

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF FLORIDA

Case number *(if known)* _____ Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

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

1. Debtor's name Le Centre on Fourth LLC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 46-2948977

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>10463 Harrier Street</u>	
	<u>Plantation, FL 33324</u>	
	Number, Street, City, State & ZIP Code	P.O. Box, Number, Street, City, State & ZIP Code
	<u>Broward</u>	Location of principal assets, if different from principal place of business
	County	<u>501 South Fourth Street Louisville, KY 40202</u>
		Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: _____

Debtor Le Centre on Fourth 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>.

7211

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 Le Centre on Fourth 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 & ZIP Code

Is the property insured?

No

Yes. Insurance agency _____
 Contact name _____
 Phone _____

Statistical and administrative information

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

Funds will be available for distribution to unsecured creditors.

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

14. Estimated number of creditors

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

15. Estimated Assets

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

16. Estimated liabilities

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

Debtor Le Centre on Fourth 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 November 10, 2017
MM / DD / YYYY

X /s/ Ian Ratner
 Signature of authorized representative of debtor
 Title Chief Restructuring Officer

Ian Ratner
 Printed name

18. Signature of attorney

X /s/ Jordi Guso
 Signature of attorney for debtor

Date November 10, 2017
MM / DD / YYYY

Jordi Guso
 Printed name

Berger Singerman LLP
 Firm name

1450 Brickell Avenue
Suite 1900
Miami, FL 33131
 Number, Street, City, State & ZIP Code

Contact phone 305-755-9500 Email address jguso@bergersingerman.com

863580
 Bar number and State

**WRITTEN CONSENT
OF THE MAJORITY UNITHOLDER
OF
LE CENTRE ON FOURTH LLC**

Effective Date: November [6], 2017

The undersigned (the “Unitholder”), as the holder of the majority of the issued and outstanding units of membership interest (“Units”) of **LE CENTRE ON FOURTH LLC**, a Delaware limited liability company (the “Company”), hereby consents to and adopts the following resolutions by written consent in lieu of a formal special meeting regarding the same, all in accordance with the Delaware Limited Liability Company Act and the Limited Liability Company Agreement of the Company, as amended (the “LLC Agreement”), including paragraph 7.11 of the LLC Agreement. The Unitholder holds not less than the minimum aggregate number of Units outstanding and entitled to vote that would be necessary to authorize or take the following action at a meeting at which all holders of Units entitled to vote on such action were present and voted.

WHEREAS, as the holder of the majority of the issued and outstanding Units, the approval of the Unitholder constitutes the Voting Majority, as such term is defined in the LLC Agreement;

WHEREAS, U.S. Bank National Association has declared the Company in default under the Construction Loan Agreement dated October 18, 2013 (as amended, restated, supplemented or otherwise modified from time to time, the “Loan Agreement”);

WHEREAS, the Loan Agreement has matured;

WHEREAS, there are no new sources of credit to replace the relationship with U.S. Bank National Association that are readily available;

WHEREAS, U.S. Bank National Association has demanded and has been paid a default rate of interest under the Loan Agreement;

WHEREAS, the Al. J. Schneider Company is exercising *ultra vires* control over Company funds;

WHEREAS, the Al. J. Schneider Company is the controlling owner of 501 Fourth Street, LLC and the actions of Al. J. Schneider Company are causing ongoing and continuing damage to the Company such that any further efforts to seek the cooperation of the Al. J. Schneider Company or 501 Fourth Street, LLC would be futile;

WHEREAS, in the judgment of the Unitholder it is desirable and in the best interests of the Company, its creditors, shareholders and other interested parties that the Company (i) file a petition (the “Bankruptcy Petition”) seeking relief under the provisions of Chapter 11 of Title 11, United States Code; (ii) initiate and pursue a bankruptcy case and proceeding with all rights and duties under the Bankruptcy Code and Rules (the “Bankruptcy Proceedings”); and

WHEREAS, as the holder of the majority of the issued and outstanding Units, the Unitholder has the right and authority to authorize the filing by the Company of the Bankruptcy Petition and the Bankruptcy Proceedings.

NOW THEREFORE, BE IT RESOLVED, that the Company be, and hereby is, authorized to file the Bankruptcy Petition and initiate and pursue the Bankruptcy Proceedings; and be it

FURTHER RESOLVED, that in accordance with paragraph 7.11(a) of the LLC Agreement, Bachelor Land Holdings LLC is hereby authorized to act as the Company's agent and to do or cause to be done all such acts and things in the name and on behalf of the Company in connection with the Bankruptcy Petition and the Bankruptcy Proceedings and under the foregoing resolutions; and be it **FURTHER RESOLVED**, that Bachelor Land Holdings, LLC, as an agent of the Company (the "Authorized Agent"), be and hereby is, authorized and directed, for and on behalf of the Company to appoint, retain and authorize Ronald L. Glass and Ian Ratner of GlassRatner Advisory & Capital Group, LLC, to act as the Company's Co-Chief Restructuring Officers ("CROs") to take all steps and action necessary to cause the Company to file the Bankruptcy Petition and initiate and pursue the Bankruptcy Proceedings, including but not limited to the following steps and action for and on behalf of the Company:

1. To take all corporate actions necessary to preserve, protect and maximize the value of the assets of the Company for the benefit of the Company and its stakeholders, which shall include but not be limited to the filing of a bankruptcy petition on behalf of the Company (the "Bankruptcy Petition") seeking relief under the provisions of Chapter 11 of Title 11, United States Code, with all rights provided under the Bankruptcy Code and Rules;
2. To execute, verify and/or file or cause to be filed (or direct others to do so on his behalf), all documents, including, without limitation, petitions, schedules, lists, affidavits, motions, pleadings and other papers and to take any and all action which the CROs may deem necessary or proper in connection with the Bankruptcy Proceedings, and in that connection to retain and employ qualified bankruptcy counsel, and to retain and employ other legal counsel or other professionals which he may deem necessary or proper with a view to the successful conclusion of such Bankruptcy Proceedings (collectively, the "Restructuring Professionals");
3. For and on behalf of the Company, to execute retention agreements, pay retainers prior to, immediately upon and after the filing of the Bankruptcy Proceedings, and to cause to be filed an application for authority to retain the services of the Restructuring Professionals; and
4. To establish such banking and checking accounts on behalf of the Company at such banks as the CROs deems necessary, including for the purposes set forth above;
5. To be authorized signatories for Account Number [REDACTED] at Wells Fargo Bank, N.A.

6. To do or cause to be done all such acts and things, to incur all such fees and expenses, and to make, execute and deliver, or cause to be made executed and delivered all such documents, agreements, instruments and certificates in the name and on behalf of the Company, or otherwise that the CROs in his discretion deems to be necessary or appropriate in connection with and in furtherance of the foregoing resolutions; and be it

FURTHER RESOLVED, that the signature of the CROs on any document, agreement, certificate or instruments executed in connection with the foregoing resolutions shall be conclusive (but not exclusive) evidence of his authority to execute and deliver the same on behalf of the Company; and be it

FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken by the Authorized Agent and the CROs to seek relief on behalf of the Company under Chapter 11 of the Bankruptcy Code, or in connection with the Bankruptcy Proceedings, or any matter related thereto, be and hereby are, adopted, ratified, confirmed and approved in all respects as the acts and deeds of the Company.

This written consent may be executed in one (1) or more counterparts, each of which shall be an original. Any such counterpart, to the extent delivered by means of a facsimile machine or by .pdf, .tif, .gif, .jpeg or similar attachment to an electronic mail message, shall be treated in all manner and respects as an original executed counterpart and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned has executed this Written Consent as of the Effective Date.

UNITHOLDER:

BACHELOR LAND HOLDINGS, LLC

By: Eric Bachelor ¹¹⁻⁶⁻¹⁷
Name: ERIC Bachelor
Title: MANAGER

[Signature Page]

[Written Consent of the Majority Unitholder of LE CENTRE ON FOURTH LLC]

**WRITTEN AUTHORIZATION OF
BACHELOR LAND HOLDINGS, LLC, AS AUTHORIZED AGENT OF
LE CENTRE ON FOURTH LLC**

Effective Date: November [6], 2017

Bachelor Land Holdings, LLC, as Authorized Agent (the "Authorized Agent") of Le Centre on Fourth LLC (the "Company") for and on behalf of the Company and in accordance with the authorization and direction under the attached Written Consent of the Majority Unitholder of Le Centre on Fourth LLC (the "Written Consent") hereby appoints, retains and authorizes Ronald L. Glass and Ian Ratner of GlassRatner Advisory & Capital Group, LLC, to act as the Company's Co-Chief Restructuring Officers (the "CROs") to take all steps and action necessary on behalf of the Company to cause the Company to file the Bankruptcy Petition and initiate and pursue the Bankruptcy Proceedings, including but not limited to the following steps and actions for and on behalf of the Company:

1. To take all corporate actions necessary to preserve, protect and maximize the value of the assets of the Company for the benefit of the Company and its stakeholders, which shall include but not be limited to the filing of a bankruptcy petition on behalf of the Company (the "Bankruptcy Petition") seeking relief under the provisions of Chapter 11 of Title 11, United States Code, with all rights provided under the Bankruptcy Code and Rules (the "Bankruptcy Proceedings"); and

2. To execute and verify a petition in the name of the Company under Chapter 11 of the Bankruptcy Code and cause the same to be filed in the United States Bankruptcy Court for the Southern District of Florida; and

3. To take or cause to be taken any and all actions, in compliance with applicable law, which the CROs may deem necessary or appropriate as authorized pursuant to the Written Consent of the Majority Unitholder of the Company; and

4. To execute, verify and/or file or cause to be filed (or direct others to do so on his behalf), all documents, including, without limitation, petitions, schedules, lists, affidavits, motions, pleadings and other papers and to take any and all action which he may deem necessary or proper in connection with the Bankruptcy Proceedings, and in that connection to retain and employ qualified bankruptcy counsel, and to retain and employ other legal counsel or other professionals which he may deem necessary or proper with a view to the successful conclusion of such Bankruptcy Proceedings (collectively, the "Restructuring Professionals"); and

5. To execute retention agreements, pay retainers prior to, immediately upon and after the filing of the Bankruptcy Proceedings, and to cause to be filed an application for authority to retain the services of the Restructuring Professionals; and

6. To act as the Company's agent and establish such banking and checking accounts on behalf of the Company at such banks as he deems necessary, including for the purposes set forth above;

7. To be a signatory on Account Number [REDACTED] at Wells Fargo Bank, N.A.;
and

8. To do or cause to be done all such acts and things, to incur all such fees and expenses, and to make, execute and deliver, or cause to be made, executed, and delivered all such documents, agreements, instruments and certificates in the name and on behalf of the Company, or otherwise that he in his discretion deems to be necessary or appropriate in connection with and in furtherance of any of the foregoing;

IN WITNESS WHEREOF, the undersigned has executed this Written Authorization as of the Effective Date.

**BACHELOR LAND HOLDINGS, LLC, as
Authorized Agent of Le Centre on Fourth LLC**

By: Eric Bachelor
Name: ERIC BACHELOR
Title: MANAGER