

United States Bankruptcy Court Northern District of Georgia, Atlanta Division

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Seventy Spruce Street, LLC
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):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 20-5116165
Street Address of Debtor (No. & Street, City, State & Zip Code): 1177-A Concord Rd., SE Smyrna, GA ZIPCODE 30080
County of Residence or of the Principal Place of Business: Cobb
Mailing Address of Debtor (if different from street address): ZIPCODE
Location of Principal Assets of Business Debtor (if different from street address above): 70 Spruce St., Atlanta, GA ZIPCODE 30307

09-68845

Type of Debtor (Form of Organization) (Check one box.)
Nature of Business (Check one box.)
Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.)
Nature of Debts (Check one box.)
Real Property Management
Tax-Exempt Entity (Check box, if applicable.)

Filing Fee (Check one box)
Chapter 11 Debtors
Check one box:
Check if:
Check all applicable boxes:

Statistical/Administrative Information
THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors
Estimated Assets
Estimated Liabilities

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APR 06 2009 AM 10:46

Handwritten signature and initials

FILED IN CLERK'S OFFICE U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA

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

Name of Debtor(s):  
**Seventy Spruce Street, LLC**

**Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>None</b>	Case Number:	Date Filed:
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 additional sheet)

Name of Debtor: <b>None</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p align="center"><b>Exhibit A</b></p> <p>(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.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p align="center"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, 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 delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.</p> <p><b>X</b> _____                  Signature of Attorney for Debtor(s) <span style="float: right;">Date</span></p>
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**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.  
 No

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**  
 (Check any applicable box.)

Debtor has been domiciled or has had a residence, 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.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

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's residence. (If box checked, complete the following.)

\_\_\_\_\_  
 (Name of landlord or lessor that obtained judgment)

\_\_\_\_\_  
 (Address of landlord or lessor)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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

Name of Debtor(s):  
**Seventy Spruce Street, LLC**

**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

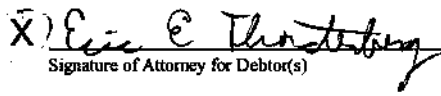
**Signature of a Foreign Representative**

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.)  
 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.

X \_\_\_\_\_  
Signature of Foreign Representative  
\_\_\_\_\_  
Printed Name of Foreign Representative  
\_\_\_\_\_  
Date

**Signature of Attorney\***

X)   
Signature of Attorney for Debtor(s)

**Eric E. Thorstenberg 710673**  
**Eric E. Thorstenberg**  
**Attorney at Law, LLC**  
**6065 Roswell Rd., NE Suite 621**  
**Atlanta, GA 30328**  
**(404) 843-8491 Fax: (404) 843-1516**

04-05-2009  
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 11 U.S.C. §§ 110(b), 110(h) and 342(b); 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 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 \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

\_\_\_\_\_  
Date  
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:

**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.

X)   
Signature of Authorized Individual

TERESA L. WELTON  
Printed Name of Authorized Individual

MANAGER  
Title of Authorized Individual

04-05-2009  
Date

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.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

**09-68845**

Seventy Spruce Street, LLC )  
 )  
 )  
 Debtor. )  
 )  
 )  
 \_\_\_\_\_ )

Case No. \_\_\_\_\_

Chapter 11

**STATEMENT REGARDING AUTHORITY TO SIGN & FILE PETITION**

We, the undersigned members of Melco Investments, LLC, managing member of Seventy Spruce Street, LLC, declare under penalty of perjury that we are members and directors of Melco Investments, LLC, and that it and the above-referenced limited liability company, Seventy Spruce Street, LLC, have been duly organized under the Georgia Business Corporation Code, OCGA 14-2-1-101 et seq. and that on April 5, 2009, the following resolution was duly adopted by the board of directors of the limited liability company:


"Whereas it is in the best interests of Seventy Spruce Street, LLC, to file a voluntary petition in the United States Bankruptcy Court for the Northern District of Georgia pursuant to Chapter 11 of Title 11 of the United States Code;

Be it Therefore Resolved that Terald L. Melton, managing member and director of Seventy Spruce Street, LLC, is duly authorized and directed to execute and deliver all documents necessary to perfect the filing of a Chapter 11 voluntary bankruptcy case on behalf of this entity; and

Be it Further Resolved that Terald L. Melton, managing member and director of Seventy Spruce Street, LLC, is authorized and directed to appear in all bankruptcy proceedings on behalf of the entity and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of this entity and in connection with said bankruptcy case; and

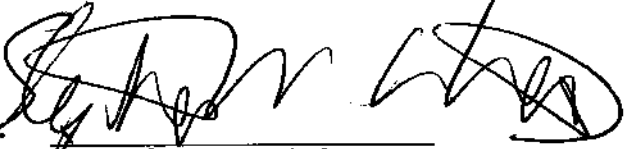
Be it Further Resolved that Terald L. Melton, managing member and director of Seventy Spruce Street, LLC, a liability company, is authorized and directed to employ Eric E. Thorstenberg, Attorney at Law, GA Bar No. 710673, and the law firm of Eric E. Thorstenberg, Attorney at Law, LLC, to represent the limited liability company in such bankruptcy case.

Executed on April 5, 2009

Signed:   
Terald L. Melton,  
Member Melco  
Investments, LLC

(Signatures concluded, next page)

Executed on 4-5-09

Signed:   
\_\_\_\_\_  
Stephen M. Cohen  
Member Melco  
Investments, LLC

**United States Bankruptcy Court  
Northern District of Georgia, Atlanta Division**

**IN RE:** Case No. \_\_\_\_\_  
**Seventy Spruce Street, LLC** Chapter **11**

Debtor(s)

**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 and Fed. R. Bankr. P. 1007(m).

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Fulton County Finance Dept. P.O. Box 105300 Atlanta, GA 30348				93,868.00
Property Tax Consulting, LLC Attn: John Hunsucker, Reg. Agt. 1011 Wynbrook Place Madison, GA 30650				10,490.00
Percy Gardner 607 Summerwind Drive Jonesboro, GA 30236				10,000.00
Georgia Power Company 96 Annex Atlanta, GA 30396-0001				4,036.00
Cbeyond P.O. Box 105615 Atlanta, GA 30348-5615				3,937.00
CORT Aaron's 2850 Barrett Lakes Blvd. Ste. 300 Kennesaw, GA 30144				3,746.00
Home Depot Credit Services P.O. Box 689100 Des Moines, IA 50368-9100				3,380.00
City Of Atlanta Watershed Mgmt. 55 Trinity Ave., SW Ste. 1650 Atlanta, GA 30303				3,114.00
Comcast P.O. Box 2127 Norcross, GA 30091-2127				2,716.00
Peach House 88 Spruce St., NE Atlanta, GA 30307				1,794.00
Gas South P.O. Box 530522 Atlanta, GA 30353-0552				1,098.00
Loud Security Monitoring, Inc. 975 Cobb Place Blvd. Ste. 317 Kennesaw, GA 30144				1,000.00
New Age Plumbing, LLC 5975 South Quail Drive Douglasville, GA 30135				950.00

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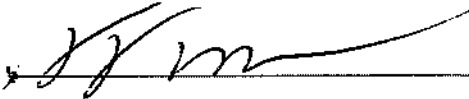
High Grove Partners 7730 The Bluffs Austell, GA 30168	900.00
I.R.S. Insolvency Unit P.O. Box 21126 Phildadelphia, PA 19114	684.00
Moore Ingram Johnson & Steele, LLP 192 Anderson St. Marietta, GA 30060-8604	498.00
Insurance Office Of America 2839 Paces Ferry Rd. Ste. 1200 Atlanta, GA 30339	432.00
Hight's Locksmith Services, Inc. 6130 Jones Rd. Ste. B College Park, GA 30349	300.00
Excelsior Technologies, Inc. 495 Royal Oaks Terr Stone Mountain, GA 30087	276.00
CSS Services, Inc. 2785 Lawrenceville Hiwy. Decatur, GA 30033	96.00

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

I, [the president or other officer or an authorized agent of the corporation][or a member or an authorized agent of the partnership] 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: APR 5 2009

Signature:



TERRELL L. MARTIN | MANAGING MEMBER

(Print Name and Title)

A Friendly Locksmith  
350 Hembree Forest Cir.  
Roswell, GA 30076

Cbeyond  
P.O. Box 105615  
Atlanta, GA 30348-5615

City Of Atlanta Watershed Mgmt.  
55 Trinity Ave., SW  
Ste. 1650  
Atlanta, GA 30303

Comcast  
P.O. Box 2127  
Norcross, GA 30091-2127

CORT Aaron's  
2850 Barrett Lakes Blvd.  
Ste. 300  
Kennesaw, GA 30144

CSS Services, Inc.  
2785 Lawrenceville Hiwy.  
Decatur, GA 30033

Excelsior Technologies, Inc.  
495 Royal Oaks Terr  
Stone Mountain, GA 30087

Fulton County Finance Dept.  
P.O. Box 105300  
Atlanta, GA 30348



Future Group, LLC  
C/O Richard Alembik, Esq.  
315 W. Ponce De Leon Ave.; # 250  
Atlanta, GA 30030-5100

Future Group, LLC  
Attn: Richard D. Trimm, Reg. Agt.  
2166 Silversmith Lane  
Stone Mountain, GA 30087-1713

Gas South  
P.O. Box 530522  
Atlanta, GA 30353-0552

Georgia Power Company  
96 Annex  
Atlanta, GA 30396-0001

High Grove Partners  
7730 The Bluffs  
Austell, GA 30168

Hight's Locksmith Services, Inc.  
6130 Jones Rd.  
Ste. B  
College Park, GA 30349

Home Depot Credit Services  
P.O. Box 689100  
Des Moines, IA 50368-9100

I.R.S. Insolvency Unit  
P.O. Box 21126  
Phildadelphia, PA 19114

Insurance Office Of America  
2839 Paces Ferry Rd.  
Ste. 1200  
Atlanta, GA 30339

Integrity Bank  
Attn: Patrick M. Frawley, Reg. Agt.  
11140 State Bridge Rd.  
Alpharetta, GA 30022

Karen Handel, GA Secy. Of State  
2 MLK Jr. Drive; Ste.314  
Atlanta, GA 30334

LNV Corporation  
C/O Thomas Hall, McKenna Long & Aldridge  
303 Peachtree St., NE; Ste. 5300  
Atlanta, GA 30308

LNV Corporation  
Attn: Customer Support  
15770 Dallas Pkwy.; LB 65  
Dallas, TX 75248

Loud Security Monitoring, Inc.  
975 Cobb Place Blvd.  
Ste. 317  
Kennesaw, GA 30144

Moore Ingram Johnson & Steele, LLP  
192 Anderson St.  
Marietta, GA 30060-8604

New Age Plumbing, LLC  
5975 South Quail Drive  
Douglasville, GA 30135

Peach House  
88 Spruce St., NE  
Atlanta, GA 30307

Percy Gardner  
607 Summerwind Drive  
Jonesboro, GA 30236

Property Tax Consulting, LLC  
Attn: John Hunsucker, Reg. Agt.  
1011 Wynbrook Place  
Madison, GA 30650

# 09-68845

CASE NUMBER: \_\_\_\_\_ JUDGE: \_\_\_\_\_ CHAPTER: 11

Non-Business \_\_\_\_\_ or Business  Intake Clerk: Gina Gow Date: 4-6-09

Complete \_\_\_\_\_ or Incomplete  Paid  \*IFP Filed \_\_\_\_\_

<b>Orders on Fee Application</b>	
<input type="checkbox"/> 02g - Chapter 11/13 Order Granting 2 Installments of \$_____ each.	
<input type="checkbox"/> 03g - Chapter 11 Order Granting -10 day (3 Installments of \$339.00, \$350.00 & \$350.00.)	
<input type="checkbox"/> 03g - Chapter 13 Order Granting -10 day (3 Installments of \$75.00, \$99.50 & \$99.50.)	
<input type="checkbox"/> 02d - Chapter 11/13 Order Denying \$_____ due.	
<input type="checkbox"/> 02g - Chapter 7 Order Granting	<input type="checkbox"/> <b>Order Issued</b>

**Missing Documents:**

- Pro se Affidavit
- Form B21
- Matrix - **Requires separate Order**
- Voluntary Petition not on Official Form One
- Exhibit D
- Statement of Financial Affairs
- Schedules: A B C D E F G H I J
- Summary of Schedules
- Statistical Summary
- Declaration Page for Summary & Schedules
- Statement of Intent (Ch. 7)
- Attorney Disclosure Statement
- Petition Preparer Disclosure Statement
- Declaration & Signature of Non-Attorney Bankruptcy Petition Preparer
- Notice to Individual Consumer Debtor (Form 342b)
- Statement of Current Monthly Income/Mean Test
- Chapter 13 Plan, complete with signature(s)
- Certificate of Credit Counseling.
- Motion for Determination (Exigent Circumstances)
- Pay Advices
- Corporate Resolution (Business Ch. 7 & 11)
- 20 Largest Unsecured Creditors (Business Ch. 11)
- List of Equity Security Holders (Business Ch. 11)
- Small Business - Balance Sheet
- Small Business - Statement of Operations
- Small Business - Cash Flow Statement
- Small Business - Federal Tax Returns

**Petition Deficiencies:**

- Name
- Last 4 digits of ssn
- Address
- County
- Type of Debtor
- Chapter
- Nature of Debts
- Statistical Estimates
- Venue
- Signatures
- Fee Application not filed**

**NOTES:**

U. S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

# 01125073 - GG  
April 6, 2009

Code	Case No	Qty	Amount	By
11	09-68845	1	\$1,039.00	CK
	Judge - Not Assigned			
	Debtor - SEVENTY SPRUCE STREE			

TOTAL: \$1,039.00

FROM: Eric E. Thorstenberg  
6065 Roswell Rd., NE  
Suite 621  
Atlanta, GA 30328