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|----------------------|--|

| United States Bankruptcy Court<br>District of Connecticut  |  |  |                     |   | Volu   | ntary Petition                                |                          |  |
|--|--|--|---------------------|---|--|---|--------------------------|--|
| Name of Debtor (if individual, enter Last, First,  | Middle):   |  | Name                | of Joint De                             | ebtor (Spouse  | ) (Last, First                                | , Middle):               |  |
| 11 Burtis Avenue, LLC  |  |  |                     |   |  |   |                          |  |
| All Other Names used by the Debtor in the last (include married, maiden, and trade names):   | 3 years  |  | All Ot<br>(incluc   | her Names<br>le married,                | used by the J<br>maiden, and   | oint Debtor<br>trade names                    | in the last 8 ye<br>):   | ars  |
| Last four digits of Soc. Sec. or Individual-Taxpa<br>(if more than one, state all)<br>84-1647869   | yer I.D. (ITIN)/Comp   | lete EIN   | Last fo             | our digits o<br>than one, state         | f Soc. Sec. or<br>all)   | Individual-7                                  | Faxpayer I.D. (          | (ITIN) No./Complete EIN  |
| Street Address of Debtor (No. and Street, City, a  | and State):  |  | Street              | Address of                              | Joint Debtor   | (No. and Str                                  | eet, City, and           | State):  |
| 11 Burtis Avenue<br>New Canaan, CT   |  |  |                     |   |  |   |                          |  |
| New Galidali, Gi   |  | ZIP Code   |                     |   |  |   |                          | ZIP Code   |
| County of Residence or of the Principal Place o  |  | 6840   | Count               | v of Pasida                             | nce or of the  | Dringing Di                                   | ace of Busines           | c:   |
| Fairfield  | Business.  |  | Count               | y of Reside                             | ence of of the   | r meipai r a                                  | ice of Busilies          | 5.   |
| Mailing Address of Debtor (if different from str<br>117 Turtleback Road  | eet address):  |  | Mailin              | g Address                               | of Joint Debt  | or (if differe                                | nt from street a         | address):  |
| New Canaan, CT   |  | <b>ZIR</b> Code                                  |                     |   |  |   |                          | ZIP Code   |
|  | 0  | ZIP Code<br>6840                                 | 1                   |   |  |   |                          | ZIF Code   |
| Location of Principal Assets of Business Debtor<br>(if different from street address above):   |  |  |                     |   |  |   |                          |  |
| Type of Debtor   | Nature of  |  |                     |   |  |   | otcy Code Uno            |  |
| (Form of Organization) (Check one box)   | (Check of Diagonal Check of Check of Diagonal Check of Ch | <i>,</i>   |                     |   |  | Petition is Fi                                | led (Check on            | e box)   |
| See Exhibit D on page 2 of this form.  | Single Asset Rea   | l Estate as de                                   | efined              | □ Chapt<br>□ Chapt                      |  |   | napter 15 Petit          | ion for Recognition  |
| <ul> <li>Corporation (includes LLC and LLP)</li> <li>Partnership</li> </ul>  | in 11 U.S.C. § 10<br>□ Railroad  | )1 (51B)   |                     | Chapter 11 of a Foreign Main Proceeding |  |   |                          |  |
| <ul> <li>I differentiation</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>  | <ul> <li>Stockbroker</li> <li>Commodity Brok</li> <li>Clearing Bank</li> </ul>   | ker  |                     | □ Chapt<br>□ Chapt                      |  |   |                          | ion for Recognition<br>nmain Proceeding                          |
| Chapter 15 Debtors   | Other  | 4 <b>F</b> 4*4                                   |                     |   |  |   | e of Debts<br>( one box) |  |
| Country of debtor's center of main interests:<br>Each country in which a foreign proceeding<br>by, regarding, or against debtor is pending:  | Tax-Exen<br>(Check box,<br>□ Debtor is a tax-exe<br>under Title 26 of th<br>Code (the Internal   | if applicable)<br>mpt organizatione United State | s                   | defined<br>"incurr                      | are primarily co<br>d in 11 U.S.C. §<br>red by an indivi<br>onal, family, or | onsumer debts,<br>101(8) as<br>dual primarily | for                      | Debts are primarily business debts.                              |
| Filing Fee (Check one boy  | <br>.)   | Check one  | box:                | l                                       | Chap   | ter 11 Debt                                   | ors                      |  |
| Full Filing Fee attached   |  | Deb  | tor is a sn         |   | debtor as defin  |   |                          |  |
| Filing Fee to be paid in installments (applicable to<br>attach signed application for the court's considerat<br>debtor is unable to pay fee except in installments.  | on certifying that the   | Check if:  | tor's aggr          | egate nonco                             | ntingent liquid  | ated debts (exc                               |                          | D). ed to insiders or affiliates) every three years thereafter). |
| <ul> <li>Form 3A.</li> <li>Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</li> <li>A plan is being filed with this petition.</li> <li>A cceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</li> </ul> |  |  | asses of creditors, |   |  |   |                          |  |
| Statistical/Administrative Information   |  |  |                     |   |  | THIS  | SPACE IS FOR             | R COURT USE ONLY   |
| <ul> <li>Debtor estimates that funds will be available</li> <li>Debtor estimates that, after any exempt prop<br/>there will be no funds available for distribut</li> </ul>   | erty is excluded and a   | dministrative                                    |                     | es paid,                                |  |   |                          |  |
| Estimated Number of Creditors  |  |  |                     |   |  | 1   |                          |  |
|  | 1,000- 5,001-  |  | 5,001-<br>0,000     | □<br>50,001-<br>100,000                 | OVER<br>100,000  |   |                          |  |
|  | \$1,000,001 \$10,000,001   |  | 00,000,001<br>\$500 | \$500,000,001<br>to \$1 billion         |  |   |                          |  |
| million Estimated Liabilities  | million million  | million m  | illion              |   |  |   |                          |  |
| \$50,000 \$100,000 \$500,000 to \$1  | \$1,000,001 \$10,000,001<br>to \$10 to \$50  | to \$100 to                                      |                     | \$500,000,001<br>to \$1 billion         | More than  |   |                          |  |

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|--|---|---|--|
| Voluntary                                      | y Petition  | Name of Debtor(s):<br>11 Burtis Avenue, LLC   |  |
| (This page mu                                  | st be completed and filed in every case)  |   |  |
|  | All Prior Bankruptcy Cases Filed Within Last  | <b>8 Years</b> (If more than two, attach ad   | ditional sheet)  |
| Location<br>Where Filed:                       | - None -  | Case Number:  | Date Filed:  |
| Location<br>Where Filed:                       |   | Case Number:  | Date Filed:  |
| Per  | nding Bankruptcy Case Filed by any Spouse, Partner, or  | Affiliate of this Debtor (If more than  | one, attach additional sheet)  |
| Name of Debto<br>- None -                      | DT:   | Case Number:  | Date Filed:  |
| District:                                      |   | Relationship:   | Judge:   |
|  | Exhibit A   |   | hibit B<br>whose debts are primarily consumer debts.)  |
| forms 10K ar<br>pursuant to S<br>and is reques | bleted if debtor is required to file periodic reports (e.g.,<br>nd 10Q) with the Securities and Exchange Commission<br>Section 13 or 15(d) of the Securities Exchange Act of 1934<br>sting relief under chapter 11.)<br>A is attached and made a part of this petition. | have informed the petitioner that [he o<br>12, or 13 of title 11, United States Cod<br>under each such chapter. I further certi<br>required by 11 U.S.C. §342(b). | I in the foregoing petition, declare that I<br>r she] may proceed under chapter 7, 11,<br>le, and have explained the relief available<br>ify that I delivered to the debtor the notice |
|  |   | Signature of Attorney for Debtor(s)   | (Date)   |
|  | Fxh   | l<br>ibit C   |  |
|  | or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.   | pose a threat of imminent and identifiable  | harm to public health or safety?   |
|  |   | ibit D  |  |
| -  | leted by every individual debtor. If a joint petition is filed, each  |   | separate Exhibit D.)   |
| If this is a join                              | D completed and signed by the debtor is attached and made a nt petition:  | a part of this petition.  |  |
| 5  | D also completed and signed by the joint debtor is attached a   | and made a part of this petition.   |  |
|  | Information Regardin  | -   |  |
|  | (Check any ap<br>Debtor has been domiciled or has had a residence, principa<br>days immediately preceding the date of this petition or for  | al place of business, or principal asset  |  |
|  | There is a bankruptcy case concerning debtor's affiliate, ge  | •   | •  |
|  | Debtor is a debtor in a foreign proceeding and has its princ<br>this District, or has no principal place of business or assets<br>proceeding [in a federal or state court] in this District, or th<br>sought in this District.  | s in the United States but is a defendar  | nt in an action or   |
|  | Certification by a Debtor Who Reside<br>(Check all appl   |   | ty   |
|  | Landlord has a judgment against the debtor for possession   |   | complete the following.)   |
|  | (Name of landlord that obtained judgment)   |   |  |
|  |   |   |  |
|  | (Address of landlord)   |   |  |
|  | Debtor claims that under applicable nonbankruptcy law, th<br>the entire monetary default that gave rise to the judgment f   |   |  |
|  | Debtor has included with this petition the deposit with the after the filing of the petition.   |   | -  |

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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| B1 (Official Form 1)(04/13) Document   | Page 3 of 10 Page 3   |
| Voluntary Petition   | Name of Debtor(s):<br>11 Burtis Avenue, LLC   |
| (This page must be completed and filed in every case)  |   |
| 0  | atures  |
| Signature(s) of Debtor(s) (Individual/Joint)   | Signature of a Foreign Representative   |
| I declare under penalty of perjury that the information provided in this petition is true and correct.<br>[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.<br>[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).<br>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. | <ul> <li>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.</li> <li>(Check only one box.)</li> <li>□ 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.</li> <li>□ 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.</li> </ul> |
| X  | X   |
| X  | Signature of Foreign Representative   |
| X  | Printed Name of Foreign Representative  |
| X  | Filled Name of Foldign Representative   |
| Digitatio of John Doolo.   | Date  |
| Telephone Number (If not represented by attorney)  |   |
|  | Signature of Non-Attorney Bankruptcy Petition Preparer  |
| Date   | 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   |
| Signature of Attorney*   | and the notices and information required under 11 U.S.C. §§ 110(b),   |
| X _/s/ Douglas S. Skalka, Esq.   | 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   |
| Signature of Attorney for Debtor(s)  | 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.  |
| Douglas S. Skalka, Esq. ct00616<br>Printed Name of Attorney for Debtor(s)  | Official Form 19 is attached.   |
| _Neubert, Pepe & Monteith, P.C.  |   |
| Firm Name  | Printed Name and title, if any, of Bankruptcy Petition Preparer   |
| 195 Church Street, 13th Floor<br>New Haven, CT 06510<br>Address  | Social-Security number (If the bankrutpcy petition preparer is not<br>an individual, state the Social Security number of the officer,<br>principal, responsible person or partner of the bankruptcy petition<br>preparer.)(Required by 11 U.S.C. § 110.)  |
|  | propulsi, account of the cost of the of   |
| 203-821-2000 Fax: 203-821-2008   |   |
| Telephone Number   |   |
| _January 24, 2014  | <u></u>   |
| Date   | Address   |
| *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.  | X   |
| Signature of Debtor (Corporation/Partnership)  | Date  |
|  | Signature of bankruptcy petition preparer or officer, principal, responsible  |
| 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.  | person,or partner whose Social Security number is provided above.<br>Names and Social-Security numbers of all other individuals who prepared or   |
| The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.   | assisted in preparing this document unless the bankruptcy petition preparer is<br>not an individual:  |
| 🗙 /s/ Robert J. Cuda   |   |
| Signature of Authorized Individual   |   |
| Robert J. Cuda   | If more than one person prepared this document, attach additional sheets  |
| Printed Name of Authorized Individual  | conforming to the appropriate official form for each person.  |
| Member   | A bankruptcy petition preparer's failure to comply with the provisions of   |
| Title of Authorized Individual   | title 11 and the Federal Rules of Bankruptcy Procedure may result in  |
| January 24, 2014   | fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.  |
| Date   |   |
|  |   |

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B4 (Official Form 4) (12/07)

#### United States Bankruptcy Court District of Connecticut

| In re | 11 Burtis Avenue, LLC |  |
|-------|-----------------------|--|
|       |                       |  |

Debtor(s)

| Case No. |    |
|----------|----|
| Chapter  | 11 |

Desc Main

#### 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)  | (2)  | (3)   | (4)   | (5)   |
|--|--|---|---|---|
| Name of creditor and complete<br>mailing address including zip<br>code                                 | Name, telephone number and complete<br>mailing address, including zip code, of<br>employee, agent, or department of creditor<br>familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or<br>subject to setoff | Amount of claim<br>[if secured, also<br>state value of<br>security] |
| Shipman & Goodwin, LLP<br>One Constitution Plaza<br>Hartford, CT 06103-1919                            | Shipman & Goodwin, LLP<br>One Constitution Plaza<br>Hartford, CT 06103-1919  | Legal Services  |   | 26,957.19   |
| Shepro & Hawkins, LLC<br>Attn: Daniel Shepro<br>2103 Main Street<br>Lower Level<br>Stratford, CT 06615 | Shepro & Hawkins, LLC<br>Attn: Daniel Shepro<br>2103 Main Street<br>Stratford, CT 06615  | Legal Services  |   | 14,935.66   |
| Connecticut Light & Power<br>PO Box 150493<br>Hartford, CT 06115-0493                                  | Connecticut Light & Power<br>PO Box 150493<br>Hartford, CT 06115-0493  | Utility   |   | 4,901.81  |
| Ann Paalus<br>20 Wild Horse Road<br>Stamford, CT 06905   | Ann Paalus<br>20 Wild Horse Road<br>Stamford, CT 06905   | Trade debt  |   | 400.00  |
| CNA Insurance<br>PO Box 790094<br>Saint Louis, MO 63179  | CNA Insurance<br>PO Box 790094<br>Saint Louis, MO 63179  | Trade debt  |   | 271.84  |
| City Carting & Recycling<br>8 Viaduct Road<br>Stamford, CT 06907                                       | City Carting & Recycling<br>8 Viaduct Road<br>Stamford, CT 06907   | Trade debt  |   | 158.17  |
| Herbie Hansen<br>1238 Noble Ave<br>Bridgeport, CT 06608  | Herbie Hansen<br>1238 Noble Ave<br>Bridgeport, CT 06608  | Trade debt  |   | 100.00  |
| Victor Alfaro<br>39 Ann Street<br>Stamford, CT 06905   | Victor Alfaro<br>39 Ann Street<br>Stamford, CT 06905   | Trade debt  |   | 100.00  |
| Aquarion Water Company of<br>CT<br>PO Box 702<br>Bridgeport, CT 06601-2354                             | Aquarion Water Company of CT<br>PO Box 702<br>Bridgeport, CT 06601-2354  | Utility   |   | 94.00   |
| AT&T<br>PO Box 5082<br>Carol Stream, IL 60197  | AT&T<br>PO Box 5082<br>Carol Stream, IL 60197  | Trade debt  |   | 67.19   |
| Muzak<br>1703 W 5th Street<br>Suite 600<br>Austin, TX 78703  | Muzak<br>1703 W 5th Street<br>Suite 600<br>Austin, TX 78703  | Trade debt  |   | 47.67   |

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Debtor(s)

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Case No.

### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

| (1)  | (2)  | (3)   | (4)   | (5)   |
|--|--|---|---|---|
| Name of creditor and complete<br>mailing address including zip<br>code | Name, telephone number and complete<br>mailing address, including zip code, of<br>employee, agent, or department of creditor<br>familiar with claim who may be contacted | Nature of claim (trade<br>debt, bank loan,<br>government contract,<br>etc.) | Indicate if claim is<br>contingent,<br>unliquidated,<br>disputed, or<br>subject to setoff | Amount of claim<br>[if secured, also<br>state value of<br>security] |
| Total Security, LLC<br>72 Walter Avenue<br>Norwalk, CT 06851           | Total Security, LLC<br>72 Walter Avenue<br>Norwalk, CT 06851   | Trade debt  |   | 35.00   |
| Schindler Elevator Company<br>850 Brook Street<br>Rocky Hill, CT 06067 | Schindler Elevator Company<br>850 Brook Street<br>Rocky Hill, CT 06067   | Trade debt  | Unliquidated  | Unknown   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |
|  |  |   |   |   |

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

I, the 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 January 24, 2014

Signature

/s/ Robert J. Cuda Robert J. Cuda 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.

#### **United States Bankruptcy Court District of Connecticut**

11 Burtis Avenue, LLC

## LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

| Name and last known address        | Security | Number        | Kind of  |  |
|------------------------------------|----------|---------------|----------|--|
| or place of business of holder     | Class    | of Securities | Interest |  |
| Robert Cuda<br>117 Turtleback Road |          |               | Member   |  |

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date January 24, 2014

0

New Canaan, CT 06840

Signature /s/ Robert J. Cuda Robert J. Cuda 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.

Case No.

Chapter\_\_\_\_\_ **11** 

Debtor

In re

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#### **United States Bankruptcy Court District of Connecticut**

In re 11 Burtis Avenue, LLC

**VERIFICATION OF CREDITOR MATRIX** 

Debtor(s)

### I, the Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to

the best of my knowledge.

Date: January 24, 2014 /s/ Robert J. Cuda Robert J. Cuda/Member Signer/Title

Case No. Chapter 11

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ACM RAMS FUND IV B LLC c/o Atalaya Capital Mgmt 780 3rd Avenue 27th Floor New York, NY 10017

ACM RAMS FUND IV B LLC c/o Lawrence S. Grossman, Esq. Zeisler & Zeisler, PC 10 Middle Street, 15th Floor Bridgeport, CT 06604

Victor Alfaro 39 Ann Street Stamford, CT 06905

Aquarion Water Company of CT PO Box 702 Bridgeport, CT 06601-2354

AT&T PO Box 5082 Carol Stream, IL 60197

City Carting & Recycling 8 Viaduct Road Stamford, CT 06907

CNA Insurance PO Box 790094 Saint Louis, MO 63179

Connecticut Light & Power PO Box 150493 Hartford, CT 06115-0493

Herbie Hansen 1238 Noble Ave Bridgeport, CT 06608

Muzak 1703 W 5th Street Suite 600 Austin, TX 78703

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Town of New Canaan 237 Elm Street New Canaan, CT 06840

Ann Paalus 20 Wild Horse Road Stamford, CT 06905

PREM, Inc. 20 Summer Street Stamford, CT 06901

PREM, Inc. c/o Marshall Goldberg, Agent Wofsey Rosen, et al. 600 Summer Street Stamford, CT 06901

Schindler Elevator Company 850 Brook Street Rocky Hill, CT 06067

Shepro & Hawkins, LLC Attn: Daniel Shepro 2103 Main Street Lower Level Stratford, CT 06615

Shipman & Goodwin, LLP One Constitution Plaza Hartford, CT 06103-1919

The Insurance Exchange, Inc. Attn: Paul M. Luis 30 Buxton Farm Road, Suite 120 Stamford, CT 06905

Total Security, LLC 72 Walter Avenue Norwalk, CT 06851

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### United States Bankruptcy Court District of Connecticut

In re 11 Burtis Avenue, LLC

Debtor(s)

Case No. Chapter

11

#### CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for <u>11 Burtis Avenue, LLC</u> in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

January 24, 2014

Date

/s/ Douglas S. Skalka, Esq. Douglas S. Skalka, Esq. ct00616 Signature of Attorney or Litigant Counsel for <u>11 Burtis Avenue, LLC</u> Neubert, Pepe & Monteith, P.C. 195 Church Street, 13th Floor New Haven, CT 06510 203-821-2000 Fax:203-821-2008