Case 08-22814-AJC Document 1 Filed 09/04/2008 Page 1 of 34

<u> </u>	ncial Form		nited St Souther	ates B rn Dis	ank tric	ruptcy ( t of Flor	Court ida				Volu	ntary P	etition	
	Name of Debtor (if individual, enter Last, First, Middle):  8699 Biscayne, LLC						Na	Name of Joint Debtor (Spouse) (Last, First, Middle):						
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						Al (in	l Other Names clude married	used , maio	by the Joint E den, and trade	Debtor in the last 8 y names):	rears			
Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more than one, state all): 8243, 11-3768243						· ·	ast four digits of an one, state al		Sec. or Indvi	idual-Taxpayer I.D.	(ITIN) No./(	Complete EIN	(if more	
Street Address of Debtor (No. & Street, City, and State): 1521 Alton Rd. PMB 614 Miami Beach, FL							reet Address o	f Join	t Debtor (No.	& Street, City, and	State):	E		
	of Residence of	r of the Princi	pal Place of I		CODE	3313		County of Residence or of the Principal Place of Business:						
Mailing	Address of De	btor (if differe	nt from stree	t address)	:		М	ailing Address	of Jo	int Debtor (if	different from street	address):		
				ZIP (	CODE							ZIP COD	E	
Location	of Principal As	sets of Busine	ss Debtor (if	different	from st	reet address a	bove):		···					
	iscayne											ZIP COD	E F	L
Miami,	Ту	pe of Debtor				Natur	e of Busines	SS	Γ	Chap	oter of Bankruptc	y Code Uno	er Which	
		of Organizati heck <b>one</b> box.				ck one box)				t	the Petition is File	d (Check on	e box)	
	•		•		_	Health Care B Single Asset R		defined in 11		Chapter 7			Petition for n of a Foreign	,
	dividual (inclu ee Exhibit D or				_ 1	U.S.C. § 101(				Chapter 9		Main Proc		"
	orporation (incl	ludes LLC and	i LLP)			Railroad Stockbroker				Chapter 11			Petition for	
_	artnership ther (If debtor i	is not one of th	ne above enti	ties.		Commodity B	oker		_	Chapter 12		Nonmain F	n of a Foreign roceeding	n
	neck this box ar					Clearing Bank			ш	Chapter 13	Nature o	of Debts	·	
_						Other					(Check o			
							xempt Entit							
						-	ox, if applica	§ 101(8) as "incurred by an						
						Debtor is a tar under Title 26					orimarily for a mily, or house-			
						Code (the Inte				hold purpos	e."			
		Filing	Fee (Check	one box)				Check one	hox:		Chapter 11 Deb	tors		
<b>☑</b> Full	Filing Fee atta	ached						Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).						
I I Eiii	ng Fee to be pa	id in installme	ents (a <b>nn</b> lical	ale to indi	vidnal	s only) Must s	attach	1 —			ess debtor as define			)).
sign	ed application	for the court's	consideration	n certifyin	g that	the debtor is		Check if:						
	ble to pay fee e	•						Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.						
	ng Fee waiver i ch signed appli							Check all applicable boxes						
	on organic appro							A plan is being filed with this petition  Acceptances of the plan were solicited prepetition from one or more classes						
											vere solicited prepeti e with 11 U.S.C. § 1		e or more cla	sses
Statisti	cal/Administr	rative Inforn	nation										THIS SPAC	
	btor estimates t												COURTUS	SEONLY
De ext	btor estimates t penses paid, the	hat, after any ere will be no f	exempt prope funds availab	erty is exc le for dist	iuaea ributio	and administra n to unsecured	ttive I creditors.					i i		-
Estimat	ed Number of (	Creditors					******		r					) :
<b>2</b>	<b>U</b>				5.00	10.001	- 25,001-	50,001-		) Over		÷ .		
1- 49	50- 99			1,000- 5,000	5,00 10,00			100,000		00,000		Section 1	j	БЭ
-	ed Assets		0	<b>Z</b>								2.5		1=
\$0 to	\$50,001 to	\$100,001 to				\$10,000,001		1 \$100,000,00		\$500,000,001		~ ;		<b>L</b> :
\$50,00	\$100,000	\$500,000	\$1 million	to \$10 millio		to \$50 million	to \$100 million	to \$500 million	1	to \$1 billion	billion	약성	S	1
	ed Liabilities				•							72	<b>!</b> ★	8
	<b>550 001 45</b>	1100 001 4	\$500,001 t	<b>☑</b> to \$1.000	.001	\$10,000,001	\$50,000,00	1 \$100,000,0	<b>Λ1</b>	<b>0</b>	O	AC.	Ų	
\$0 to \$50,000	\$50,001 to 0 \$100,000	\$100,001 to \$500,000	\$1 million	to \$10 million		to \$50 million	to \$100 million	to \$500 million		\$500,000,001 to \$1 billion	More than \$1 billion			!

Page 2 of 34

Case 08-22814-AJC Document 1 Filed 09/04/2008

B 1 (Official Form 1) (1/08) FORM B1, Page 2

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): 8699 Biscayne, LLC					
All Prior Bankruntey Cases Filed Within La	Last 8 Years (If more than two, attach additional sheet.)					
Location	Case Number:	Date Filed:				
Where Filed: NONE		Data Filadi				
Location Where Filed:	Case Number: Date Filed:					
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more than one, attach ad					
Name of Debtor: NONE	Case Number:	Date Filed:				
District:	Relationship:	Judge:				
Exhibit A  (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.)  Exhibit A is attached and made a part of this petition.	Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts)  1, 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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).  X Not Applicable					
	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.						
Ext	aibit D					
(To be completed by every individual debtor. If a joint petition is filed, each spouse must	t complete and attach a separate Exhibit D.)					
Exhibit D completed and signed by the debtor is attached and made a part of the complete of	his petition.					
	•					
If this is a joint petition:	. ear					
Exhibit D also completed and signed by the joint debtor is attached and made						
	ding the Debtor - Venue applicable box)					
Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180	of business, or principal assets in this District for 180 days than in any other District.	ays immediately				
There is a bankruptcy case concerning debtor's affiliate. general pa	artner, or partnership pending in this District.					
has no principal place of business or assets in the United States but	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	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 entire monetary default that gave rise to the judgment for possessi	circumstances under which the debtor would be permitt on, after the judgment for possession was entered, and	ed to cure the				
Debtor has included in this petition the deposit with the court of a filing of the petition.	ny rent that would become due during the 30-day perior	d after the				
Debtor certifies that he/she has served the Landlord with this certi-	ification. (11 U.S.C. § 362(1)).					

B 1 (Official Form 1) (1/08)

Date

FORM B1, Page 3

Voluntary Petition	Name of Debtor(s):				
(This page must be completed and filed in every case)	8699 Biscayne, LLC				
Sign	atures				
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, specified in this petition.	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 § 1515 of title 11 are attached.  Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.				
X Not Applicable	X Not Applicable				
Signature of Debtor	(Signature of Foreign Representative)				
X Not Applicable					
Signature of Joint Debtor	(Printed Name of Foreign Representative)				
Telephone Number (If not represented by attorney)	Date				
Date	Date				
Signature of Attorney  Signature of Attorney  Signature of Attorney for Debtor(s)  Paul DeCailly Bar No. 0796301  Printed Name of Attorney for Debtor(s) / Bar No.  DeCailly, PLC  Firm Name  3111 W. Dr. Martin Luther King Jr. Blvd. Suite 100  Address  Tampa, FL 33607  (813) 286-2909 (866) 906-5977  Telephone Number  C 2 - S  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 Non-Attorney 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 I1 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.  Not Applicable  Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the bankruptcy 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.)  Address  X Not Applicable				
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 quests the relief in accordance with the chapter of title 11, United States Code, specifical in this petition.  X  Signature of Authorized Individual  Tamara Vance Printed Name of Authorized Individual  Managing Member  Title of Authorized Individual	Date 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 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.				

# **United States Bankruptcy Court**

### **Southern District of Florida**

In re:

Case No.
Chapter 11

8699 Biscayne, LLC

## STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Jason Vance, declare under penalty of perjury that I am the Managing Member of 8699 Biscayne, LLC, a Florida Corporation and that on 09/08/2008 the following resolution was duly adopted by the Jason Vance, Michael Scaglione of this Corporation:

"Whereas, it is in the best interest of this Corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Tamara Vance, Managing Member of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of the Corporation; and

Be It Further Resolved, that **Tamara Vance**, **Managing Member** of this Corporation, is authorized and directed to appear in all bankruptcy proceedings on behalf of the Corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Corporation in connection with such bankruptcy case; and

Be It Further Resolved, that Tamara Vance, Managing Member of this Corporation, is authorized and directed to employ Paul DeCalify, attorney and the law firm of DeCalify, PLC to represent the Corporation in such bankruptcy case."

Executed on:

Signed:

Jason Vance

B4 (Official Form 4) (12/07)

# United States Bankruptcy Court Southern District of Florida

in re 8699 Biscayne, LLC			Case No.		
	Debtor		Chapter	11	
LIST OF CRED	ITORS HOLDING 2	0 LARGE	ST U	NSECURED	CLAIMS
(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, gov- ernment contract, etc.)		Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]
Indigo Real Estate LLC c/o WestLB AG, New York Branch 1211 Avenue of the Americas				CONTINGENT UNLIQUIDATED	\$1,900,000.00
New York, NY 10036				DISPUTED	SECURED VALUE:
					\$2,400,000.00
Michael Scaglione 396 Alhambra Cr. Ste 210 Coral Gables, FL 33134					\$35,000.00
WestLB AG New York Branch 1211 Ave. of the Americas New York, NY 10036				DISPUTED SUBJECT TO SETOR	<b>\$34,500.00</b> FF
Perry K. Levin 260 Ocean Drive #28 Miami Beach, FL 33139				DISPUTED	\$10,000.00
Teddi A. Segal, PA 1220 Euclid Ave, Ste 5 Miami Beach, FL 33139				DISPUTED	\$7,500.00
Greenberg Traurig 401 E. Las Olas Bivd, Ste 2000 Ft. Lauderdale, FL 33301				DISPUTED	\$2,033.22

B4 (Official Form 4) (12/07)4 -Cont.

In re	8699 Biscayne, LLC	Case No.	
	Debtor	Chapter	11

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(1) (2) (3) (4) (5) Name of creditor Name, telephone number and Nature of claim Indicate if claim Amount of claim and complete complete mailing address, (trade debt. is contingent, [if secured also mailing address including zip code, of bank loan, govunliquidated, state value of including zip employee, agent, or department emment contract, disputed or security] of creditor familiar with code etc.) subject to setoff claim who may be contacted Florida Fence Rental DISPUTED \$1,872.39 8491 N.W. 64th St Mlami, FL 33166 **ABCO Premium Finance DISPUTED** \$753.49 C/O Spechman & Assoc., PA 2775 Sunny Isles Blvd., Ste 100 Miami, FL 33160 Gonzalez & Wermuth **DISPUTED** \$750.00 8750 NW 36th St, Ste 425 Miami, FL33178

Design & Flora, LLC 732 NE 87th St Miami, FL 33154

**DISPUTED** 

\$295.00

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

I, Tamara Vance, Managing Member of the Corporation named as the debtor that it is true and correct to the best of my information and belief.	in this case, declare under penalty of perjury that I have read the foregoing list and
Date: $\frac{9//08}{}$ Signature:	Tamara Vance , Managing Member (Pfint Name and Title)

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

Design & Flora, LLC 732 NE 87th St Miami, FL 33154

Gonzalez & Wermuth 8750 NW 36th St, Ste 425 Miami, FL33178

ABCO Premium Finance C/O Spechman & Assoc., PA 2775 Sunny Isles Blvd., Ste 100 Miami, FL 33160

Florida Fence Rental 8491 N.W. 64th St Miami, FL 33166

Greenberg Taurig 401 E. Las Olas Blvd, Ste 2000 Ft. Lauderdale, FL 33301

Teddi A. Segal, PA 1220 Euclid Ave, Ste 5 Miami Beach, FL 33139

Penny K. Levin 260 Ocean Drive #28 Miami Beach, FL 33139

WestLB AG New York Branch 1211 Ave. of the Americas New York, NY 10036

Michael Scaglione 396 Alhambra Cr. Ste 210 Coral Gables, FL 33134 Indigo Real Estate LLC c/o WestLB Ag, New York Branch 1211 Avenue of the Americas New York, NY 10036

<b>B6A</b> (C	Official Form 6A) (12/07)	
In re:	8699 Biscayne, LLC	Case No.
	Debtor	(If known)

# **SCHEDULE A - REAL PROPERTY**

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Code Violation Fines - Lot 9,10,11,12,13,14,15,16 & 17, less the west 12 feet of Lots 12, 13, 14,15,16 and 17, in Block 5, of North Shore Crest, according to the Plat thereof, as recorded in Plat book 17 at page 42 of the public records of Miami-Dade County	Fee Owner		\$2,400,000.00	\$4,424,667.24
	Total	>	\$2,400,000.00	

(Report also on Summary of Schedules.)

B6B (Official Form 6B) (12/07)

In re	8699 Biscayne, LLC	Case No.
	Debtor	(If known)

# **SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	x			
<ol> <li>Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.</li> </ol>	X			
Security deposits with public utilities, telephone companies, landlords, and others.	x			
Household goods and furnishings, including audio, video, and computer equipment.	x			
<ol> <li>Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.</li> </ol>	X			
6. Wearing apparel.	x			
7. Furs and jewelry.	x			
Firearms and sports, photographic, and other hobby equipment.	х			
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	x			
10. Annuities. Itemize and name each issuer.	x			
<ol> <li>Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)</li> </ol>	X			
<ol> <li>Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.</li> </ol>	x			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
<ol> <li>Interests in partnerships or joint ventures. Itemize.</li> </ol>	x			
<ol> <li>Government and corporate bonds and other negotiable and nonnegotiable instruments.</li> </ol>	x			
16. Accounts receivable.	х			
Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	х			
<ol> <li>Other liquidated debts owed to debtor including tax refunds. Give particulars.</li> </ol>	X			

B6B (C	fficial Form 6B) (12/07) — Cont.	
in re	8699 Biscayne, LLC	Case No.
	Debtor	(If known)

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
<ol> <li>Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.</li> </ol>	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Complaint for Declaratory Judgment; Damages for Breach of Contract against Builder Financial Corporation, Builder Funding, LLC, BFSPE, LLC, BFWEST, LLC, and WESTLB AG		5,000,000.00
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	x			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	x			
29. Machinery, fixtures, equipment and supplies used in business.	x			
30. Inventory.	X			
31. Animals.	Х			
32, Crops - growing or harvested. Give particulars.	Х			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	х			
35. Other personal property of any kind not already listed. Itemize.	x			
	_	1 continuation sheets attached Total	al >	\$5,000,000.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

B6D (Official Form 6D) (12/07)

in re	8699 Biscayne, LLC	Case No.	
	Debtor	(If known)	

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. CE2008000682  City of Miami Miami Riverside Center Code Enforcement 444 S.W. 2nd Ave, 7th Floor Miami, FL 33130		01/01/2008 Statutory Lien Code Violation Fines - Lot 9,10,11,12,13,14,15,16 & 17, less the west 12 feet of Lots 12, 13, 14,15,16 and 17, in Block 5, of North Shore Crest, according to the Plat thereof, as recorded in Plat book 17 at page 42 of the public records of Miami-Dade County  VALUE \$2,400,000,00			X	41,784.00	0.00	

continuation sheets attached

1

Subtotal > (Total of this page)

Total → (Use only on last page)

\$ 41,784.00	\$ 0.00
\$ 	\$

(Report also on Summary of (If applicable, report Schedules)

Schedules)

Summary of Certain Liabilities and Related Data.)

B6D (Official Form 6D) (12/07)- Cont.

In re	8699 Biscayne, LLC	Case No.
	Debtor	(If known)

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

			(Continuation Sheet)					
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. none Indigo Real Estate LLC	X	<u> </u>	01/01/2005 Mortgage Code Violation Fines - Lot	X	X	X	4,300,000.00	1,900,000.00
c/o WestLB AG, New York Branch 1211 Avenue of the Americas New York, NY 10036			9,10,11,12,13,14,15,16 & 17, less the west 12 feet of Lots 12, 13, 14,15,16 and 17, in Block 5, of North Shore Crest, according to					
Builder Funding, LLC c/o BuilderFinancial 1401 E. Broward Blvd Ste 103			the Plat thereof, as recorded in Plat book 17 at page 42 of the public records of Miami-Dade County					
Ft. Lauderdale, FL 33301  Kyle E. Meyer-RA  BFWest LLC  1401 E. Broward Blvd  Ste 103  Ft. Lauderdale, FL 33301			VALUE \$2,400,000.00					
WestLB AG New York Branch 1211 Ave. of the Americas New York, NY 10036								
ACCOUNT NO. Multiple  Miami Dade County Attn: Tax Collector 140 W. Flagler St, Ste 101 Miami, FL 33130			04/15/2008 Statutory Lien Lot 9,10,11,12,13,14,15,16 & 17, less Property Taxes Due - Pthe west 12 feet of Lots 12, 13, 14,15,16 and 17, in Block 5, of North Shore Crest, according to the Plat thereof, as recorded in Plat book 17 at page 42 of the public records of Miami-Dade County.			X	82,883.24	0.00
			VALUE \$2,400,000.00					

Sheet no. 1 of 1 continuation sheets attached to Schedule of Creditors Holding Secured Claims

Subtotal > (Total of this page)

Total > (Use only on last page)

\$ 4,382,883.24	\$ 1,900,000.00
\$ 4,424,667.24	\$ 1,900,000.00

(Report also on Summary of (If applicable, report Schedules)

Schedules)

Summary of Certain Liabilities and Related Data.)

**B6E (Official Form 6E) (12/07)** 

adjustment.

In re	8699 Biscayne, LLC	Case No.
	Debtor	(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

<b>2</b>	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYI	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)
	Domestic Support Obligations
resp 11 U	Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or ionsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in J.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case
арр	Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the pintment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions
inde cess	Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying pendent sales representatives up to \$10,950° per person earned within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans
cess	Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen
	Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals
that	Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and Certain Other Debts Owed to Governmental Units
	Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to Maintain the Capital of an Insured Depository Institution
	Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of emors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. 7 (a)(9).
	Claims for Death or Personal Injury While Debtor Was Intoxicated
anot	Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or her substance. 11 U.S.C. § 507(a)(10).
	* Amounts are subject to adjustment on April 1, 2010, and even three years the report to proper the record or a refunction of

1 continuation sheets attached

B6E (Of	icial Form 6E) (12/07) – Cont.		
In re	8699 Biscayne, LLC	Case No.	
	Debtor		(If known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO.									

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Priority Claims

Subtotals>
(Totals of this page)

Total ➤ Total (Use only on last page of the completed Schedule E. Report also on the Summary of Schedules.)

Total ➤

(Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 0.00	\$ 0.00	\$ 0.00
\$ 0.00		
	\$ 0.00	\$ 0.00

RAF /	Official	Form	SE)	(12/07)

In re	8699 Biscavne, LLC	Case No
		/If known\

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

~~~~						
CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
		06/01/2008			X	753.49
		Insurance Premium Financing				
Γ		08/04/2007		-	x	295.00
		Maitenance Service				
		06/22/2006			x	1,872.39
		Fence Rental				
<u> </u>		12/19/2007			X	750.00
		Legal Services				
		06/01/2006			x	2,033.22
		Legal Fees				
	CODEBTOR	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	06/01/2008 Insurance Premium Financing  08/04/2007 Maitenance Service  06/22/2006 Fence Rental  12/19/2007 Legal Services	06/01/2008   Insurance Premium Financing	06/01/2008   Insurance Premium Financing	06/01/2008

<sup>1</sup> Continuation sheets attached

Subtotal >> \$ 5,704.10

Total >

(Use only on last page of the completed Schedule F.)
(Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liebilities and Related Data.)

B6F (Official Form 6F) (12/07) - Cont.

In re 8699 Biscayne, LLC

Debtor (If known)

# **SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

		(Continuation Sheet)				
CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
	ļ	04/04/2008	ļ			35,000.00
		Promissory Note				
		01/22/2007			X	10,000.00
Perry K. Levin 260 Ocean Drive #28 Miami Beach, FL 33139		Consulting Services				
	l ·	05/01/2006			х	7,500.00
		Consulting Services				
	<u> </u>	04/04/2007 Setoff			X	34,500.00
		Stipulated Agreement to Reimburse for building demolition				
	CODEBTOR	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM.  IF CLAIM IS SUBJECT TO SETOFF, SO STATE   04/04/2008  Promissory Note  05/01/2006  Consulting Services  04/04/2007  Setoff Stipulated Agreement to Reimburse for	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE  04/04/2008 Promissory Note  05/01/2006 Consulting Services  04/04/2007 Setoff Stipulated Agreement to Reimburse for	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM.  IF CLAIM IS SUBJECT TO SETOFF, SO STATE   04/04/2008  Promissory Note  05/01/2006  Consulting Services  04/04/2007  Stipulated Agreement to Reimburse for	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE  04/04/2008 Promissory Note  05/01/2006 Consulting Services  04/04/2007 Setoff Stipulated Agreement to Reimburse for

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 87,000.00

Total > \$ 92,704.10

(Use only on last page of the completed Schedule F.) (Report also on Summary of Schedules and, if applicable on the Statistical Summary of Certain Liabilities and Related Data.) Case 08-22814-AJC Document 1 Filed 09/04/2008 Page 18 of 34

B6G (0	Official Form 6G) (12/07)		
In re:		otor Case No	(If known)
SC	CHEDULE G - EXECUTOR	RY CONTRACTS AND I	UNEXPIRED LEASES
<b>_</b>	Check this box if debtor has no executory contracts	or unexpired leases.	
	NAME AND MAILING ADDRESS, INCLUDING ZIP CO OF OTHER PARTIES TO LEASE OR CONTRACT.	DE, DEBTOR'S INTERES NONRESIDENTIAL RI	INTRACT OR LEASE AND NATURE OF ST, STATE WHETHER LEASE IS FOR EAL PROPERTY. STATE CONTRACT NY GOVERNMENT CONTRACT.

n re: 8699 Biscayne, LLC Debtor	Case No. (if known)
0000 ml	
Son (Official Form 6H) (12/07)	

# **SCHEDULE H - CODEBTORS**

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Michael Scaglione 396 Alhambra Cr. Ste 210 Coral Gables, FL 33134	Indigo Real Estate LLC c/o WestLB AG, New York Branch 1211 Avenue of the Americas New York, NY 10036

B6 Summary (Official Form 6 - Summary) (12/07)

# United States Bankruptcy Court Southern District of Florida

In re	8699 Biscayne, LLC	. Case No.	
	Debtor		
		Chapter	

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 2.400,000.00		
B - Personal Property	YES	2	\$ 5,000,000.00		·
C - Property Claimed as Exempt	NO				
D - Creditors Holding Secured Claims	YES	2		\$ 4.424,667.24	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	2		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	2		\$ 92.704.10	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	NO	0			s
J - Current Expenditures of Individual Debtor(s)	NO	0			\$
тот	<b>TAL</b>	11	\$ 7,400,000.00	\$ 4,517,371.34	

### Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court Southern District of Florida

In re	8699 Biscayne, LLC		Case No.			
		Debtor	Chapter	11		
	STATISTICAL SUMMA	RY OF CERTAIN LIABILITIE	S AND RELATED	DATA (28 U.S.C. § 159)		
§ 101	If you are an individual debtor who (8)), filing a case under chapter 7, 11	ose debts are primarily consumer debts, a or 13, you must report all information requ	is defined in § 101(8) of the lested below.	Bankruptcy Code (11 U.S.C.		
inform	Check this box if you are an ation here.	individual debtor whose debts are NOT p	rimarily consumer debts. Yo	u are not required to report any		

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ 0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0.00
Student Loan Obligations (from Schedule F)	\$ 0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E.	\$ 0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ 0.00
TOTAL	\$ 0.00

### State the following:

Average Income (from Schedule I, Line 16)	\$ 0.00
Average Expenses (from Schedule J, Line 18)	\$ 0.00
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20)	\$ 0.00

### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$1,900,000.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$0.00
4. Total from Schedule F		\$92,704.10
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$1,992,704.10

B6 Declaration (Official Form 6 - Declaration) (12/07)		
In re 8699 Biscayne, LLC		Case No.
Debt	tor	(if known)
DECLARATION CO	NCERNING DEBTOR	R'S SCHEDULES
DECLARATION UNDER F	PENALTY OF PERJURY BY	INDIVIDUAL DEBTOR
	(NOT APPLICABLE)	
DECLARATION UNDER PENALTY OF PI	ERJURY ON BEHALF OF C	ORPORATION OR PARTNERSHIP
I <b>Tamara Vance</b> , the <u>Managing Member</u> of the <u>C</u> perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge.	, consisting of 13	ase, declare under penalty of sheets (Total shown on summary page plus 1),
Date 9/1/08		individual signing on behalf of debtor.]
[An individual signing on behalf of a partnership or corporation is	must indicate position or relationship to	debtor.]

## United States Bankruptcy Court Southern District of Florida

In re: 8699 Biscayne, LLC

Case No.

# **List of Equity Security Holders**

REGISTERED NAME OF HOLDER OF SECURITY LAST KNOWN ADDRESS OR PLACE OF BUSINESS	CLASS OF SECURITY	NUMBER REGISTERED	KIND OF INTEREST REGISTERED
Jason Vance 1521 Alton Rd. PMB 614 Miami Beach, FL 33139	Class A	32	Mbr Units
Lantern Holdings, Inc. 1000 N.G.V Pkwy Ste 440-185 Henderson, NV 89074	Class A	5	Mbr. Units
Michael Scaglione 396 Alhambra, Ste 210 Coral Gables, FL 33134	Class A	32	Mbr. Units
Tamara Vance 1521 Alton Rd. PMB 614 Miami Beach, FL 33139	Class A	31	Mbr. Units

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

I, <b>Tamara Vance</b> , <b>N</b> List of Equity Securi	lanaging Member of the Corporation nar ty Holders and that it is true and correct to	ned as the debtor in this case, declare under penalty of perjury that I have read the foregoin the best of my information and belief.
Date:	9/1/08	Tamara Vance ,Managing Member Debtor

B7 (Official Form 7) (12/07)

# UNITED STATES BANKRUPTCY COURT Southern District of Florida

n re:	8699 Biscayne, LLC		Case No.		
		Debtor	(If known)		
	STATEMENT OF FINANCIAL AFFAIRS				
	1. Income from employment or operation of business  State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)				
one					
	AMOUNT	SOURCE	FISCAL YEAR PERIOD		
	0.00	2006 No Income	2006		
	0.00	2007 No Income	2007		
	0.00	2008 YTD - No Income	2008		
lone ☑	2. Income other than from employment or operation of business  State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)				

### Complete a. or b., as appropriate, and c.

None **☑**  a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS

AMOUNT PAID AMOUNT STILL OWING

None  $\square$ 

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS/ TRANSFERS

AMOUNT PAID OR **VALUE OF TRANSFERS** 

**AMOUNT** STILL **OWING** 

None  $\square$ 

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF **PAYMENT**  **AMOUNT** PAID

**AMOUNT** STILL OWING

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**CAPTION OF SUIT** AND CASE NUMBER 8699 Biscayne, LLC et al v. **Builders Financial Corp.**, et al 08-23543-CA-15 Lantern Holdings, Inc et al vs.

8699 Biscayne, LLC et al. 08-40191CA20

NATURE OF PROCEEDING **Declaratory Judgment re:** criminal Usuary and Breach of Contract

Conversion, and Breach of Contract w/ counter claims COURT OR AGENCY AND LOCATIO

11th Judicail Circuit Court Miami Dade County, FL

11th Judicial Circuit **Miami Dade County** 

STATUS OR DISPOSITION Discovery

Awaiting Answers to Counter-Claim

 $\square$ 

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF **SEIZURE** 

DESCRIPTION AND VALUE OF **PROPERTY** 

### 5. Repossessions, foreclosures and returns

None  $\mathbf{Z}$ 

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER

DATE OF REPOSSESSION, FORECLOSURE SALE. TRANSFER OR RETURN

DESCRIPTION AND VALUE OF **PROPERTY** 

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**TERMS OF** 

NAME AND ADDRESS OF ASSIGNEE DATE OF ASSIGNMENT ASSIGNMENT OR SETTLEMENT

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN NAME AND ADDRESS OF COURT

**CASE TITLE & NUMBER** 

DATE OF ORDER DESCRIPTION AND VALUE OF PROPERTY

#### 7. Gifts

None ☑ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF PERSON

RELATIONSHIP TO DEBTOR.

DATE

DESCRIPTION AND VALUE OF

OR ORGANIZATION

IF ANY

OF GIFT

GIFT

#### 8. Losses

None ☑ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION

DESCRIPTION OF CIRCUMSTANCES AND, IF

AND VALUE OF PROPERTY

LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

OF PAYEE

DeCailly, PLC

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 09/03/2008 - Building Paradise - Pd Fee 08/29/2008 - Michael AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

\$3000.00 Pre-Petition Services

3111 W. Dr. Martin Luther King Jr. Suite 100

Tampa, FL 33607

\$1039.00 Filing fee

Scaglione - Pd. Filing Fee

#### 10. Other transfers

None ☑ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

None

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR

INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION Wachovia Bank 9401 Harding Ave Surfside, FL 33154 TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE Business Checking - 2214
Balance zero (0) at closing

AMOUNT AND DATE OF SALE OR CLOSING

TBD from records when received

### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITOR DESCRIPTION OF

DATE OF TRANSFER OR SURRENDER,

CONTENTS IF ANY

### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF AMOUNT OF SETOFF 14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

Ø

NAME AND ADDRESS

**DESCRIPTION AND VALUE** 

OF OWNER

**OF PROPERTY** 

LOCATION OF PROPERTY

15. Prior address of debtor

None

If debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** 

NAME USED

DATES OF OCCUPANCY

5

8926 Froude Ave Surfside, FL 33154 8699 Biscayne, LLC

07/2005 - 05/2008

### 16. Spouses and Former Spouses

None Ø

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor 's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None Ø

List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

SITE NAME AND **ADDRESS** 

NAME AND ADDRESS

DATE OF

**ENVIRONMENTAL** 

OF GOVERNMENTAL UNIT

NOTICE

LAW

None Ø

List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND **ADDRESS** 

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DATE OF NOTICE

**ENVIRONMENTAL** LAW

	······································			6	
respect to which the	c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.				
NAME AND ADDRI OF GOVERNMENT		DOCKET NUMBER		US OR OSITION	
18. Nature, loca	ation and nan	ne of business	1100 1100		
and beginning and e executive of a corpo other activity either t	ending dates of a ration, partner in full- or part-time v or owned 5 perce	e names, addresses, taxpayer II businesses in which the debt a partnership, sole proprietor, within the <b>six years</b> immediate ant or more of the voting or equals case.	or was an officer, director, pa or was self-employed in a tr ly preceding the commence	artner, or managing rade, profession, or ment of this case,	
and beginning and e	nding dates of a	names, addresses, taxpayer id Il businesses in which the debt the <b>six years</b> immediately pre	or was a partner or owned 5	percent or more of	
beginning and endin	g dates of all bus	names, addresses, taxpayer in sinesses in which the debtor we immediately preceding the co	as a partner or owned 5 perc		
NAME	TAXPAYER	SECURITY ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDIN	
b. Identify any U.S.C. § 101.	business listed i	n response to subdivision a., a	bove, that is "single asset re	al estate" as defined in 11	
NAME			ADDRESS		
19. Books, reco	ords and final	ncial statements			
a. List all bookkeepe or supervised the ke	a. List all bookkeepers and accountants who within <b>two years</b> immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.				
NAME AND ADDRE	SS		DATES SERVICES REN	NDERED	
Tamara Vance 1521 Alton Rd. PMI Miami Beach, FL 3			July 2005 to Present		
	List all firms or individuals who within <b>two years</b> immediately preceding the filing of this bankruptcy case have audited a books of account and records, or prepared a financial statement of the debtor.				
NAME	ADDRESS	5	DATES SERVICES REN	IDERED	
c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.					
NAME		ADD	RESS		
Tamara Vance			Alton Rd. PMB 614 ni Beach, FL 33139		

7 d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a None financial statement was issued by the debtor within two years immediately preceding the commencement of this case. NAME AND ADDRESS DATE ISSUED See Exhibit A - Attached to SOFA Listed Entities only received Proforma Projections re: the Development 20. Inventories None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.  $\square$ **DOLLAR AMOUNT OF INVENTORY** DATE OF INVENTORY INVENTORY SUPERVISOR (Specify cost, market or other basis) None b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.  $\mathbf{Z}$ NAME AND ADDRESSES OF CUSTODIAN DATE OF INVENTORY OF INVENTORY RECORDS 21. Current Partners, Officers, Directors and Shareholders None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the  $\square$ partnership. NAME AND ADDRESS NATURE OF INTEREST PERCENTAGE OF INTEREST b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or None indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation. NATURE AND PERCENTAGE NAME AND ADDRESS TITLE OF STOCK OWNERSHIP Jason Vance Managing Member 32% Member Interest 1521 Alton Rd **PMB 614** Miami Beach, FL 33139 Lantern Holdings, Inc. Member 5% Member Interest. 1000 N.G.V Parkway Ste. 440-185 Henderson, NV 89074 Michael Scaglione Managing Member 32% Member Interest 396 Alhambra Circle, Ste 210 Coral Gables, FL 33134 **Tamara Vance Managing Member** 31% Member Interest 1521 Alton Rd, PMB 614 Miami Beach, FL 33139 22. Former partners, officers, directors and shareholders None a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

**ADDRESS** 

DATE OF WITHDRAWAL

NAME

I, declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date

9/1/08

Signature

Tamara Vance, Managing Member

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

\_\_\_\_ continuation sheets attached

ABCO Premium Finance C/O Spechman & Assoc., PA 2775 Sunny Isles Blvd., Ste 100 Miami, FL 33160

Builder Funding, LLC c/o BuilderFinancial 1401 E. Broward Blvd Ste 103 Ft. Lauderdale, FL 33301

City of Miami Miami Riverside Center Code Enforcement 444 S.W. 2nd Ave, 7th Floor Miami, FL 33130

Design & Flora, LLC 732 NE 87th St Miami, FL 33154

Florida Fence Rental 8491 N.W. 64th St Miami, FL 33166

Gonzalez & Wermuth 8750 NW 36th St, Ste 425 Miami, FL33178

Indigo Real Estate LLC c/o WestLB AG, New York Branch 1211 Avenue of the Americas New York, NY 10036

Kyle E. Meyer-RA
BFWest LLC
1401 E. Broward Blvd
Ste 103
Ft. Lauderdale, FL 33301

Miami Dade County Attn: Tax Collector 140 W. Flagler St, Ste 101 Miami, FL 33130 Michael Kahl 1521 Alton Dr. #96 Miami Beach, FL 33139

Michael Kahl 260 W. 35th St Miami Beach, FL 33139

Michael Scaglione 396 Alhambra Cr. Ste 210 Coral Gables, FL 33134

Perry K. Levin 260 Ocean Drive #28 Miami Beach, FL 33139

Greenberg Traurig 401 E. Las Olas Blvd, Ste 2000 Ft. Lauderdale, FL 33301

Teddi A. Segal, PA 1220 Euclid Ave, Ste 5 Miami Beach, FL 33139

WestLB AG New York Branch 1211 Ave. of the Americas New York, NY 10036

WestLB AG New York Branch 1211 Ave. of the Americas New York, NY 10036

### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF FLORIDA

In re:	8699 Biscayne, LLC	Case No
	Debtor	Chapter 11

# **VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of 2 sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

I hereby certify that I am admitted to the Bar of the United States District Court for the Southern District of Florida and I am in compliance with the additional qualifications to practice in this court set forth in Local Rule 2090-1(A).

Dated:

Signed:

Jamus Vance

Signed: Paul DeCailly

Attorney for Debtor(s)

0796301 Bar no.:

DeCailly, PLC

3111 W. Dr. Martin Luther King Jr. Blvd.

Suite 100

Tampa, FL 33607

(813) 286-2909 Telephone No.: Fax No.: (866) 906-5977 attorney@pdlaw.net E-mail address: