Case 8:14-bk-10348 Doc 1 Filed 09/02/14 Page 1 of 10

D1 (Off .:-) F 1)(04/12

	States Bankru ddle District of 1		ourt				Voluntar	y Petition
Name of Debtor (if individual, enter Last, First, Heathrow Ultra Trust, LLC	Middle):		Name	of Joint De	ebtor (Spouse	e) (Last, First, N	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): FDBA The Heathrow Ultra Trust			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) 47-1727442			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, a 1290 Palm Ave. N. Sarasota, FL		ZIP Code	Street Address of Joint Debtor (No. and Street, City, and State): ZIP Code					
County of Residence or of the Principal Place of Sarasota		236	Count	y of Reside	ence or of the	Principal Plac	e of Business:	
Mailing Address of Debtor (if different from stre		ZIP Code	Mailin	g Address	of Joint Debt	tor (if different	from street address	s): ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	234 Paddocl Watertown,							
Type of Debtor (Form of Organization) (Check one box)	Nature of I						cy Code Under W ed (Check one box)	
 Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) 	(Check one box) Health Care Business Single Asset Real Estate as defi in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank		fined	 Chapt Chapt Chapt Chapt Chapt Chapt 	er 7 er 9 er 11 er 12	 Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding 		
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	 Other Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). 		s	Nature of Debts (Check one box) □ Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as □ Dubts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as □ Dubts are primarily for a personal, family, or household purpose."				
Filing Fee (Check one box)	Check one Deb		all business	-	oter 11 Debtor		
 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. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 				hree years thereafter).				
Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY								
1- 50- 100- 200- 49 99 199 999 5		0,001- 25	5,001-),000	50,001- 100,000	OVER 100,000			
\$0 to \$50,001 to \$100,001 to \$500,001 \$ \$50,000 \$100,000 \$500,000 to \$1 t	to \$10 to \$50 to	50,000,001 \$1 o \$100 to	00,000,001 \$500 Ilion	5500,000,001 to \$1 billion				
\$0 to \$50,001 to \$100,001 to \$500,001 to \$50,000 \$100,000 \$500,000 to \$1 to	to \$10 to \$50 to	50,000,001 \$1 0 \$100 to		\$500,000,001 to \$1 billion				

	Case 8:14-bk-10348 Doc 1	Filed 09/02/14	Page 2 of 10		
B1 (Official For		Name of Debtor(s):	Page 2		
Voluntar	y Petition	Heathrow Ultra Tr	ust, LLC		
(This page mi	st be completed and filed in every case)				
	All Prior Bankruptcy Cases Filed Within Last		vo, attach additional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
Ре	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than one, attach additional sheet)		
Name of Debt - None -	or:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A	(To be completed if debtor	Exhibit B is an individual whose debts are primarily consumer debts.)		
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or $15(d)$ of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)		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).			
∐ Exhibit	A is attached and made a part of this petition.	XSignature of Attorney for Debtor(s) (Date)			
Exhibit If this is a join	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made int petition:	a part of this petition.			
	D also completed and signed by the joint debtor is attached a		tition.		
	Information Regardin	-			
	(Check any ap Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for	al place of business, or pr	incipal assets in this District for 180 days than in any other District.		
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partners	hip pending in this District.		
	Debtor is a debtor in a foreign proceeding and has its print 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.	in the United States but in the interests of the parties w	is a defendant in an action or will be served in regard to the relief		
	Certification by a Debtor Who Reside (Check all app		ntial Property		
	Landlord has a judgment against the debtor for possession	of debtor's residence. (If	box checked, complete the following.)		
	(Name of landlord that obtained judgment)				
	(Address of landlord)				
_					
	Debtor claims that under applicable nonbankruptcy law, the the entire monetary default that gave rise to the judgment f				

Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

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

B1 (Official Form 1)(04/13)	Page 3			
Voluntary Petition	Name of Debtor(s):			
(This page must be completed and filed in every case)	Heathrow Ultra Trust, LLC			
	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 petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) ☐ I request relief in accordance with chapter 15 of title 11. United States Coor Certified copies of the documents required by 11 U.S.C. §1515 are attache ☐ 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	Signature of Foreign Representative			
X	Printed Name of Foreign Representative			
Dighterio of John Dooto.	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			
X /s/ R. John Cole, II	pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice			
Signature of Attorney for Debtor(s)	of the maximum amount before preparing any document for filing for a			
<u>R. John Cole, II 191364</u>	debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.			
Printed Name of Attorney for Debtor(s)				
R. John Cole, II, & Associates, P.A.	Printed Name and title, if any, of Bankruptcy Petition Preparer			
Firm Name 46 N. Washington Blvd., Ste. 24				
Sarasota, FL 34236	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.)			
Email: RJC@RJCOLELAW.COM (941) 365-4055 Fax: (941) 365-4219 Telephone Number				
September 2, 2014	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 information in the schedules is incorrect.	X			
Signature of Debtor (Corporation/Partnership)				
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	Signature of bankruptcy petition preparer or officer, principal, responsible person,or partner whose Social Security number is provided above. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is			
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	not an individual:			
X _/s/ Christopher M. Swartz				
Signature of Authorized Individual				
Christopher M. Swartz	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.			
Managing 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 fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.			
September 2, 2014	juice of imprisonment of comments of comments of the			
Date				

B4 (Official Form 4) (12/07)

## United States Bankruptcy Court Middle District of Florida

In re Heathrow Ultra Trust, LLC

Debtor(s)

Case No. Chapter 11

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

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

(1)	(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]
Christopher M. Swartz 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746	Christopher M. Swartz 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746	Notice Only	Contingent Unliquidated Disputed	Unknown
David S. Band Ttee of Caffino Live Roast Loan Trust 4100 Flamingo Ave. Sarasota, FL 34242	David S. Band Ttee of Caffino Live Roast Loan Trust Sarasota, FL 34242		Contingent Unliquidated Disputed	Unknown
Fein, Such & Crane LLP 28 E. Main St. Ste. 1800 Rochester, NY 14614	Fein, Such & Crane LLP 28 E. Main St. Ste. 1800 Rochester, NY 14614	Attorneys' Fees - Compass	Contingent Unliquidated Disputed	Unknown
QRVC Corp. 1609 Rutledge St. Longwood, FL 32779	QRVC Corp. 1609 Rutledge St. Longwood, FL 32779		Contingent Unliquidated Disputed	Unknown
SRE of Central NY, Inc. 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746	SRE of Central NY, Inc. 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746		Contingent Unliquidated Disputed	Unknown
Swartz Law Firm PC 200 Washington St. Ste. 301 Watertown, NY 13601	Swartz Law Firm PC 200 Washington St. Ste. 301 Watertown, NY 13601	Attorneys' Fees	Contingent Unliquidated Disputed	Unknown
Tricia L. Swartz 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746	Tricia L. Swartz 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746	Notice Only	Contingent Unliquidated Disputed	Unknown

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B4 (Official Form 4) (12/07) - Cont. In re Heathrow Ultra Trust, LLC

Debtor(s)

Case No.

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(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]

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

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

Date September 2, 2014

Signature

Ire <u>/s/ Christopher M. Swartz</u> Christopher M. Swartz Managing Member

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

#### United States Bankruptcy Court Middle District of Florida

In	re
----	----

Heathrow Ultra Trust, LLC

Debtor

## 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	
Christopher M. Swartz 1515 Int'l Pkwy. Ste. 2013		100%		

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

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

Date September 2, 2014

Lake Mary, FL 32746

Signature <u>/s/ Christopher M. Swartz</u> Christopher M. Swartz Managing Member

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

#### United States Bankruptcy Court Middle District of Florida

In re Heathrow Ultra Trust, LLC

Debtor(s)

Case No. Chapter 11

## **VERIFICATION OF CREDITOR MATRIX**

I, the Managing 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: September 2, 2014

/s/ Christopher M. Swartz Christopher M. Swartz/Managing Member Signer/Title Heathrow Ultra Trust, LLC 1290 Palm Ave. N. Sarasota, FL 34236 Swartz Law Firm PC 200 Washington St. Ste. 301 Watertown, NY 13601

R. John Cole, II
R. John Cole, II, & Associates, P.A.
46 N. Washington Blvd., Ste. 24
Sarasota, FL 34236

Christopher M. Swartz 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746

Compass Bank Successor in Interest FDIC 15 S. 20th St. Birmingham, AL 35233

David S. Band Ttee of Caffino Live Roast Loan Trust 4100 Flamingo Ave. Sarasota, FL 34242

Fein, Such & Crane LLP 28 E. Main St. Ste. 1800 Rochester, NY 14614

QRVC Corp. 1609 Rutledge St. Longwood, FL 32779

Round Point Mtg. Serv. Co. 5032 Parkway Plaza Blvd. Charlotte, NC 28217

SRE of Central NY, Inc. 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746 Tricia L. Swartz 1515 Int'l Pkwy. Ste. 2013 Lake Mary, FL 32746

## United States Bankruptcy Court Middle District of Florida

In re	e Heathrow Ultra Trust, LLC		Case No.			
		Debtor(s)	Chapter	11		
	DISCLOSURE OF COMPENSATIO					
	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I cer compensation paid to me within one year before the filing of the pe be rendered on behalf of the debtor(s) in contemplation of or in com-	tition in bankruptcy, or agre	eed to be paid	to me, for services rendered or to		
	For legal services, I have agreed to accept		\$	10,000.00		
	Prior to the filing of this statement I have received		\$	10,000.00		
	Balance Due		\$	0.00		
2.	The source of the compensation paid to me was:					
	□ Debtor ■ Other (specify): Christopher Sw	artz				
3.	The source of compensation to be paid to me is:					
	Debtor Dother (specify):					
4.	■ I have not agreed to share the above-disclosed compensation w	ith any other person unless	they are memb	pers and associates of my law firm.		
	□ I have agreed to share the above-disclosed compensation with a copy of the agreement, together with a list of the names of the p					
5.	In return for the above-disclosed fee, I have agreed to render legal	service for all aspects of the	bankruptcy c	ase, including:		
	<ul><li>a. Analysis of the debtor's financial situation, and rendering advice</li><li>b. Preparation and filing of any petition, schedules, statement of af</li><li>c. Representation of the debtor at the meeting of creditors and con</li><li>d. [Other provisions as needed]</li></ul>	fairs and plan which may b	e required;			
6.	6. By agreement with the debtor(s), the above-disclosed fee does not include the following service: Representation of the debtors in any discharge or dischargeability actions, judicial lien avoidance, relief from stay actions or any other adversary proceeding. Representation of the debtors in Fed. R. Bankr. P. 2004 examinations or depositions, or in preparing documents to utilize in such examinations. Amendments to schedules, statement of affairs and petition. All future fees will be at the undersigned's normal hourly rate prevailing at the time future services are rendered.					
	CERTI	FICATION				
	I certify that the foregoing is a complete statement of any agreemen bankruptcy proceeding.	t or arrangement for payme	nt to me for re	presentation of the debtor(s) in		
Date		/s/ R. John Cole, II				
		R. John Cole, II 191364 R. John Cole, II, & Asso 46 N. Washington Blvd	ociates, P.A.			

Sarasota, FL 34236

(941) 365-4055 Fax: (941) 365-4219 RJC@RJCOLELAW.COM

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## United States Bankruptcy Court Middle District of Florida

In re Heathrow Ultra Trust, 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>Heathrow Ultra Trust, 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*]

September 2, 2014

Date

/s/ R. John Cole, II R. John Cole, II 191364 Signature of Attorney or Litigant Counsel for Heathrow Ultra Trust, LLC R. John Cole, II, & Associates, P.A. 46 N. Washington Blvd., Ste. 24 Sarasota, FL 34236 (941) 365-4055 Fax:(941) 365-4219 RJC@RJCOLELAW.COM