

Fill in this information to identify your case:

United States Bankruptcy Court for the:

MIDDLE DISTRICT OF FLORIDA

Case number (if known)

Chapter 11 Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Yogi Carpet & Tile, Inc.
-
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names
- DBA D'Best Carpet & Tile**
DBA D'Best Floorz & More
-
3. Debtor's federal Employer Identification Number (EIN) **59-3743073**
-
4. Debtor's address
- | | |
|---|--|
| <p>Principal place of business</p> <p>7309 East Colonial Drive
Orlando, FL 32807
Number, Street, City, State & ZIP Code</p> <p>Orange
County</p> | <p>Mailing address, if different from principal place of business</p> <p>_____
P.O. Box, Number, Street, City, State & ZIP Code</p> <p>Location of principal assets, if different from principal place of business</p> <p>_____
Number, Street, City, State & ZIP Code</p> |
|---|--|
-
5. Debtor's website (URL) _____
-
6. Type of debtor
- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- Partnership (excluding LLP)
- Other. Specify: _____

Debtor Yogi Carpet & Tile, Inc.
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

Middle District of Florida, Orlando Division	When	12/15/09	Case number	6:09-bk-19058-KSJ
District	When		Case number	
District	When		Case number	

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship	
District	When	Case number, if known

Debtor Yogi Carpet & Tile, Inc.
Name

Case number (if known) _____

11. Why is the case filed in this district? *Check all that apply:*

- Debtor has had its domicile, 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.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other _____

Where is the property? _____
 Number, Street, City, State & ZIP Code

Is the property insured?

- No
- Yes. Insurance agency _____
 Contact name _____
 Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. Estimated Assets

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

16. Estimated liabilities

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor **Yogi Carpet & Tile, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor


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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.


I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 30, 2016**
MM / DD / YYYY

X 
Signature of authorized representative of debtor
Title **President**

Dario Hernandez
Printed name

18. Signature of attorney

X 
Signature of attorney for debtor
Justin M. Luna
Printed name

Date **November 30, 2016**
MM / DD / YYYY

Latham, Shuker, Eden & Beaudine, LLP
Firm name

PO Box 3353
Orlando, FL 32802-3353
Number, Street, City, State & ZIP Code

Contact phone **(407) 481-5800** Email address

0037131
Bar number and State

Fill in this information to identify the case:

Debtor name **Yogi Carpet & Tile, Inc.**
 United States Bankruptcy Court for the: **MIDDLE DISTRICT OF FLORIDA**
 Case number (if known): _____

Check if this is an
 amended filing

Official Form 204**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Bank of America Business Credit Card P.O. Box 15796 Wilmington, DE 19886-5796		Credit Card				\$16,876.80
Beech Outdoor Company 291 Circle Drive Maitland, FL 32751		Judgment Lien		\$10,218.29	Unknown	Unknown
Cisco, Inc. P.O. Box 801088 Houston, TX 77280-1088		Trade debt				\$2,743.24
Fifth Third Bank P.O. Box 630337 Cincinnati, OH 45263-0337		Line of credit				\$34,599.92
First Data Global Leasing 5565 Glenridge Connector NE Suite 2000 Atlanta, GA 30342		Credit card machine				\$2,000.00
Florida Dept of Revenue 5401 South Kirkman Road Suite 500 Orlando, FL 32819						\$0.00
Florida Dept of Revenue Attn: Executive Director 5050 W Tennessee St Tallahassee, FL 32399-0140		2015 Taxes				\$0.00

Debtor **Yogi Carpet & Tile, Inc.**

Case number (if known)

Name

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Florida Dept of Revenue Attn: Executive Director 5050 W Tennessee St Tallahassee, FL 32399-0140		2014 Taxes				\$0.00
Florida Dept of Revenue Collection Agency Section 5050 W Tennessee Street Tallahassee, FL 32399-0140		Sales & Use Taxes				\$26,502.10
Freshview 10865 Grandview Dr, Ste 2000 Overland Park, KS 66210		All personal property		\$68,965.55	Unknown	Unknown
Irwin Commercial Finance Cor 330 120th Ave NE Suite 110 Bellevue, WA 98005		Two (2) 15-ton Trane HVAC pkg units w/ duct & grills, model #TCD181C30DC		Unknown	Unknown	Unknown
Kevin Ortiz 4409 Hoffner Ave., Ste. 185 Orlando, FL 32812		Legal services				\$0.00
Master's Building Products 10380 NW 53rd Street Sunrise, FL 33351		Trade debt				\$5,841.44
Mastercraft 13001 NW 38th Avenue Miami, FL 33054		Trade debt				\$11,110.36
Mohawk 160 South Industrial Blvd. Calhoun, GA 30703		Trade debt				\$27,628.63
Purveyors Tiles and Stone 3325 79th Avenue Miami, FL 33122		Trade debt				\$5,091.89
The Tile Empire 8830 NW 24th Terrace Doral, FL 33172		Trade debt				\$4,710.04

Debtor **Yogi Carpet & Tile, Inc.**

Case number (if known)

Name

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Trycor 3463 Cedarapids Way Orlando, FL 32811		Fire alarm services				\$935.28
Vantiv Company P.O. Box 59838 Schamburg, IL 60159-0838		Trade debt				\$29,219.91
Wayne Auto Fire Sprinklers 222 Capitol Street Ocoee, FL 34761		Fire alarm services				\$728.00

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

In re Yogi Carpet & Tile, Inc.

Debtor(s)

Case No.

Chapter 11

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 or place of business of holder	Security Class	Number of Securities	Kind of Interest
Dario Hernandez 7309 East Colonial Drive Orlando, FL 32807	Common	100%	Shareholder

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** 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 November 30, 2016

Signature /s/ Dario Hernandez
Dario Hernandez

*Penalty for making a false statement of 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 Yogi Carpet & Tile, Inc.

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the President 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: November 30, 2016

/s/ Dario Hernandez

Dario Hernandez/President

Signer/Title

Yogi Carpet & Tile, Inc.
7309 East Colonial Drive
Orlando, FL 32807

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Florida Dept of Revenue
5401 South Kirkman Road
Suite 500
Orlando, FL 32819

Small Business Administration
409 3rd Street SW
Washington, DC 20416

Justin M. Luna
Latham, Shuker, Eden & Beaudine, LLP
PO Box 3353
Orlando, FL 32802-3353

Florida Dept of Revenue
Attn: Executive Director
5050 W Tennessee St
Tallahassee, FL 32399-0140

The Tile Empire
8830 NW 24th Terrace
Doral, FL 33172

Bank of America
Business Credit Card
P.O. Box 15796
Wilmington, DE 19886-5796

Freshview
10865 Grandview Dr, Ste 2000
Overland Park, KS 66210

Trycor
3463 Cedarapids Way
Orlando, FL 32811

Beech Outdoor Company
291 Circle Drive
Maitland, FL 32751

Irwin Commercial Finance Cor
330 120th Ave NE Suite 110
Bellevue, WA 98005

U.S. Dept of Treasury
1500 Pennsylvania Ave. NW
Washington, DC 20220

Brown & Joseph, LTD
Attn: Stacy Affatigato
P.O. Box 59838
Schaumburg, IL 60159-0838

Kevin Ortiz
4409 Hoffner Ave., Ste. 185
Orlando, FL 32812

Unity Bank
64 Old Highway 22
Clinton, NJ 08809

Cisco, Inc.
P.O. Box 801088
Houston, TX 77280-1088

Master's Building Products
10380 NW 53rd Street
Sunrise, FL 33351

Vantiv Company
P.O. Box 59838
Schamburg, IL 60159-0838

Dario Hernandez
12924 Waterford Wood Circle
Orlando, FL 32828

Mastercraft
13001 NW 38th Avenue
Miami, FL 33054

Wayne Auto Fire Sprinklers
222 Capitol Street
Ocoee, FL 34761

Fifth Third Bank
P.O. Box 630337
Cincinnati, OH 45263-0337

Mohawk
160 South Industrial Blvd.
Calhoun, GA 30703

First Data Global Leasing
5565 Glenridge Connector NE
Suite 2000
Atlanta, GA 30342

Orange Cty Tax Collector
Attn: Scott Randolph
P.O. Box 545100
Orlando, FL 32802-2551

Florida Dept of Revenue
Collection Agency Section
5050 W Tennessee Street
Tallahassee, FL 32399-0140

Purveyors Tiles and Stone
3325 79th Avenue
Miami, FL 33122

B2030 (Form 2030) (12/15)

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

In re Yogi Carpet & Tile, Inc.

Debtor(s)

Case No.

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>26,500.00</u>
Prior to the filing of this statement I have received	\$	<u>26,500.00</u>
Balance Due	\$	<u>0.00</u>

2. The source of the compensation paid to me was:

Debtor Other (specify): **Dario Hernandez, President of the Debtor**

3. The source of compensation to be paid to me is:

Debtor Other (specify):

4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

November 30, 2016

Date

Justin M. Luna 0037131

Signature of Attorney

Latham, Shuker, Eden & Beaudine, LLP

PO Box 3353

Orlando, FL 32802-3353

(407) 481-5800 Fax: (407) 481-5801

Name of law firm