Case 8:15-bk-10250 Doc 1 Filed 10/08/15 Page 1 of 10

B1 (Official Form 1)(04/13)								
	States Ban iddle District						Voluntary	Petition
Name of Debtor (if individual, enter Last, First Eric's Foreign/American Auto Repa			Name	of Joint Do	ebtor (Spouse)) (Last, First,	Middle):	
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	8 years				used by the Jonatha maiden, and		in the last 8 years	
Last four digits of Soc. Sec. or Individual-Taxp (if more than one, state all) 65-0723355	ayer I.D. (ITIN)/Co	omplete EIN		our digits o		Individual-7	Taxpayer I.D. (ITIN) No	o./Complete EIN
Street Address of Debtor (No. and Street, City, 2650 Stickney Point Road Sarasota, FL	and State):	ZIP Code	Street	Address of	f Joint Debtor	(No. and Str	eet, City, and State):	ZIP Code
Country of Decidence on of the Dringing Diago	f Ducinassi	34231	Count	y of Docide	and or of the	Dringing Die	ace of Business:	Zii Code
County of Residence or of the Principal Place of Sarasota	of business:		Count	y of Reside	ence of of the	rinicipai ria	ice of Busiliess.	
Mailing Address of Debtor (if different from str	reet address):		Mailiı	ng Address	of Joint Debto	or (if differen	nt from street address):	
		ZIP Code						ZIP Code
Location of Principal Assets of Business Debto	r							
(if different from street address above):	•							
Type of Debtor (Form of Organization) (Check one box)		e of Business					tcy Code Under Whice led (Check one box)	:h
 □ 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 de in 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank		defined	Chapt Chapt Chapt Chapt Chapt Chapt	ter 7 ter 9 ter 11 ter 12	☐ Ch of ☐ Ch of	napter 15 Petition for R a Foreign Main Procee napter 15 Petition for R a Foreign Nonmain Pro	eding ecognition
Chapter 15 Debtors Country of debtor's center of main interests:	Other Tax-E	exempt Entity		-		(Check	e of Debts s one box)	
Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Debtor is a tax under Title 26	oox, if applicable -exempt organiz of the United Starnal Revenue Co	ation ates	"incurred by an individual primarily for				
Filing Fee (Check one bo	x)		one box:	noll business	Chapt debtor as defin	ter 11 Debto		
Full Filing Fee attached Filing Fee to be paid in installments (applicable to	individuals only). M		Debtor is not				J.S.C. § 101(51D).	
attach signed application for the court's considera debtor is unable to pay fee except in installments. Form 3A.	tion certifying that the	e fficial	ebtor's agg				luding debts owed to insid on 4/01/16 and every thre	
Filing Fee waiver requested (applicable to chapter attach signed application for the court's considera		Must A	cceptances	ng filed with of the plan v	this petition. were solicited pro S.C. § 1126(b).	epetition from	one or more classes of cre	editors,
Statistical/Administrative Information						THIS	SPACE IS FOR COURT	USE ONLY
 □ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt properthere will be no funds available for distributed 	erty is excluded a	nd administrati		es paid,				
Estimated Number of Creditors				п				
1- 50- 100- 200- 49 99 199 999	1,000- 5,000 5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets	\$1,000,001 \$10,000,0 to \$10 to \$50 million million	001 \$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				
Estimated Liabilities	\$1,000,001 \$10,000,0 to \$10 to \$50	001 \$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1 billion				

Case 8:15-bk-10250 Doc 1 Filed 10/08/15 Page 2 of 10

B1 (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition Eric's Foreign/American Auto Repair, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C 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? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) 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. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal 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 interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) 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, 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 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

(This page must be completed and filed in every case)

Signature(s) of Debtor(s) (Individual/Joint)

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, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Timothy W. Gensmer

Signature of Attorney for Debtor(s)

Timothy W. Gensmer 586242

Printed Name of Attorney for Debtor(s)

Timothy W. Gensmer, P.A.

Firm Name

2831 Ringling Blvd. Ste. 202-A Sarasota, FL 34237-5348

Address

Email: info@timgensmer.com

941.952.9377 Fax: 941.965.5605

Telephone Number

October 8, 2015

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.

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.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Erich Szalay

Signature of Authorized Individual

Erich Szalay

Printed Name of Authorized Individual

Shareholder

Title of Authorized Individual

October 8, 2015

Date

Name of Debtor(s):

Eric's Foreign/American Auto Repair, Inc.

Signatures

Signature of a Foreign Representative

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 Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ 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.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

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 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 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.

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 preparer.)(Required by 11 U.S.C. § 110.)

_	_	-	
٦	۰	_	

Date

Address

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 not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

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.

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United States Bankruptcy Court Middle District of Florida

In re Eric's Fore	eign/American Auto Repair, Inc		Case No.	
		Debtor(s)	Chapter	
	VERIFICAT	TION OF CREDITOR	MATRIX	
I d. Ch		Landa del como forma de contra de la contra d		. C
i, the Shareholder of	the corporation named as the de	btor in this case, hereby verify tha	t the attached list	of creditors is true and correct
to the best of my kno	owledge.			
·	•			
Date: October 8	3, 2015	/s/ Erich Szalay		
		Erich Szalay/Shareholder		
		Signer/Title		

Eric's Foreign/American Auto Repair, Inc. Eric Szalay 2650 Stickney Point Road

Sarasota, FL 34231

26501 Stickney Point Road

Sarasota, FL 34231

John Gable

7145 Wright Terrace Niles, IL 60714

Timothy W. Gensmer Timothy W. Gensmer, P.A. 2831 Ringling Blvd.

Ste. 202-A

Sarasota, FL 34237-5348

Eric's Car Rental, Inc. 2650 Stickney Point Road

Sarasota, FL 34231

John Kennedy

5700 Midnight Pass Road #1

Sarasota, FL 34242

Brian Marich

5764 Ashton Lake Drive

Sarasota, FL 34231

George B. Slonek

1650 Stickney Point Road

Apt. 101

Sarasota, FL 34231

Joseph and Mary Kreiner 5750 Midnight Pass Road

Unit 404E

Sarasota, FL 34242

Bruni Helmerson

1614 Hovington Circle #1 Sun City Center, FL 33573 Hans and Christopher Abraham

4913 Cherry Laurel Way

Sarasota, FL 34241

Joseph Biscone c/o The TAM Investment Trust, John Abbot

Trustee

4820 Kestral Park Circle Sarasota, FL 34231

CAN Capital Merchant

Sevices, Inc.

2015 Vaughn Road, Bldg 500

Kennesaw, GA 30144

Irene Gyorgy 1840 Meva

Sarasota, FL 34233

Jud Villa

6455 Gateway Av. #C Sarasota, FL 34231

Cheryl Woodruff

1608 Hudson Pointe Drive

Sarasota, FL 34236

Ivan Hurnik 4503 Nelson Ave.

Sarasota, FL 34231

Karel Slavicek

12325 Bay Pointe Terrace

Cortez, FL 34215

Christopher Gyorgy & Mercede

Gyorgy, Trustees of Akos Gyorgy and Eva Gyorgy Trusts

4578 Trails Drive Sarasota, FL 34232

James Ellis

694 Clear Creek Dr.

Osprey, FL 34229

Marek Pleyer

439 Grand Preserve Cove

Bradenton, FL 34212

Cynthia Crisp

205 Golden Gate Point #301

Sarasota, FL 34236

Jiri Dvorak

U knezske louky 1 Praha 3, CZ 13000

Nancy Dunn

2810 Bay Shore Road Sarasota, FL 34234

D. Bruce Vittert 864 Mac Ewen Drive Osprey, FL 34229

Joanna Szalay 2627 Terry Lane Sarasota, FL 34231

Prague Trade, LLC Richard Petrovic 4503 Nelson Av Sarasota, FL 34231

Sarasota County Tax Coll Barbara Ford-Coates 101 S. Washington Blvd Sarasota, FL 34236

Thor Sveinsvoll 2902 E. State Road 59 Milton, WI 53563

Zdeno Olsovsky 4722 Belmont Ave. Sarasota, FL 34235 Case 8:15-bk-10250 Doc 1 Filed 10/08/15 Page 7 of 10

United States Bankruptcy Court Middle District of Florida

In re Eric's Foreign/American Auto Repair, Ir	nc.	Case No.
	Debtor(s)	Chapter 11
CORPORATE		T 7007 1)
CORPORATE (DWNERSHIP STATEMENT (RUL	E 7007.1)
Pursuant to Federal Rule of Bankruptcy Proce		
or recusal, the undersigned counsel for <u>Eric's</u> certifies that the following is a (are) corporation		•
indirectly own(s) 10% or more of any class of	· /·	· · · · · · · · · · · · · · · · · · ·
report under FRBP 7007.1:	the corporations (s) equity interests,	or states that there are no entires to
•		
■None [Check if applicable]		
October 8, 2015	/s/ Timothy W. Gensmer	
Date	Timothy W. Gensmer	
Bute	Signature of Attorney or Litigant	
	Counsel for Eric's Foreign/America	ın Auto Repair, Inc.
	Timothy W. Gensmer, P.A.	
	2831 Ringling Blvd. Ste. 202-A	
	Sarasota, FL 34237-5348	
	941.952.9377 Fax:941.965.5605 info@timgensmer.com	
	mioeungensmer.com	

B4 (Official Form 4) (12/07)

United States Bankruptcy Court Middle District of Florida

In re	Eric's Foreign/American Auto Repair, Inc.		Case No.	
		Debtor(s)	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	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	
Brian Marich	Brian Marich	money loaned	Disputed	90,000.00
5764 Ashton Lake Drive	5764 Ashton Lake Drive			
Sarasota, FL 34231	Sarasota, FL 34231			
CAN Capital Merchant	CAN Capital Merchant	Repurchase	Disputed	48,559.00
Sevices, Inc.	Sevices, Inc.	Agreement		
2015 Vaughn Road, Bldg 500	2015 Vaughn Road, Bldg 500			
Kennesaw, GA 30144	Kennesaw, GA 30144			
Cheryl Woodruff	Cheryl Woodruff	money loaned	Disputed	50,000.00
1608 Hudson Pointe Drive	1608 Hudson Pointe Drive			
Sarasota, FL 34236	Sarasota, FL 34236			
Christopher Gyorgy &	Christopher Gyorgy & Mercede	2650 Stickney		1,100,000.00
Mercede	Gyorgy, Trustees of Akos	Point Road		
Gyorgy, Trustees of Akos	Gyorgy and Eva Gyorgy Trusts	Sarasota, FL 34231		(750,000.00
Gyorgy and Eva Gyorgy	Sarasota, FL 34232			secured)
Trusts		Legally described		
4578 Trails Drive		as: Lots 1, 2 and 3,		
Sarasota, FL 34232		Block 2, GULF		
		GATE MANOR, Unit		
		No. 1, as per plat		
		thereof recor		
Cynthia Crisp	Cynthia Crisp	money lent	Disputed	50,000.00
205 Golden Gate Point #301	205 Golden Gate Point #301			
Sarasota, FL 34236	Sarasota, FL 34236			
D. Bruce Vittert	D. Bruce Vittert	money loaned	Disputed	50,000.00
864 Mac Ewen Drive	864 Mac Ewen Drive			
Osprey, FL 34229	Osprey, FL 34229			
George B. Slonek	George B. Slonek	money loaned	Disputed	115,000.00
1650 Stickney Point Road	1650 Stickney Point Road		-	
Apt. 101	Apt. 101			
Sarasota, FL 34231	Sarasota, FL 34231			
Hans and Christopher	Hans and Christopher Abraham	Money lent	Disputed	170,000.00
Abraham	4913 Cherry Laurel Way			
4913 Cherry Laurel Way	Sarasota, FL 34241			
Sarasota, FL 34241	,			
Ivan Hurnik	Ivan Hurnik	money loaned	Disputed	40,000.00
4503 Nelson Ave.	4503 Nelson Ave.	.,		,
Sarasota, FL 34231	Sarasota, FL 34231			

	cial Form 4) (12/07) - Cont.		
In re	Eric's Foreign/American Auto Repair, Inc.	Case No.	
	Debtor(s)		

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]
Jiri Dvorak U knezske louky 1 Praha 3, CZ 13000	Jiri Dvorak U knezske louky 1 Praha 3, CZ 13000	money loaned	Disputed	80,500.00
John Kennedy 5700 Midnight Pass Road #1 Sarasota, FL 34242	John Kennedy 5700 Midnight Pass Road #1 Sarasota, FL 34242	money lent	Disputed	20,000.00
Joseph and Mary Kreiner 5750 Midnight Pass Road Unit 404E Sarasota, FL 34242	Joseph and Mary Kreiner 5750 Midnight Pass Road Unit 404E Sarasota, FL 34242	money lent	Disputed	25,000.00
Joseph Biscone c/o The TAM Investment Trust, John Abbot Trustee 4820 Kestral Park Circle Sarasota, FL 34231	Joseph Biscone c/o The TAM Investment Trust, John Abbot Trustee Sarasota, FL 34231	money lent	Disputed	25,000.00
Jud Villa 6455 Gateway Av. #C Sarasota, FL 34231	Jud Villa 6455 Gateway Av. #C Sarasota, FL 34231	money loaned	Disputed	60,000.00
Karel Slavicek 12325 Bay Pointe Terrace Cortez, FL 34215	Karel Slavicek 12325 Bay Pointe Terrace Cortez, FL 34215	money loaned	Disputed	50,000.00
Marek Pleyer 439 Grand Preserve Cove Bradenton, FL 34212	Marek Pleyer 439 Grand Preserve Cove Bradenton, FL 34212	Money loaned	Disputed	80,500.00
Nancy Dunn 2810 Bay Shore Road Sarasota, FL 34234	Nancy Dunn 2810 Bay Shore Road Sarasota, FL 34234	money lent	Disputed	225,000.00
Prague Trade, LLC Richard Petrovic 4503 Nelson Av Sarasota, FL 34231	Prague Trade, LLC Richard Petrovic 4503 Nelson Av Sarasota, FL 34231	Money loaned	Disputed	150,000.00
Thor Sveinsvoll 2902 E. State Road 59 Milton, WI 53563	Thor Sveinsvoll 2902 E. State Road 59 Milton, WI 53563	money loaned	Disputed	46,202.50
Zdeno Olsovsky 4722 Belmont Ave. Sarasota, FL 34235	Zdeno Olsovsky 4722 Belmont Ave. Sarasota, FL 34235	money lent	Disputed	50,000.00

	cial Form 4) (12/07) - Cont.		
In re	Eric's Foreign/American Auto Repair, Inc.	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

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

I, the Shareholder 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 8, 2015	Signature	/s/ Erich Szalay
			Erich Szalay
			Shareholder

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.