Case 10-31382 Doc 1 Filed 07/02/10 Page 1 of 9

B1 (Official	Form 1)(4/		United Noi			ruptcy of Floric					Volu	untary	Petition
	ebtor (if ind		er Last, First					of Joint De	ebtor (Spouse	) (Last, First	, Middle):		
(include ma	All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  See Attachment						used by the J maiden, and			years			
Last four dig (if more than one		Sec. or Indi	vidual-Taxpa	ayer I.D. (	(ITIN) No./(	Complete El	IN Last for (if more	our digits o	f Soc. Sec. or	Individual-	Гахрауег I.D	D. (ITIN) No	o./Complete EIN
	ess of Debto	or (No. and	Street, City,	and State)	:		Street	Address of	f Joint Debtor	(No. and Str	reet, City, an	nd State):	
ZIP Code 32578  County of Residence or of the Principal Place of Business: Okaloosa				Count	y of Reside	ence or of the	Principal Pla	ace of Busin	ess:	ZIP Code			
Mailing Add	dress of Deb wind Drive, FL	ssets of Bus			_	ZIP Code <b>32578</b> <b>3IT "1"</b>	Mailir	ng Address	of Joint Debt	or (if differe	nt from stree	et address):	ZIP Code
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 ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organizunder Title 26 of the United St Code (the Internal Revenue Code			e) anization d States	defined "incurr	the Inter 7 ter 9 ter 11 ter 12	of Cl of Cl of Nature (Checl onsumer debts, \$101(8) as dual primarily	hapter 15 Pe a Foreign N hapter 15 Pe a Foreign N e of Debts k one box)	etition for R Main Procee etition for R Nonmain Pro	ecognition eding ecognition				
Filing Fee attach sig debtor is Form 3A.	g Fee attached e to be paid ir ned application unable to pay e waiver reque	d installments on for the cour fee except in	(applicable to urt's considerat i installments. able to chapter urt's considerat	individual ion certifyi Rule 1006( 7 individu	ng that the (b). See Office als only). Mu	t Check is a Check is BB.	Debtor is not if: Debtor's agg re less than all applicable A plan is bein Acceptances	regate nonco \$2,343,300 ( e boxes: ng filed with of the plan w	debtor as definess debtor as debtor	defined in 11 United debts (exc to adjustment	C. § 101(51D) J.S.C. § 101(5 cluding debts of t on 4/01/13 and	51D). owed to inside	lers or affiliates) re years thereafter) editors,
Debtor e	estimates that estimates that	at funds will at, after any	ation be available exempt propfor distribut	erty is ex	cluded and	nsecured cre administrati	editors.			THIS	SPACE IS FO	OR COURT	USE ONLY
Estimated N  1- 49	50- 99	reditors  100- 199		1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated A  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					
Estimated L \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

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B1 (Official For	m 1)(4/10)		Page 2		
Voluntar	y Petition	Name of Debtor(s):  Emerald Coast Hold	dings LLC		
(This page mu	ust be completed and filed in every case)	Linerald Coast Hold	anigs, LLC		
1 0	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 Debt - None -	or:	Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A	(m) 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Exhibit B		
forms 10K a pursuant to S and is reques	oleted 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 petition 12, or 13 of title 11, United			
	E 1	 uibit 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.		identifiable harm to public health or safety?		
☐ Exhibit  If this is a joi	leted by every individual debtor. If a joint petition is filed, ead D completed and signed by the debtor is attached and made	a part of this petition.			
	Information Regardin	ng the Debtor - Venue			
	(Check any ap Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for There is a bankruptcy case concerning debtor's affiliate, go Debtor is a debtor in a foreign proceeding and has its prince this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	al place of business, or prin a longer part of such 180 d eneral partner, or partnershi cipal place of business or pro- s in the United States but is ne interests of the parties with	lays than in any other District.  p pending in this District.  rincipal assets in the United States in a defendant in an action or ill be served in regard to the relief		
	Certification by a Debtor Who Reside (Check all app		ial Property		
	Landlord has a judgment against the debtor for possession		ox 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 for				
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	ourt of any rent that would b	become due during the 30-day period		

B1 (Official Form 1)(4/10) Page 3

## **Voluntary Petition**

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

#### Signatures

#### 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/ C. Edwin Rude, Jr.

Signature of Attorney for Debtor(s)

#### C. Edwin Rude, Jr. 0157985

Printed Name of Attorney for Debtor(s)

## C. Edwin Rude, Jr., Attorney at Law

Firm Name

211 E. Call Street Tallahassee, FL 32301-7607

Address

# Email: edrudelaw@earthlink.net

850 222-2311 Fax: 850 222-2120

Telephone Number

July 2, 2010

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.

### $\mathbf{X}$ /s/ Rocky Heinsz

Signature of Authorized Individual

#### **Rocky Heinsz**

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

July 2, 2010

Date

#### 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.)

Name of Debtor(s):

- ☐ 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.

٠,	

Signature of Foreign Representative

**Emerald Coast Holdings, LLC** 

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.)

v		_	

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.

In re Emerald Coast Holdings, LLC

12.

DBA

Case No.

Debtor

## FORM 1. VOLUNTARY PETITION

# **Other Names Attachment**

All Other Names used by Debtor in the last 8 years:

1.	DBA	<b>Emerald Coast Desting Commissary, LLC</b>
2.	DBA	Emerald Coast Coffee & Grille
3.	DBA	Emerald Coast World Cafe
4.	DBA	Emerald Cost Desting Hwy 98 LLC
5.	DBA	Emerald Coast Bluewater LLC
6.	DBA	Emerald Coast Hurlburt Base LLC
7.	DBA	Emerald Coast HarborWalk LLC
8.	DBA	Emeral Coast GB LLC
9.	DBA	Emerald Coast Cordova LLC
10.	DBA	Emerald Coast CCR LLC
11.	DBA	Emerald Coast Wharf LLC

**Emerald Coast Terminus LLC** 

**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court Northern District of Florida**

In re	Emerald Coast Holdings, LLC		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 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]
AA Awning International 1300 Riversound Drive Marietta, GA 30068	AA Awning International 1300 Riversound Drive Marietta, GA 30068	Awnings		5,000.00
Cash Register Systems 1821 Ridgeway East Montgomery, AL 36110	Cash Register Systems 1821 Ridgeway East Montgomery, AL 36110			9,334.06
Cousins Properties, Inc. Mitchell S. Rosen Kitchens Kelley Gaunes, P.C. 3495 Piedmont Rod, N.E. Suite 900 Atlanta, GA 30305	Cousins Properties, Inc. Mitchell S. Rosen Kitchens Kelley Gaunes, P.C. Atlanta, GA 30305	Lease		52,493.54
Dade Paper Company 30427-A County Road 49 P.O. Box 1180 Loxley, AL 36551	Dade Paper Company 30427-A County Road 49 P.O. Box 1180 Loxley, AL 36551	Commissary		10,835.00
DAG Architects, Inc. 1223 Airport Road	DAG Architects, Inc. 1223 Airport Road	Arthitectural services		12,440.00
Dairy Fresh P.O. Box 10457 Mobile, AL 36610	Dairy Fresh P.O. Box 10457 Mobile, AL 36610	Food supplier		4,797.00
Hogan Construction	Hogan Construction	Construction services		139,000.00
Howard Group 171 Monroe Avenue, NW Suite 1000 Grand Rapids, MI 49503	Howard Group 171 Monroe Avenue, NW Suite 1000 Grand Rapids, MI 49503	Lease		43,408.64
ICAM, Inc. 13920 Sunfish Bend Alpharetta, GA 30004	ICAM, Inc. 13920 Sunfish Bend Alpharetta, GA 30004	Marketing Services		5,415.00
KK Mehta CPA 100 Garden City Plaza Garden City, NY 11530	KK Mehta CPA 100 Garden City Plaza Garden City, NY 11530	СРА		26,100.00

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Emerald Coast Holdings, LLC	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]
Koslow Technologies Corpation Charitable 4500 Westgrove Drive Suite 300 Addison, TX 75001	Koslow Technologies Corpation Charitable 4500 Westgrove Drive Suite 300 Addison, TX 75001	127 Factory Ave. Elba, AL 36323 Coffee Roasting Facility		1,278,617.00 (200,000.00 secured)
Legendary Realty 4100 Legendary Drive Suite 200 Destin, FL 32540	Legendary Realty 4100 Legendary Drive Suite 200 Destin, FL 32540	Lease	Disputed	89,336.00
McKenna Long & Aldridge 303 Peachtree St. Atlanta, GA 30308	McKenna Long & Aldridge 303 Peachtree St. Atlanta, GA 30308	Legal fees		37,417.70
Pankaj Badlani 5311 Ozford Chase Way Atlanta, GA 30338	Pankaj Badlani 5311 Ozford Chase Way Atlanta, GA 30338	Expense Reimbursement		4,500.00
Rocky Heinsz 290 Ashborough Park Fayetteville, GA 30215	Rocky Heinsz 290 Ashborough Park Fayetteville, GA 30215	Expense Reimbursement		13,400.00
Selig Enterprises, Inc. 1100 Spring Street Suite 550 Atlanta, GA 30309	Selig Enterprises, Inc. 1100 Spring Street Suite 550 Atlanta, GA 30309	Lease		4,000.00
Simon Property group 225 West Washington Street Indianapolis, IN 46204	Simon Property group 225 West Washington Street Indianapolis, IN 46204	Lease		198,892.78
Sims Patrick Studio, Inc. 4423 Grengary Dr. Atlanta, GA 30342	Sims Patrick Studio, Inc. 4423 Grengary Dr. Atlanta, GA 30342	Interior design		15,050.50
Thought 2 Finish Consulting, Inc. 12 Edwards st., Ap. # 3B Roslyn Heights, NY 11577	Thought 2 Finish Consulting, Inc. 12 Edwards st., Ap. # 3B Roslyn Heights, NY 11577	Consulting Services		126,000.00
Zephyr Green Coffee, LLC Jaye Irwin, President c/o Louis Dreyfuss Corporation 40 Danbury Road Wilton, CT 06897	Zephyr Green Coffee, LLC Jaye Irwin, President c/o Louis Dreyfuss Corporation Wilton, CT 06897	coffee beans		7,960.06

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Emerald Coast Holdings, LLC	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 President 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	July 2, 2010	Signature	/s/ Rocky Heinsz
			Rocky Heinsz
			President

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.

Emerald Coast Holdings, LL Case 10-31382Ed Dec 1 Ude, Filed 07/02/10 Page 8,0f Awning International C. Edwin Rude, Jr., Attorney at Law 1300 Riversound Drive 149 Baywind Drive 211 E. Call Street Niceville FL 32578 Marietta GA 30068 Tallahassee, FL 32301-7607 **AAFES** Adams Produce AFCO Insurance 301 Union Hill Drive 36468 Emerald Coast Parkway Suite 300 Suite 6102 Pensacola FL 32509 Destin FL 32541 Cash Register Systems AIG Baker Real Estate AT&T 1821 Ridgeway East 1701 Lee Branch Lane P.O. Box 105262 Birmingham AL 35242 Atlanta GA 30348 Montgomery AL 36110 Century Link Chevron Gas, Elba, AL Cousins Properties, Inc. P.O. Box 3289 990 W. 208 Bypass Mitchell S. Rosen Kitchens Kelley Gaunes, P.C. Huntington WV 25702 Elba AL 36323 3495 Piedmont Rod, N.E. Suite 900 Atlanta GA 30305 Cousins Properties, Inc. Cox Cable Dade Paper Company 191 Peachtree Street 2205 La Vista Ave. 30427-A County Road 49 Suite 3600 Pensacola FL 32504 P.O. Box 1180 Loxley AL 36551 Atlanta GA 30303 DAG Architects, Inc. Dairy Fresh David Bailey, Jr., Attorney at Law P.O. Box 10457 1223 Airport Road P.O. Box 17687 Mobile AL 36610 Pensacola FL 32522 Design & Advertisement Destin Shopping Center, LLC Destin Water Users 1351 Oakbrook Drive P.O. Box 308 Suite 120 Destin FL 32540 Norcross GA 30093 Franke Coffee Systems Gulf Power 4839 N. Elson Ave. 800 Aviation Parkway Melinda Shirley Chicago IL 60630

**Embarg Corporation** 

One Energy Place Pensacola FL 32520

Gulf Power P.O. Box 830660 Birmingham AL 35283 Hogan Construction

Howard Group 171 Monroe Avenue, NW Suite 1000

Grand Rapids MI 49503

Howard Group 185 Grand Boulevard, Suite 100 Sandestin FL 32550

I.C. Systems, Inc. 444 Hwy 96 E Saint Paul MN 55164 ICAM, Inc. 13920 Sunfish Bend Alpharetta GA 30004

JAMCO 2160 Kingston Court Suite I Marietta GA 30067

100 Garden City Plaza Garden City NY 11530

Case 10-31382 MARGE (PAFiled 07/02/10 Page 9Kefs By Technologies Corpation Cha 4500 Westgrove Drive Suite 300 Addison TX 75001

LAMAR Advertising 5551 Corporate Blvd. Baton Rouge LA 70808 Legendary Realty 4100 Legendary Drive Suite 200 Destin FL 32540

Legendary Realty, Inc. 4100 Legendary Drive Suite 200 Destin FL 32540

McKenna Long & Aldridge 303 Peachtree St. Atlanta GA 30308

Mila Design, LLC

Myldea Signs 1351 Oakbrook Dr., Suite 120 Norcross GA 30093

Okaloosa Gas P.O. Box 548 Valparaiso FL 32580

Pankaj Badlani 5311 Ozford Chase Way Atlanta GA 30338

Portrait Studio Cathy Catanese 205 Windsong Court Niceville FL 32578

Possibilities, Inc. 13701 Cypress Terrace Circle Fort Myers FL 33901

Rajbhog Foods, Inc. 60 Amity Street Jersey City NJ 07304 Regional Utilities of Walton County 4432 US Hwy 98E Santa Rosa Beach FL 32459

Rocky Heinsz 290 Ashborough Park Fayetteville GA 30215

Scott Gilmore 9950 U.S. Highway 98 W. Lot G-7 Miramar Beach FL 32550

Selig Enterprises, Inc. 1100 Spring Street Suite 550 Atlanta GA 30309

Simon Property group 225 West Washington Street Indianapolis IN 46204

Sims Patrick Studio, Inc. 4423 Grengary Dr. Atlanta GA 30342

Slutzky Wolfe & Bailey 2255 Cumberland Parkway

Thought 2 Finish Consulting, Inc. 12 Edwards st., Ap. # 3B Roslyn Heights NY 11577

US Foods 2850 Highway 80 West Montgomery AL 36108

VALPAK 1149 Creighton Road Suite 7 Pensacola FL 32504

Whindham Professionals 382 Main St. Salem NH 03079

Zephyr Green Coffee, LLC Jaye Irwin, President c/o Louis Dreyfuss Corporation 40 Danbury Road Wilton CT 06897