

B1 (Official Form 1) (4/10)

UNITED STATES BANKRUPTCY COURT Northern District of Georgia						VOLUNTARY PETITION														
Name of Debtor (if individual, enter Last, First, Middle): <b>The Bernstein Company, LLC</b>						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): <b>None</b>						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):														
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) <b>72-1437896</b>						Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):														
Street Address of Debtor (No. and Street, City, and State): <b>21 Chateau Drive Rome, GA</b>						Street Address of Joint Debtor (No. and Street, City, and State):														
ZIP CODE <b>30161</b>						ZIP CODE														
County of Residence or of the Principal Place of Business: <b>Floyd</b>						County of Residence or of the Principal Place of Business:														
Mailing Address of Debtor (if different from street address) <b>Same :</b>						Mailing Address of Joint Debtor (if different from street address):														
ZIP CODE						ZIP CODE														
Location of Principal Assets of Business Debtor (if different from street address above): <b>Same</b>						ZIP CODE														
<b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> box.)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)						<b>Nature of Business</b> (Check <b>one</b> box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other			<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition <input type="checkbox"/> Main Proceeding <input type="checkbox"/> Chapter 15 Petition Recognition <input type="checkbox"/> Nonmain Proceeding											
<b>Chapter 15 Debtors</b> County of debtors center of main interest:  Each country in which a foreign proceeding by, regarding, or against debtor pending			<b>Tax-Exempt Entity</b> (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).			<b>Nature of Debts</b> (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts														
<b>Filing Fee</b> (Check one box.)  <input checked="" type="checkbox"/> Full Filing Fee attached.  Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B						<b>Chapter 11 Debtors</b> <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). <b>Check if:</b> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).														
<b>Statistical/Administrative Information</b> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.										THIS SPACE IS FOR COURT USE ONLY										
Estimated Number of Creditors <input checked="" type="checkbox"/> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">1-49</td> <td style="width: 10%;">50-99</td> <td style="width: 10%;">100-199</td> <td style="width: 10%;">200-999</td> <td style="width: 10%;">1,000-5,000</td> <td style="width: 10%;">5,001-10,000</td> <td style="width: 10%;">10,001-25,000</td> <td style="width: 10%;">25,001-50,000</td> <td style="width: 10%;">50,001-100,000</td> <td style="width: 10%;">Over 100,000</td> </tr> </table>											1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	Over 100,000
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	Over 100,000											
Estimated Assets <input checked="" type="checkbox"/> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">\$0 to \$50,000</td> <td style="width: 10%;">\$50,001 to \$100,000</td> <td style="width: 10%;">\$100,001 to \$500,000</td> <td style="width: 10%;">\$500,001 to \$1 million</td> <td style="width: 10%;">\$1,000,001 to \$10 million</td> <td style="width: 10%;">\$10,000,001 to \$50 million</td> <td style="width: 10%;">\$50,000,001 to \$100 million</td> <td style="width: 10%;">\$100,000,001 to \$500 million</td> <td style="width: 10%;">\$500,000,001 to \$1 billion</td> <td style="width: 10%;">More than \$1 billion</td> </tr> </table>											\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion											
Estimated Liabilities <input checked="" type="checkbox"/> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">\$0 to \$50,000</td> <td style="width: 10%;">\$50,001 to \$100,000</td> <td style="width: 10%;">\$100,001 to \$500,000</td> <td style="width: 10%;">\$500,001 to \$1 million</td> <td style="width: 10%;">\$1,000,001 to \$10 million</td> <td style="width: 10%;">\$10,000,001 to \$50 million</td> <td style="width: 10%;">\$50,000,001 to \$100 million</td> <td style="width: 10%;">\$100,000,001 to \$500 million</td> <td style="width: 10%;">\$500,000,001 to \$1 billion</td> <td style="width: 10%;">More than \$1 billion</td> </tr> </table>										\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion	
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<b>Voluntary Petition</b> <i>(This page must be completed and filed in</i>		Name of Debtor(s): The Bernstein Company, LLC	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet.)			
Location Where Filed:	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor</b> (If more than one, attach additional sheet.)			
Name of Debtor:	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<b>Exhibit A</b>  (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.		<b>Exhibit B</b>  (To be completed if debtor is an individual whose debts are primarily consumer debts.)  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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).  <b>X /s/ Larry Russell</b> _____ Signature of Attorney for Debtor(s)      (Date)	
<b>Exhibit C</b>  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.  <b>XX</b> No.			
<b>Exhibit D</b>  (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.			
<p style="text-align: center;"><b>Information Regarding the Debtor – Venue</b> (Check any applicable box.)</p> <p><b>XX</b> Debtor has been domiciled or has had a residence, principal place business, or principal assets in this District for 180 days immediately of preceding the date of this petition or for a longer part of such 180 days than in any other District.</p> <p>There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p> <p>Debtor is a debtor in a foreign proceeding and has its principal of business place no principal place of business or assets in the United States or principal assets in the United States in this District, or has defendant in an action or proceeding [in a federal or state court] in this sought in this District. but is a District, or the interests of the parties will be served in regard to the relief</p>			
<p style="text-align: center;"><b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b></p> <p style="text-align: center;">(Check all applicable boxes.)</p> <p>Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)</p> <p style="text-align: center;">_____ (Name of landlord that obtained judgment)</p> <p style="text-align: center;">_____ (Address of landlord)</p> <p>Debtor claims that under applicable nonbankruptcy law, there are circumstances entire under which the debtor would be permitted to cure the after the judgment for possession was entered, and monetary default that gave rise to the judgment for possession,</p> <p>Debtor has included with 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.</p> <p>Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).</p>			

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case.)</i>		Name of Debtor(s): The Bernstein Company, LLC	
<b>Signatures</b>			
<b>Signature(s) of Debtor(s) (Individual/Joint)</b>  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		<b>Signature of a Foreign Representative</b> 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 <b>one</b> 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 Debtor		(Signature of Foreign Representative)	
Signature of Joint Debtor		(Printed Name of Foreign Representative)	
Telephone Number (if not represented by attorney)			
Date		Date	
<b>Signature of Attorney*</b> X /s/ Larry Russell, GA Bar Number 620700 Signature of Attorney for Debtor(s)  Printed Name of Attorney for Debtor(s) Larry Russell  Firm Name  Address 5195 Clearwater Drive, Stone Mountain, GA 30087  Telephone Number 404 510 8888  Date July 18, 2012  *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.		<b>Signature of Non-Attorney Bankruptcy Petition Preparer</b> I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.  Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the 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  Signature  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 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.	
<b>Signature of Debtor (Corporation/Partnership)</b> 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 the relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X: /s/ David Bernstein Signature of Authorized Individual David Bernstein, for The Bernstein Company Printed Name of Authorized Individual  Manager Title of Authorized Individual  July 12, 2012 Date			

CORPORATE RESOLUTION - AUTHORIZATION

David Bernstein, the undersigned, of The Bernstein Company, LLC, certifies that he is the Member of The Bernstein Company, LLC, a Limited Liability Company organized under the laws of Louisiana, having its principal office at 20 Park Island, New Orleans, Louisiana, and that the following is a true copy of a resolution duly adopted by the board of directors of The Bernstein Company, LLC at a meeting held by them on July 12, 2012, and a quorum was present; and this resolution has not been rescinded or modified.

Resolved, that Larry Russell, Attorney at Law, is hereby authorized to file a Chapter 11 Bankruptcy in the name of The Bernstein Company, LLC, in the United States Bankruptcy Court of the Northern District of Georgia.

The undersigned further certifies that there is no provision in the articles of incorporation or the bylaws of The Bernstein Company, LLC limiting the power of the board of directors to pass the resolution described above and that the resolution is in conformity with the provisions of the articles of incorporation and the bylaws.

Dated: July 12, 2012

/s/ David Bernstein

Signature, John Clark

For The Bernstein Company, LLC

B 4 (Official Form 4) (12/07)

UNITED STATES BANKRUPTCY COURT  
Northern District of Georgia

In re: The Bernstein Company, LLC  
Debtor

Case No.  
Chapter 11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 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]
Community National Bank 316 Chickamauga Ave. Rossville, Ga. 30741			disputed	
Choice Hotels International PO Box 99992 Chicago, IL 60696-7792				
JDH Developers a/k/a Comfort Inn & Suites of Rome, GA, LLC. 3939 Royal Drive Suite 222 Kennesaw, GA 30144			disputed	405,000.00
North American Bancard, 250 Stephenson Hwy Troy, MI, 48083				\$3,532.60.

Date: July 12, 2012

/s/ David Bernstein  
David Bernstein,, Manager  
(Print Name and Title)  
for The Bernstein Company, LLC

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

I, an authorized agent, named as the debtor in this case, declare under penalty of perjury that I have read the foregoing **LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS** and that it is true and correct to the best of my information and belief.

Date: July 12, 2012

/s/ David Bernstein

David Bernstein,, Manager

(Print Name and Title)

for The Bernstein Company, LLC