

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF GEORGIA

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	SOUTHEASTERN HOSPITALITY, LLC	
2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names	DBA THE MERCURY	
3. Debtor's federal Employer Identification Number (EIN)	47-3390646	
4. Debtor's address	Principal place of business 675 PONCE DE LEON AVE, SUITE 215 Atlanta, GA 30308 Number, Street, City, State & ZIP Code Fulton County	Mailing address, if different from principal place of business P.O. Box, Number, Street, City, State & ZIP Code Location of principal assets, if different from principal place of business Number, Street, City, State & ZIP Code
5. Debtor's website (URL)	www.mercuryatlanta.com	
6. Type of debtor	☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) ☐ Partnership (excluding LLP) ☐ Other. Specify:	

Debtor **SOUTHEASTERN HOSPITALITY, 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>.

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 **SOUTHEASTERN HOSPITALITY, 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

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☒ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **SOUTHEASTERN HOSPITALITY, 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 **October 12, 2018**
MM / DD / YYYY

X /s/ Earl E. Cloud III
Signature of authorized representative of debtor

Title **Owner**

Earl E. Cloud III
Printed name

18. Signature of attorney

X /s/ William A. Rountree
Signature of attorney for debtor

Date **October 12, 2018**
MM / DD / YYYY

William A. Rountree
Printed name

Rountree & Leitman, LLC
Firm name

2800 B North Druid Hills Rd
Suite 100
Atlanta, GA 30329
Number, Street, City, State & ZIP Code

Contact phone **404-584-1244**

Email address

616503 GA
Bar number and State

CERTIFIED COPY OF RESOLUTION
OF MANAGING MEMBER OF
Southeastern Hospitality, LLC

This is to certify that at a meeting of the Members of Southeastern Hospitality, LLC, a Georgia Limited Liability Company (the Corporation), held on the 12th day October, 2018 the following resolution was adopted:

WHEREAS, the Corporation is unable to pay its debts as they generally mature. **NOW, THEREFORE, IT IS HEREBY**

RESOLVED, that the Corporation authorizes the Managing Member of the Corporation to prepare, file and execute the Petition for Relief provided in Title 11, United States Code, Chapter 11 for Southeastern Hospitality, LLC, a Georgia Limited Liability Company, and all of the necessary papers in connection therewith, in the United States Bankruptcy Court, Northern District of Georgia, Atlanta Division.

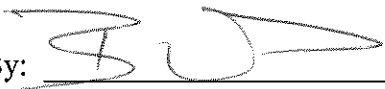
RESOLVED FURTHER, that the Managing Member of the Corporation be and he hereby is authorized to do any other acts, execute all necessary documents and take any other steps in the name and in behalf of the said Corporation necessary or appropriate to obtaining such relief, including the presentation of a Plan of Reorganization.

RESOLVED FURTHER, that the Managing Member of the Corporation be and he hereby is authorized to retain as counsel for the Corporation in said proceeding Rountree & Leitman, LLC.

Said resolution is still of full force and effect.

Dated, this 12th day of October 2018

Southeastern Hospitality, LLC

By: 

Earl E. Cloud III
Managing Member

Fill in this information to identify the case:

Debtor name **SOUTHEASTERN HOSPITALITY, LLC**
 United States Bankruptcy Court for the: **NORTHERN DISTRICT OF GEORGIA**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1ST GLOBAL CAPITAL, LLC 1250 EAST HALLANDALE BEACH BLV SUITE 409 Hallandale, FL 33009	fax 888 371-1161			\$91,185.93	\$0.00	\$91,185.93
ACE LOAN 3173 Hwy 129 North Cleveland, GA 30528				\$96,562.17	\$10,000.00	\$86,562.17
Acuity CFO, LLC 3423 Piedmont Road NE Atlanta, GA 30305	dsullivan@acuity.com					\$8,325.00
All State Mail Services PO Box 93717 Las Vegas, NV 89193						\$3,427.98
American Express PO Box 1270 Newark, NJ 07101						\$8,935.42
Ameripride 1081 Experiment Stn Rd Watkinsville, GA 30677						\$7,866.34
BFS CAPITAL 3301 N. University Dr. Pompano Beach, FL 33065	kdonner@bfscapital.com			\$91,185.93	\$0.00	\$91,185.93
BIZFUND, LLC 762 N. Orange St. Suite 762 Wilmington, DE 19801				\$91,185.93	\$0.00	\$91,185.93

Debtor **SOUTHEASTERN HOSPITALITY, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
CTI 942 Enterprise Ste B Sacramento, CA 95825	david@titanrevenue solutions.com					\$9,446.55
DAU GROUP INVESTMENTS, LLC 2630 Talley St. Unit 403 Decatur, GA 30030				\$234,218.15	\$0.00	\$234,218.15
FUNDATION GROUP, LLC 11501 SUNSET STREET NE Atlanta, GA 30307	customer@fundati on.com					\$91,185.93
Georgia Department of Revenue 1800 Centruy Center Blvd Suite 9100 Atlanta, GA 30345	ronald.nurgess@d or.ga.gov					\$104,626.63
Georgia Power 241 Ralph McGill Blvd NE Atlanta, GA 30308						\$1,728.56
Jamestown PCM Master Tenant LP Ponce City Market 675 Ponce De Leon Ave. NE Atlanta, GA 30308	leah.crawford@jam estownlp.com					\$123,615.81
NFS LEASING 900 Commings Center Suite 226-U Beverly, MA 01915				\$91,185.93	\$10,000.00	\$81,185.93
One Point PO Box 1849 Woodstock, GA 30188						\$1,555.07
Paycor 3525 Piedmont Rd. NE 5 Piedmont Center Ste. 520 Atlanta, GA 30305	jhueneman@payco r.com					\$53,455.13
PBS Capital One Evertrust Plaza Suite 1401 Jersey City, NJ 07302				\$91,185.93	\$0.00	\$91,185.93
Sard & Leff LLC 3789 Roswell Rd NE Atlanta, GA 30342						\$23,878.92

Debtor **SOUTHEASTERN HOSPITALITY, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Techology Insurance Company 8948 Canyon Falls Blvd Suite 200 Twinsburg, OH 44087	customerservice@jmcbiz.com					\$14,479.00

**United States Bankruptcy Court
Northern District of Georgia**

In re **SOUTHEASTERN HOSPITALITY, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Owner of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **October 12, 2018**

/s/ Earl E. Cloud III

Earl E. Cloud III/Owner

Signer/Title

1ST GLOBAL CAPITAL, LLC
1250 EAST HALLANDALE BEACH BLV
SUITE 409
Hallandale, FL 33009

ACE LOAN
3173 Hwy 129 North
Cleveland, GA 30528

Acuity CFO, LLC
3423 Piedmont Road NE
Atlanta, GA 30305

Advanced Color Imaging

All State Mall Services
PO Box 93717
Las Vegas, NV 89193

Alliance Funding Group
3745 W. Chapman Ave
Ste. 200
Orange, CA 92868

American Express
PO Box 1270
Newark, NJ 07101

Ameripride
1081 Experiment Stn Rd
Watkinsville, GA 30677

Amur Equipment Finance
308 N. Locust St.
Grand Island, NE 68801

BFS CAPITAL
3301 N. University Dr.
Pompano Beach, FL 33065

BIZFUND, LLC
762 N. Orange St.
Suite 762
Wilmington, DE 19801

Buckhead Beef
4500 Wickersham Dr
Atlanta, GA 30337

CTI
942 Enterprise Ste B
Sacramento, CA 95825

DAU GROUP INVESTMENTS, LLC
2630 Talley St.
Unit 403
Decatur, GA 30030

FUNDATION GROUP, LLC
11501 SUNSET STREET NE
Atlanta, GA 30307

Georgia Department of Labor
148 Andrew Young Int'l Blvd. NE
Atlanta, GA 30303

Georgia Department of Revenue
1800 Centurury Center Blvd
Suite 9100
Atlanta, GA 30345

Georgia Power
241 Ralph McGill Blvd NE
Atlanta, GA 30308

Global Financial and Leasing
Services, 6263 N. Scottsdale
Ste 222
Scottsdale, AZ 85250

HAW AJE
S Concourse Pkwy
Ste 1000
Atlanta, GA 30328

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

Jamestown PCM Master Tenant LP
Ponce City Market
675 Ponce De Leon Ave. NE
Atlanta, GA 30308

Navitas Credit Corp
One Post Office Square
Ste 3710
Boston, MA 02109

NFS LEASING
900 Commings Center
Suite 226-U
Beverly, MA 01915

One Point
PO Box 1849
Woodstock, GA 30188

Paycor
3525 Piedmont Rd. NE
5 Piedmont Center Ste. 520
Atlanta, GA 30305

PBS Capital
One Evertrust Plaza
Suite 1401
Jersey City, NJ 07302

People's United Bank
One Post Office Square
Suite 3710
Boston, MA 02109

Sard & Leff LLC
3789 Roswell Rd NE
Atlanta, GA 30342

Techology Insurance Company
8948 Canyon Falls Blvd
Suite 200
Twinsburg, OH 44087

Touchmark National Bank
3651 Old Milton Pkwy
Alpharetta, GA 30005