: June 30, 2017  
Total days in statement period: 30

Page 1  
0810  
( 1)

Direct inquiries to:  
800-922-8429

Cathay Bank  
710 Webster St  
Oakland CA 94607

---

**BUILD YOUR BUSINESS BANKING RELATIONSHIP WITH CATHAY BANK TODAY!  
FROM LOANS AND LINES OF CREDIT TO MERCHANT BANKCARD SERVICES AND  
BUSINESS MONEY MARKET ACCOUNTS, WE CAN HELP DRIVE YOUR BUSINESS  
GROWTH WITH LIMITED TIME OFFERS AVAILABLE FROM MAY 1 TO JUNE 30,  
2017! VISIT YOUR NEAREST BRANCH OR CALL US AT 1-800-9CATHAY FOR  
DETAILS.**

---

## Business Checking

Account number	0810	Beginning balance	\$4,200.00
Enclosures	1	Total additions	.00
Low balance	\$500.00	Total subtractions	3,700.00
Average balance	\$1,856.67	Ending balance	\$500.00
Avg collected balance	\$1,856		

## CHECKS

Number	Date	Amount	Number	Date	Amount
	06-12	3,700.00			

## DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
05-31	4,200.00	06-12	500.00		

**Exhibit D – Liquidation Analysis*****Plan Proponent's Estimated Liquidation Value of Assets*****Assets**

a. Cash on hand	\$ 500.00
b. Accounts receivable	\$0
Lease Deposit	\$0
Pre-paid FTB tax	\$0
c. Inventory	\$0
d. Office furniture & equipment	\$0
e. Machinery & equipment	\$0
f. Automobiles	\$ 0
g. Building & Land	\$ 4,110,000
h. Customer list	\$0
i. Investment property (such as stocks, bonds or other financial assets)	\$0
j. Lawsuits or other claims against third-parties	\$0
k. Other intangibles (such as avoiding powers actions)	<b>\$0</b>
 Total Assets at Liquidation Value	 4,110,500

**Less:**

Secured creditors=	<u>2,753,515.81</u>
--------------------	---------------------

**Less:**

Chapter 7 trustee fees and expenses	\$56,040 <sup>5</sup>
-------------------------------------	-----------------------

**Less:**

Chapter 11 administrative expenses	\$10,000
------------------------------------	----------

**Less:**

Priority claims, excluding administrative expense claims	\$7
--	-----

**[Less:**

Debtors claimed exemptions]	\$0
-----------------------------	-----

(1) Balance for unsecured claims	\$ 0
----------------------------------	------

(2) Total dollar amount of unsecured claims	\$ 66,159	100%
---	-----------	------

***Percentage of Claims Which Unsecured Creditors Would Receive Or Retain in a******Chapter 7 Liquidation:******Percentage of Claims Which Unsecured Creditors Will Receive or Retain under the Plan:******100%***

<sup>5</sup> Based on statutory fees on the net proceeds of sale after 6% costs of sale.

**Exhibit E – Cash on hand on the effective date of the Plan**

**Cash on hand on effective date of the Plan:** \$500

*Less B*

Amount of administrative expenses payable on effective date of the Plan	-
	- 325
Amount of statutory costs and charges	0
	-
Amount of cure payments for executory contracts	0
	-
Other Plan Payments due on effective date of the Plan	

Balance after paying these amounts.....

The sources of the cash Debtor will have on hand by the effective date of the Plan are estimated as follows:

\$500	Cash in Debtor's bank account now
+0	Additional cash Debtor will accumulate from net earnings between now and effective date of the Plan [state the basis for such projections]
+0	Borrowing [separately state terms of repayment]
+0	Capital Contributions
+0	Other
\$500	Total

**Exhibit F** Projections of Cash Flow and Earnings to Demonstrate Feasibility

The fair market rental value of the Property is estimated at \$28,000/month. However, the plan projects that a new lender will charge 6 months pre-paid interest, pay off the existing 1<sup>st</sup> note and property taxes obligations and pay off general unsecured creditors in full. Hence no plan payments are projected before entry of discharge.

List of General Unsecured Debt  
(EXHIBIT G)

<b>Creditor</b>	<b>Amount</b>	<b>Disputed (Y/N)</b>
CP Studios, LLC	28,000	Y
Wang's Roofing	20000	N
WEC & Associates	18000	N
State of CA	59.06	N
IRS	100	N
	66,159	