

**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.	<b>Debtor's name</b>	<u>Whispers Restaurant &amp; Lounge, LLC</u>	
<hr/>			
2.	<b>All other names debtor used in the last 8 years</b> Include any assumed names, trade names and <i>doing business as</i> names		
<hr/>			
3.	<b>Debtor's federal Employer Identification Number (EIN)</b>	<u>47-3856262</u>	
<hr/>			
4.	<b>Debtor's address</b>	<b>Principal place of business</b>  <u>10750 ATLANTIC BLVD</u> <u>#5&amp;6</u> <u>Jacksonville, FL 32225</u> Number, Street, City, State & ZIP Code  <u>Duval</u> County	<b>Mailing address, if different from principal place of business</b>  <u>2410 Bentshire Dr.</u> <u>Jacksonville, FL 32246</u> P.O. Box, Number, Street, City, State & ZIP Code  <b>Location of principal assets, if different from principal place of business</b>  _____ Number, Street, City, State & ZIP Code
<hr/>			
5.	<b>Debtor's website (URL)</b>	<u>whisperslounge.com</u>	
<hr/>			
6.	<b>Type of debtor</b>	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____	
<hr/>			

Debtor **Whispers Restaurant & Lounge, LLC**  
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.

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 **Whispers Restaurant & Lounge, LLC**  
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 &amp; 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**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☒ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☒ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Whispers Restaurant & Lounge, LLC**  
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 **May 30, 2017**  
MM / DD / YYYY**X /s/ Cheryl Harris**

Signature of authorized representative of debtor

**Cheryl Harris**

Printed name

Title **Manager****18. Signature of attorney****X /s/ Bryan K. Mickler FBN**

Signature of attorney for debtor

Date **May 30, 2017**

MM / DD / YYYY

**Bryan K. Mickler FBN**

Printed name

**Law Offices of Mickler & Mickler, LLP**

Firm name

**5452 Arlington Expy.  
Jacksonville, FL 32211**

Number, Street, City, State &amp; ZIP Code

Contact phone **904-725-0822**Email address **court@planlaw.com****091790**

Bar number and State

**Fill in this information to identify the case:**

Debtor name **Whispers Restaurant & Lounge, LLC**  
 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
ARF Financial 433 North Camden Dr. #810 Beverly Hills, CA 90210						\$76,500.00
Florida Department of Rev P.O. Box 6668 Tallahassee, FL 32314-6668		sales tax				\$25,174.52
Forward Financing 36 Broomfield St. Boston, MA 02108						\$19,683.00
Jacksonville Elect Auth. 21 W Church St. Jacksonville, FL 32202						\$2,000.00
Merchant Capital Source 2120 Main St. #220 Huntington Beach, CA 92648						\$29,825.00
US Food 9399 West Higgins Road #500 Des Plaines, IL 60018						\$4,500.00
Yellowstone Capital 1 Evertrust Plaza 14th Floor Jersey City, NJ 07302						\$15,000.00

Whispers Restaurant & Lounge, LLC  
2410 Bentshire Dr.  
Jacksonville, FL 32246

Merchant Capital Source  
2120 Main St. #220  
Huntington Beach, CA 92648

Bryan K. Mickler FBN  
Law Offices of Mickler & Mickler, LLP  
5452 Arlington Expy.  
Jacksonville, FL 32211

PBD Management  
2804 Saint Johns Bluff Rd S  
#200  
Jacksonville, FL 32246

Alex Morantus  
2410 Bentshire Dr.  
Jacksonville, FL 32246

Turnbull and Born  
Commerce Bldg. #1050  
950 Pacific Ave.  
Tacoma, WA 98402

ARF Financial  
433 North Camden Dr.  
#810  
Beverly Hills, CA 90210

US Food  
9399 West Higgins Road  
#500  
Des Plaines, IL 60018

Barry W. Kaufman, P.L.  
11250 Old St. Augustine Rd  
#15116  
Jacksonville, FL 32257

Yellowstone Capital  
1 Evertrust Plaza  
14th Floor  
Jersey City, NJ 07302

Cheryl Harris  
2410 Bentshire Dr.  
Jacksonville, FL 32246

Florida Department of Rev  
P.O. Box 6668  
Tallahassee, FL 32314-6668

Forward Financing  
36 Broomfield St.  
Boston, MA 02108

Jacksonville Elect Auth.  
21 W Church St.  
Jacksonville, FL 32202

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

In re **Whispers Restaurant & Lounge, 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 **Whispers Restaurant & Lounge, LLC** 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*]

**May 30, 2017**

Date

**/s/ Bryan K. Mickler FBN**

**Bryan K. Mickler FBN 091790**

Signature of Attorney or Litigant

Counsel for **Whispers Restaurant & Lounge, LLC**

**Law Offices of Mickler & Mickler, LLP**

**5452 Arlington Expy.**

**Jacksonville, FL 32211**

**904-725-0822 Fax:904-725-0855**

**court@planlaw.com**