

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF INDIANA

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 M&R Charleston Station, Inc.

2. All other names debtor used in the last 8 years  
 Include any assumed names, trade names and *doing business as* names  
DBA The Spaghetti Shop  
FKA M&R Outer Loop Inc.

3. Debtor's federal Employer Identification Number (EIN) 35-1776638

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>4510 Charlestown Rd., Ste. 200</u> <u>New Albany, IN 47150</u> Number, Street, City, State & ZIP Code	_____
	<u>Floyd</u> County	<u>Location of principal assets, if different from principal place of business</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 M&R Charleston Station, Inc.  
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 **M&R Charleston Station, Inc.**  
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 checked="" 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 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 checked="" type="checkbox"/> \$100,001 - \$500,000	<input 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 M&R Charleston Station, Inc.  
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 April 4, 2016  
MM / DD / YYYY

**X /s/ Gary Rosenberg**  
Signature of authorized representative of debtor  
  
Title President

**Gary Rosenberg**  
Printed name

**18. Signature of attorney**

**X /s/ Neil C Bordy**  
Signature of attorney for debtor

Date April 4, 2016  
MM / DD / YYYY

**Neil C Bordy**  
Printed name

**Seiller Waterman LLC**  
Firm name

**22nd Floor - Meidinger Tower**  
**462 S 4th Street**  
**Louisville, KY 40202**  
Number, Street, City, State & ZIP Code

Contact phone 502-584-7400 Email address \_\_\_\_\_

\_\_\_\_\_  
Bar number and State

**MINUTES OF SPECIAL MEETING  
OF  
M&R CHARLESTON STATION, INC.**

A special meeting of the members of M&R Charleston Station, Inc. was held on the 30<sup>th</sup> day of March, 2016 at 10:00 a.m. at the offices of the corporation. Present was Gary Rosenberg.

Gary Rosenberg stated it is in the company's best interest to file Chapter 11 bankruptcy.

Upon motion duly made, the following resolutions were unanimously carried:

RESOLVED, that the company file a voluntary petition for relief pursuant to Chapter 11 of title 11 U.S.C. and that Gary Rosenberg, Member, is authorized to sign any and all documents and take whatever action is necessary to effectuate this resolution.

BE IT FURTHER RESOLVED that the company retain Neil C. Bordy and the law firm of Seiller Waterman LLC to represent it in its bankruptcy proceeding.

There being no additional business to come before the members, the meeting was adjourned.

/s/ Gary Rosenberg

GARY ROSENBERG

**Fill in this information to identify the case:**

Debtor name **M&R Charleston Station, Inc.**  
 United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF INDIANA**  
 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
American Express - Gold PO Box 650448 Dallas, TX 75265-0448						\$3,643.28
American Express - LOC PO Box 650448 Dallas, TX 75265-0448						\$6,464.46
Captial One PO Box 71083 Charlotte, NC 28272-1083						\$22,833.13
Chase Bank Branch 111 Hunter Station Way Sellersburg, IN 47172						\$30,013.99
Creative Concepts Advertising 1259 Cross Keys Rd Shelbyville, KY 40065						\$1,800.00
Fox River Foods Inc Performance Group Inc 36871 Eagle Way Chicago, IL 60678-1368						\$72,091.71
Indiana Dept of Revenue 100 N Senate Ave Indianapolis, IN 46204		Sales tax				\$4,280.96

Debtor **M&R Charleston Station, Inc.**  
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
<b>On Deck Loan 901 N Stuart St Ste 700 Arlington, VA 22203</b>						<b>\$92,325.30</b>
<b>Pepsi Beverage Co 4008 Crittenden Dr. Louisville, KY 40209</b>						<b>\$1,851.36</b>
<b>PNC Bank POB 856177 Louisville, KY 40285-6177</b>						<b>\$45,392.50</b>
<b>Sams Club PO Box 960016 Orlando, FL 32896-0016</b>						<b>\$5,192.89</b>
<b>Sofa Foods of Kentucky 253 Waggoner Blvd. Oregon, OH 43616</b>						<b>\$30,158.66</b>
<b>The Spaghetti Shop of Mid America 172 Sunkist Dr Sherman, IL 62684</b>						<b>\$5,828.19</b>
<b>Weingarten Investors PO Box 301074 Dallas, TX 75303-1074</b>						<b>\$13,451.69</b>
<b>Wells Fargo PO Box 29482 Phoenix, AZ 85038-8650</b>						<b>\$96,177.19</b>

**United States Bankruptcy Court  
Southern District of Indiana**

In re **M&R Charleston Station, Inc.**

Debtor(s)

Case No.

Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

I, the President 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: **April 4, 2016**

**/s/ Gary Rosenberg**

**Gary Rosenberg/President**

Signer/Title



AMERICAN EXPRESS - GOLD  
PO BOX 650448  
DALLAS, TX 75265-0448

AMERICAN EXPRESS - LOC  
PO BOX 650448  
DALLAS, TX 75265-0448

CAPTIAL ONE  
PO BOX 71083  
CHARLOTTE, NC 28272-1083

CHASE BANK  
BRANCH 111 HUNTER STATION WAY  
SELLERSBURG, IN 47172

CREATIVE CONCEPTS ADVERTISING  
1259 CROSS KEYS RD  
SHELBYVILLE, KY 40065

FOX RIVER FOODS INC  
PERFORMANCE GROUP INC  
36871 EAGLE WAY  
CHICAGO, IL 60678-1368

INDIANA DEPT OF REVENUE  
100 N SENATE AVE  
INDIANAPOLIS, IN 46204

ON DECK LOAN  
901 N STUART ST STE 700  
ARLINGTON, VA 22203

PEPSI BEVERAGE CO  
4008 CRITTENDEN DR.  
LOUISVILLE, KY 40209

PNC BANK  
POB 856177  
LOUISVILLE, KY 40285-6177

SAMS CLUB  
PO BOX 960016  
ORLANDO, FL 32896-0016

SOFO FOODS OF KENTUCKY  
253 WAGGONER BLVD.  
OREGON, OH 43616

THE SPAGHETTI SHOP OF MID AMERICA  
172 SUNKIST DR  
SHERMAN, IL 62684

WEINGARTEN INVESTORS  
PO BOX 301074  
DALLAS, TX 75303-1074

WELLS FARGO  
PO BOX 29482  
PHOENIX, AZ 85038-8650