B1 (Official Form 1)(4/10)								
	States Bar liddle Distrie						Voluntary Petitio	n
Name of Debtor (if individual, enter Last, First, Middle): Spice Modern Steakhouse, Inc.				Name of Joint Debtor (Spouse) (Last, First, Middle):				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Tax (if more than one, state all) 20-5289093	oayer I.D. (ITIN) I	No./Complete 1		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
Street Address of Debtor (No. and Street, City, and State): 326 S Park Avenue Winter Park, FL ZIP Code				Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code				
County of Residence or of the Principal Place Orange	of Business:	32789	Count	y of Reside	ence or of the	Principal Pla	ce of Business:	
Mailing Address of Debtor (if different from street address): PO Box 520085 Longwood, FL			le	Mailing Address of Joint Debtor (if different from street address): ZIP Code				
Location of Principal Assets of Business Debto (if different from street address above):	r	32752-0	085					
Type of Debtor (Form of Organization) (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership	Nature of Business (Check one box) Health Care Business Single Asset Real Estate as defi in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker		as defined	□ Chapt □ Chapt □ Chapt □ Chapt □ Chapt	the 1 er 7 er 9 er 11 er 12	Petition is Fil	tcy Code Under Which ed (Check one box) apter 15 Petition for Recognition a Foreign Main Proceeding apter 15 Petition for Recognition a Foreign Nonmain Proceeding	
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Other Tax- (Check Debtor is a under Title			tates "incurred by an individual primarily for				y
 Full Filing Fee attached Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 			Debtor is not k if: Debtor's aggi are less than s k all applicable A plan is bein Acceptances	a small busin regate nonco \$2,343,300 (boxes: ng filed with of the plan w	debtor as defin ness debtor as c ntingent liquid: <i>amount subject</i> this petition.	ated debts (excl t to adjustment repetition from		
Statistical/Administrative Information Debtor estimates that funds will be availabl Debtor estimates that, after any exempt pro there will be no funds available for distribu Estimated Number of Creditors	e for distribution perty is excluded	and administra	reditors.	es paid,		THIS	SPACE IS FOR COURT USE ONLY	
1- 50- 100- 200- 49 99 199 999 Estimated Assets □ □ □ \$0 to \$50,001 to \$100,001 to \$500,0001 to \$500,000 \$100,000 \$500,0001 to \$100,0001 to	L L 1,000- 5,000 10,000 L \$1,000,001 \$10,000 to \$10 to \$50	- 10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Liabilities S0 to \$50,000 \$100,000 \$500,000 to \$1 \$0 to \$50,001 to \$100,001 to \$500,001 to \$1 \$50,000 \$100,000 \$500,000 to \$100,001 to \$1 million	to \$10 to \$50 million million \$1,000,001 \$10,000 to \$10 to \$50 million million	million	million			-		

B1 (Official For	m 1)(4/10)		Page 2		
Voluntar	y Petition	Name of Debtor(s): Spice Modern Steakhouse, Inc.			
(This page mu	st be completed and filed in every case)	Spice modern Steakhouse, inc.			
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two,	attach additional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If	more than one, attach additional sheet)		
Name of Debto See Attachr		Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A	(To be completed if debtor is a	Exhibit B n individual whose debts are primarily consumer debts.)		
forms 10K and pursuant to S and is reques	bleted if debtor is required to file periodic reports (e.g., nd 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.) A is attached and made a part of this petition.	I, the attorney for the petition have informed the petitioner 12, or 13 of title 11, United	oner named in the foregoing petition, declare that I r that [he or she] may proceed under chapter 7, 11, States Code, and have explained the relief available urther certify that I delivered to the debtor the notice (b).		
	Ext	l nibit 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 i	dentifiable harm to public health or safety?		
		nibit D			
-	leted by every individual debtor. If a joint petition is filed, ea		d attach a separate Exhibit D.)		
☐ Exhibit I If this is a join	D completed and signed by the debtor is attached and made	a part of this petition.			
-	D also completed and signed by the joint debtor is attached a	and made a part of this petition	on.		
	Information Regardin	-			
_	(Check any ap	-	· · · · · · · · · · · · · · · · · · ·		
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	a longer part of such 180 da	ys than in any other District.		
	There is a bankruptcy case concerning debtor's affiliate, ge Debtor is a debtor in a foreign proceeding and has its princ				
	this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	s in the United States but is a	a defendant in an action or		
	Certification by a Debtor Who Reside (Check all app		al Property		
	Landlord has a judgment against the debtor for possession		c checked, complete the following.)		
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment				
	Debtor has included in this petition the deposit with the co after the filing of the petition.	ourt of any rent that would be	ecome due during the 30-day period		

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

(Official Form 1)(4/10)	Pa Name of Debtor(s):
oluntary Petition	Spice Modern Steakhouse, Inc.
his page must be completed and filed in every case)	
	natures
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. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b). I request relief in accordance with the chapter of title 11, United States Code,	 I declare under penalty of perjury that the information provided in this petitic is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) □ I request relief in accordance with chapter 15 of title 11. United States Concertified copies of the documents required by 11 U.S.C. §1515 are attach □ 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
specified in this petition.	recognition of the foreign main proceeding is attached.
X	X
Signature of Debtor	
	Printed Name of Foreign Representative
Signature of Joint Debtor	
	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
Signature of Attorney*	compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b),
	110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services
(/s/ David R. McFarlin Signature of Attorney for Debtor(s)	chargeable by bankruptcy petition preparers, I have given the debtor notic
	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.
David R. McFarlin 328855 Printed Name of Attorney for Debtor(s)	Official Form 19 is attached.
<u>Wolff, Hill, McFarlin & Herron, P.A.</u> Firm Name 1851 West Colonial Drive Orlando, FL 32804	Printed Name and title, if any, of Bankruptcy Petition Preparer Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition
Address	preparer.)(Required by 11 U.S.C. § 110.)
(407) 648-0058 Fax: (407) 648-0681	
Telephone Number	
October 4, 2011	Address
Date *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a	
certification that the attorney has no knowledge after an inquiry that the	X
information in the schedules is incorrect.	
Signature of Debtor (Corporation/Partnership)	Date
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	Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.
on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United	Names and Social-Security numbers of all other individuals who prepared assisted in preparing this document unless the bankruptcy petition prepare not an individual:
States Code, specified in this petition.	
Signature of Authorized Individual	
Signature of Authorized Individual Manuel Tato	If more than one person prepared this document attach additional shorts
Manuel lato Printed Name of Authorized Individual	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Chief Restructuring Officer	A bankruptcy petition preparer's failure to comply with the provisions of
	title 11 and the Federal Rules of Bankruptcy Procedure may result in
Title of Authorized Individual October 4, 2011	fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case No.

Debtor

FORM 1. VOLUNTARY PETITION Pending Bankruptcy Cases Filed Attachment

Name of Debtor / District

Level 1, Inc. Middle District of Florida, Orlando Division

Pint American Gastopub, Inc. Middle District of Florida, Orlando Division

Tato Real Estate Holdings, Inc. Middle District of Florida, Orlando Division Case No. / Relationship

6:09-bk-19770-ABB affiliate

6:11-bk-15040-ABB affliate

6:10-bk-13644-ABB affiliate

Date Filed / Judge

12/29/09 Arthur B. Briskman

10/03/11 Arthur B. Briskman

08/02/10 Arthur B. Briskman

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

In re:

Spice Modern Steakhouse, Inc.

Chapter 11 Case no.

Debtor.

VERIFIED STATEMENT OF DEBTOR PURSUANT TO SECTION 1116(b)

Debtor, Spice Modern Steakhouse, Inc. states pursuant to Section 1116(b) that: (i) no Federal income tax return for the Debtor has been filed; (ii) no balance sheet, statement of operations, or cash-flow statement has been prepared.

DATED this 4th day of October, 2011.

Spice Modern Steakhouse, Inc.

By: <u>/s/ Manuel Tato</u> Manuel Tato, chief restructuring officer

Certificate of Service

I certify that on October 4, 2011, a copy of this document was furnished to the

United States Trustee by electronic mail.

/s/ David R. McFarlin David R. McFarlin Florida Bar No. 328855 Wolff, Hill, McFarlin & Herron, P.A. 1851 W. Colonial Drive Orlando, FL 32804 Telephone (407) 648-0058 Facsimile (407) 648-0681 Email: <u>dmcfarlin@whmh.com</u> Attorneys for Debtor in Possession

G:\10975\Verified Statement 1116(b).docx

United States Bankruptcy Court Middle District of Florida

In re Spice Modern Steakhouse, Inc.

Debtor(s)

Case No. Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
A Linen Connection 2400 Dinneen Avenue Orlando, FL 32804	A Linen Connection 2400 Dinneen Avenue Orlando, FL 32804			960.14
Atlantic Restaurants 580 Sanford Avenue	Atlantic Restaurants 580 Sanford Avenue			963.00
Atlas Match, LLC PO Box 1227 Euless, TX 76039	Atlas Match, LLC PO Box 1227 Euless, TX 76039			892.42
City of Winter Park 401 Park Avenue South Winter Park, FL 32789	City of Winter Park 401 Park Avenue South Winter Park, FL 32789			791.68
City of Winter Park 401 Park Avenue South Winter Park, FL 32789	City of Winter Park 401 Park Avenue South Winter Park, FL 32789			6,627.13
Coca Cola Refreshments PO Box 403390 Atlanta, GA 30384-3390	Coca Cola Refreshments PO Box 403390 Atlanta, GA 30384-3390			680.61
Dept Business & Prof Regulat 1940 N Monroe St Tallahassee, FL 32399-1011	Dept Business & Prof Regulat 1940 N Monroe St Tallahassee, FL 32399-1011			2,301.73
Edward Don & Company 2562 Paysphere Cir Chicago, IL 60674	Edward Don & Company 2562 Paysphere Cir Chicago, IL 60674			640.03
Florida Dept. of Revenue Bankruptcy Unit PO Box 6668 Tallahassee. FL 32314-6668	Florida Dept. of Revenue Bankruptcy Unit PO Box 6668 Tallahassee, FL 32314-6668	sales tax		135,923.52
Gordon Food Services Dept CH 10490 Palatine, IL 60055-0490	Gordon Food Services Dept CH 10490 Palatine, IL 60055-0490			16,101.67
Illugraph Studios 1917 Pine Bay Avenue Lake Mary, FL 32746	Illugraph Studios 1917 Pine Bay Avenue Lake Mary, FL 32746			1,100.00

Case No.

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

Debtor(s)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete	Name, telephone number and complete	Nature of claim (trade	Indicate if claim is	Amount of claim
mailing address including zip	mailing address, including zip code, of	debt, bank loan,	contingent,	[if secured, also
code	employee, agent, or department of creditor	government contract,	unliquidated,	state value of
	familiar with claim who may be contacted	etc.)	disputed, or	security]
		,	subject to setoff	
Jaguar Coffee Sales & Svc	Jaguar Coffee Sales & Svc			1,583.70
13763 Linden Dr	13763 Linden Dr			
Spring Hill, FL 34609	Spring Hill, FL 34609			
Micros of Central Fla	Micros of Central Fla			1,026.90
270 W Marvin Ave	270 W Marvin Ave			
Longwood, FL 32750-5473	Longwood, FL 32750-5473			
PA Partners, LLLP	PA Partners, LLLP			43,316.82
PO Box 1720	PO Box 1720			
Winter Park, FL 32790	Winter Park, FL 32790			
Premier Beverage Company	Premier Beverage Company LLC			3,354.32
LLC	PO Box 22637			
PO Box 22637	Riverview, FL 33578			
Riverview, FL 33578				
Procom Services	Procom Services			3,721.34
7025 CR 46A	7025 CR 46A			
Lake Mary, FL 32746	Lake Mary, FL 32746			
The Sign King	The Sign King			2,375.40
726 N Highway 17-92	726 N Highway 17-92			
Longwood, FL 32750	Longwood, FL 32750			
True World	True World			1,373.98
5219 Forsyth Commerce Rd	5219 Forsyth Commerce Rd			
Orlando, FL 32807	Orlando, FL 32807			
US Food Service	US Food Service			1,933.52
PO Box 330	PO Box 330			
Lakeland, FL 33802-0330	Lakeland, FL 33802-0330			
VS Publishing Company	VS Publishing Company			5,349.62
7517 Currency Dr	7517 Currency Dr			
Orlando, FL 32809	Orlando, FL 32809			

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

I, the Chief Restructuring Officer 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 October 4, 2011

Signature /s/ I

/s/ Manuel Tato Manuel Tato Chief Restructuring Officer

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.

Spice Modern Steakhouse, Inc. PO Box 520085 Longwood, FL 32752-0085

David R. McFarlin Wolff, Hill, McFarlin & Herron, P.A. 1851 West Colonial Drive Orlando, FL 32804

A Linen Connection 2400 Dinneen Avenue Orlando, FL 32804

Atlantic Restaurants 580 Sanford Avenue Altamonte Springs, FL 32701

Atlas Match, LLC PO Box 1227 Euless, TX 76039

China Mist PO Box 951651 Lake Mary, FL 32795-0998

City of Winter Park Permits & Licensing Dept 401 Park Avenue South Winter Park, FL 32789

City of Winter Park 401 Park Avenue South Winter Park, FL 32789

Coca Cola Refreshments PO Box 403390 Atlanta, GA 30384-3390 Dedalos, Inc. 2929 SW 3rd Ave Ste 520 Miami, FL 33129

Dept Business & Prof Regulat 1940 N Monroe St Tallahassee, FL 32399-1011

Earl K. Wood, Tax Collector P.O. Box 2551 Orlando, FL 32800

Edward Don & Company 2562 Paysphere Cir Chicago, IL 60674

Florida Dept. of Revenue Bankruptcy Unit PO Box 6668 Tallahassee, FL 32314-6668

Frank A Hamner, Esq 1011 N Wymore Rd Winter Park, FL 32789-1754

Gordon Food Services Dept CH 10490 Palatine, IL 60055-0490

Illugraph Studios 1917 Pine Bay Avenue Lake Mary, FL 32746

Jaguar Coffee Sales & Svc 13763 Linden Dr Spring Hill, FL 34609 Micros of Central Fla 270 W Marvin Ave Longwood, FL 32750-5473

Nuvox 2301 Lucien Way Maitland, FL 32751-7010

OPICI Wine Company 5151 NW 5th Street Ocala, FL 34482

PA Partners, LLLP PO Box 1720 Winter Park, FL 32790

Premier Beverage Company LLC PO Box 22637 Riverview, FL 33578

Procom Services 7025 CR 46A Lake Mary, FL 32746

RL Schreiber Inc 1741 NW 33rd Street Pompano Beach, FL 33064

The Sign King 726 N Highway 17-92 Longwood, FL 32750

Total Enviro Service 2712 E Colonial Dr Orlando, FL 32803 True World 5219 Forsyth Commerce Rd Orlando, FL 32807

US Food Service PO Box 330 Lakeland, FL 33802-0330

VS Publishing Company 7517 Currency Dr Orlando, FL 32809