

B1 (Official Form 1) (04/13)

United States Bankruptcy Court DISTRICT OF Connecticut		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>Whalley Avenue Funding, LLC</b>		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 name):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade name) :
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>06-1583278</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. & Street, City and State) <b>58 Walnut Tree Hill Road</b> <b>Sandy Hook, CT</b>		Street Address of Joint Debtor (No. & Street, City and State):
ZIP CODE <b>06482</b>		ZIP CODE
County of Residence or Principal Place of Business: <b>Fairfield</b>		County of Residence or Principal Place of Business:
Mailing Address of Debtor (No. & Street, City and State)		Mailing Address of Debtor (No. & Street, City and State) Same as above
ZIP CODE		ZIP CODE
Location of Principal Assets of Business Debtor (if different from street address above): <b>831-835 Whalley Avenue, New Haven, Connecticut</b>		ZIP CODE <b>06515</b>
<b>Type of Debtor</b> (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)	<b>Nature of Business</b> (Check one box.)  <input type="checkbox"/> Health Care Business <input checked="" 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 type="checkbox"/> Other _____  <b>Tax-Exempt Entity</b> (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.)	<b>Chapter of Bankruptcy Code Under Which The Petition is Filed</b> (Check one box)  <input type="checkbox"/> 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.  <b>Nature of Debts</b> (Check one box.)  <input type="checkbox"/> Debts are primarily consumer 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.
<b>Filing Fee</b> (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 courts 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 (Application to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b> Check one box:  <input checked="" 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 \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter).  <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from on or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b>  <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		<b>THIS SPACE IS FOR COURT USE ONLY</b>
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50- 99 <input 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		
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" 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		
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" 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		

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s) <b>Whalley Avenue Funding, LLC</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)</b>		
Location Where Filed: <b>New Haven, Connecticut</b>	Case Number: <b>09-30388</b>	Date Filed: <b>02/20/2009</b>
Location Where Filed:	Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>		
Name of Debtor	Case Number:	Date Filed:
District:	Relationship:	Judge:
<b>Exhibit A</b> (To be completed if the 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.)	<b>Exhibit B</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	
<input type="checkbox"/> Exhibit A is attached and made a part of this petition.		
<b>Exhibit C</b>		
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?		
<input type="checkbox"/> Yes, and Exhibit C is attached and made apart of this petition.		
<input checked="" type="checkbox"/> No.		
<b>Exhibit D</b>		
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)		
<input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.		
If this is a joint petition:		
<input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.		
<b>Information Regarding the Debtor – Venue</b> (Check the applicable Boxes)		
<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.		
<input type="checkbox"/> There is a bankruptcy case concerning debtor’s affiliate, general partner, or partnership pending in this District.		
<input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or 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 interest of the parties will be served in regard to the relief sought in this District.		
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> Check all applicable boxes.		
<input type="checkbox"/> 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)		
<input type="checkbox"/> Debtor claims that under applicable non-bankruptcy 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		
<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.		
<input type="checkbox"/> Debtor certifies that he/she has served the landlord with this certification (11 U. S. C. §362(1))		

<b>BI (Official Form 1) (4/13)</b>		<b>Page 3</b>
<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Whalley Avenue Funding, LLC</b>
<b>Signatures</b>		
<p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>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 § 342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____                  Signature of Debtor</p> <p>X _____                  Signature of Debtor</p> <p>_____                  Telephone Number (If not represented by attorney)</p> <p>_____                  Date</p>	<p style="text-align: center;"><b>Signature of a Foreign Representative</b></p> <p>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.</p> <p>(Check only one box)</p> <p><input type="checkbox"/> I requested 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.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. § 1515, 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.</p> <p>X _____                  (Signature of Foreign Representative)</p> <p>_____                  (Printed Name of Foreign Representative)</p> <p>_____                  (Date)</p>	
<p style="text-align: center;"><b>Signature of Attorney*</b></p> <p>X _____ /s/                  Signature of Attorney for Debtor(s)</p> <p><b>James G. Verrillo</b>                  Printed Name of Attorney for Debtor(s)</p> <p><b>ZELDES NEEDLE &amp; COOPER, P.C.</b>                  Firm Name</p> <p><b>1000 LAFAYETTE BLVD</b>                  Address</p> <p><b>BRIDGEPORT, CT 06604</b></p> <p><b>203 333-9441</b>                  Telephone Number</p> <p><b>12/02/2013</b>                  Date</p> <p><small>*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.</small></p>	<p style="text-align: center;"><b>Signature of Non-Attorney Petition Preparer</b></p> <p>I declare under penalty of perjury that 1) I am the 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 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.</p> <p>_____                  Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>_____                  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.)</p> <p>_____                  Address</p> <p>X _____</p>	
<p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>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.</p> <p>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____</p> <p><b>Kenneth A. Martin</b>                  Printed Name of Authorized Individual</p> <p><b>Member/Manager</b>                  Title of Authorized Individual</p> <p><b>12/02/2013</b>                  Date</p>	<p>Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>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:</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>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.</i></p>	

**RESOLUTION AUTHORIZING WHALLEY AVENUE FUNDING, LLC TO FILE A PETITION UNDER CHAPTER 11 BANKRUPTCY CODE**

**RESOLVED**, that in the judgment of the members of **Whalley Avenue Funding, LLC** it is desirable and in the best interests of this limited liability company, its creditors, members and other interested parties, that a petition under Chapter 11 of the Bankruptcy code be filed; and it is further

**RESOLVED**, that the form of petition presented to this meeting be, and that same hereby is, approved and adopted in all respects and that the PRESIDENT be and is hereby authorized and directed on behalf of and in the name of the limited liability company to execute and verify a petition substantially in such form and to cause the same to be filed with the Bankruptcy Court of the United States, District of Connecticut; and it is further

**RESOLVED**, that the PRESIDENT of this limited liability company is hereby authorized to execute and file all petitions, schedules, lists and other papers and to take any and all such proceedings under the Bankruptcy Code and, in that connection to retain and employ all assistance by legal counsel which he may deem necessary and proper.

Dated: November 20, 2013

Whalley Avenue Funding, LLC

By: \_\_\_\_\_

/s/

*[Handwritten Signature]*  
\_\_\_\_\_  
Its duly authorized agent

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT**

IN RE: ) Case No. \_\_\_\_\_  
Whalley Avenue Funding, LLC ) Chapter 11  
Debtor ) December 2, 2013

**STATEMENT OF CORPORATE OWNERSHIP**

Pursuant to Federal Bankruptcy Rule 1007(a) and 7007.1, Debtor, Whalley Avenue Funding, LLC, does not own an interest in any other entity.

Dated: December 2, 2013

Whalley Avenue Funding, LLC

By: \_\_\_\_\_/s/  
Kenneth A. Martin, Member/Manager  
Its Authorized Agent

Debtor

By: \_\_\_\_\_/s/  
James G. Verrillo (ct08819)  
Zeldes, Needle & Cooper, P.C.  
1000 Lafayette Blvd., 5<sup>th</sup> Floor  
Bridgeport, CT 06604  
Tel: (203) 333-9441  
Fax: (203) 333-1489  
Email: jverrillo@znclaw.com

Bayview Loan Servicing  
4425 Ponce DeLeon Blvd.  
Coral Gables, FL 53146

O'Connell Attmore & Morris, LLC  
280 Trumbull Street  
Hartford, CT 06103-3598

Kaatz & Peikes for  
Manhattan Beach Mortgage  
111 Oak Street  
Hartford, CT 06106

Water Pollution Control Authority  
260 East Street  
New Haven, CT 06511

Regional Water Authority  
90 Sargent Drive  
New Haven, CT 06511-5966

Southern Connecticut Gas  
60 Marsh Hill Road  
Orange, CT 06477