

B1 (Official Form 1)(1/08)

**United States Bankruptcy Court  
District of Massachusetts**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Rothkopf, Gary S.</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):	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) No./Complete EIN (if more than one, state all) <b>xxx-xx-4127</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>71 Farina Road Newton Center, MA</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>02459</b>	ZIP Code
County of Residence or of the Principal Place of Business: <b>Middlesex</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	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>Type of Debtor</b> (Form of Organization) (Check one 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 one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other  <hr/> <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>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one 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 of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <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.
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<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> 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.  <input type="checkbox"/> 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> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <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).
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**Statistical/Administrative Information**

Debtor estimates that funds will be available for distribution to unsecured creditors.  
 Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

**Estimated Number of Creditors**

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$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

THIS SPACE IS FOR COURT USE ONLY

<p><b>Voluntary Petition</b></p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): <b>Rothkopf, Gary S.</b></p>
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**All Prior Bankruptcy Cases 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 style="text-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 style="text-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 11 U.S.C. §342(b).</p> <p><b>X</b> _____ Signature of Attorney for Debtor(s) (Date)</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 that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

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)).

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

Name of Debtor(s):  
**Rothkopf, Gary S.**

**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 /s/ Gary S. Rothkopf**  
Signature of Debtor **Gary S. Rothkopf**

**X**  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**July 30, 2009**  
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 /s/ Barry R. Levine**  
Signature of Attorney for Debtor(s)

**Barry R. Levine 296500**  
Printed Name of Attorney for Debtor(s)

**Law Office of Barry R. Levine**  
Firm Name

**100 Cummings Center  
Suite 460C  
Beverly, MA 01915**

Address

**Email: bankruptcy@levineatlaw.com**

**978.922.8440 Fax: 978.232.0094**  
Telephone Number

**July 30, 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 Bankruptcy 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); 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

**X**  
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.*

**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

Printed Name of Authorized Individual

Title of Authorized Individual

Date

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
District of Massachusetts**

In re Gary S. Rothkopf

Debtor(s)

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; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
American Express PO Box 6618 Omaha, NE 68105-0618	American Express PO Box 6618 Omaha, NE 68105-0618	credit card		13,824.43
Barbara Stewart, M.D. 1400 Centre Street, Suite 20 Newton Center, MA 02459	Barbara Stewart, M.D. 1400 Centre Street, Suite 20 Newton Center, MA 02459	medical bills		2,000.00
Capital One c/o Daniels Law Office Charlotte, NC 28272-9903	Capital One c/o Daniels Law Office Charlotte, NC 28272-9903	credit card		3,747.91
Citibank South Dakota, N.A. c/o Mark Linder, Esquire Linder & Associates, PC 254 Second Avenue Needham, MA 02492	Citibank South Dakota, N.A. c/o Mark Linder, Esquire Linder & Associates, PC Needham, MA 02492	collection of debt		17,528.00
CitiBank, USA c/o Matthew J. Burkinshaw, Esquire 291 Main Street Milford, MA 01757	CitiBank, USA c/o Matthew J. Burkinshaw, Esquire 291 Main Street Milford, MA 01757	collection of debt		25,000.00
Citizen's Bank c/o Credit Collection Services Two Wells Avenue, Dept. 779 Newton Center, MA 02459	Citizen's Bank c/o Credit Collection Services Two Wells Avenue, Dept. 779 Newton Center, MA 02459	credit card		7,495.00
Credit One Bank c/o Alliance One 4850 St. Road, Suite 300 Feasterville Trevoise, PA 19053	Credit One Bank c/o Alliance One 4850 St. Road, Suite 300 Feasterville Trevoise, PA 19053	credit card debt		1,147.59
Eugene Rothkopf 438 Pepperidge Road Hewlett, NY 11557	Eugene Rothkopf 438 Pepperidge Road Hewlett, NY 11557	personal loan		145,000.00
Gerald H. Van Dam, Esquire Van Dam & Traini LLP 60 William Street Wellesley Hills, MA 02481	Gerald H. Van Dam, Esquire Van Dam & Traini LLP 60 William Street Wellesley Hills, MA 02481	attorney's fees		6,000.00

B4 (Official Form 4) (12/07) - Cont.

In re **Gary S. Rothkopf**

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

Debtor(s) \_\_\_\_\_

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

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>HSBC</b> PO Box 5250 Carol Stream, IL 60197	<b>HSBC</b> PO Box 5250 Carol Stream, IL 60197	credit card debt		<b>2,085.00</b>
<b>Mary Jane Keezer</b> c/o Nancy Freed, Esquire Prince, Lobel, Glovsky & Tye, LLP 100 Cambridge Street, Suite 2200 Boston, MA 02114	<b>Mary Jane Keezer</b> c/o Nancy Freed, Esquire Prince, Lobel, Glovsky & Tye, LLP Boston, MA 02114	law suit		<b>9,800.00</b>
<b>Mercedes Benz Financial</b> P.O. Box 9001680 Louisville, KY 40290-1680	<b>Mercedes Benz Financial</b> P.O. Box 9001680 Louisville, KY 40290-1680	credit card		<b>5,639.00</b>
<b>Morrison Mahoney LLP</b> 250 Summer Street Boston, MA 02110	<b>Morrison Mahoney LLP</b> 250 Summer Street Boston, MA 02110	attorney's fees		<b>40,000.00</b>
<b>Nancy C. Nitenson, MD LLC</b> Ten Post Office Square 8th Floor Boston, MA 02109	<b>Nancy C. Nitenson, MD LLC</b> Ten Post Office Square 8th Floor Boston, MA 02109	medical bill		<b>5,481.66</b>
<b>Richard Penn</b> c/o Rita Kraner, Esquire Riemer & Braunstein LLP 3 Center Plaza Boston, MA 02108	<b>Richard Penn</b> c/o Rita Kraner, Esquire Riemer & Braunstein LLP Boston, MA 02108	personal investment loan		<b>320,000.00</b>
<b>Rudolph Friedmann LLP</b> 92 State Street Boston, MA 02109	<b>Rudolph Friedmann LLP</b> 92 State Street Boston, MA 02109	attorney's fees		<b>13,700.00</b>
<b>Schneider, Schneider &amp; Assoc., PC</b> 35 Braintree Hill Office Park Braintree, MA 02184	<b>Schneider, Schneider &amp; Assoc., PC</b> 35 Braintree Hill Office Park Braintree, MA 02184	accountants		<b>9,263.00</b>
<b>Stock Building Supply</b> Marshall F. Newman, Esquire Newman & Newman, P.C. 1 McKinley Square Boston, MA 02109	<b>Stock Building Supply</b> Marshall F. Newman, Esquire Newman & Newman, P.C. Boston, MA 02109	attorney's fees		<b>35,000.00</b>
<b>TD BankNorth</b> c/o Laurence K. Richmond Associates, PC 1419 Hancock Street Quincy, MA 02169	<b>TD BankNorth</b> c/o Laurence K. Richmond Associates, PC 1419 Hancock Street Quincy, MA 02169	credit line for construction business		<b>109,000.00</b>
<b>Timothy R. Flaherty, Esq.</b> Flaherty Law Offices 101 Tremont Street, Suite 615 Boston, MA 02108	<b>Timothy R. Flaherty, Esq.</b> Flaherty Law Offices 101 Tremont Street, Suite 615 Boston, MA 02108	attorney's fees		<b>3,000.00</b>

B4 (Official Form 4) (12/07) - Cont.

In re **Gary S. Rothkopf**

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

Debtor(s)

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

(Continuation Sheet)

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

I, **Gary S. Rothkopf**, 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 **July 30, 2009**

Signature **/s/ Gary S. Rothkopf**

**Gary S. Rothkopf**

Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

American Express  
PO Box 6618  
Omaha, NE 68105-0618

Barbara Stewart, M.D.  
1400 Centre Street, Suite 20  
Newton Center, MA 02459

Capital One  
c/o Daniels Law Office  
Charlotte, NC 28272-9903

Citibank South Dakota, N.A.  
c/o Mark Linder, Esquire  
Linder & Associates, PC  
254 Second Avenue  
Needham, MA 02492

CitiBank, USA  
c/o Matthew J. Burkinshaw, Esquire  
291 Main Street  
Milford, MA 01757

Citizen's Bank  
c/o Credit Collection Services  
Two Wells Avenue, Dept. 779  
Newton Center, MA 02459

Credit One Bank  
c/o Alliance One  
4850 St. Road, Suite 300  
Feasterville Trevose, PA 19053

Eugene Rothkopf  
438 Pepperidge Road  
Hewlett, NY 11557

Gerald H. Van Dam, Esquire  
Van Dam & Traini LLP  
60 William Street  
Wellesley Hills, MA 02481

HSBC  
PO Box 5250  
Carol Stream, IL 60197

HSBC Bank  
c/o CCB Credit Services  
5300 S 6th St  
Springfield, IL 62703-5184

Internal Revenue Service  
PO Box 9112  
Stop 11300  
Boston, MA 02203

Mary Jane Keezer  
c/o Nancy Freed, Esquire  
Prince, Lobel, Glovsky & Tye, LLP  
100 Cambridge Street, Suite 2200  
Boston, MA 02114

Mass. Department of Revenue  
100 Cambridge Street  
Boston, MA 02114

Mercedes Benz Financial  
P.O. Box 9001680  
Louisville, KY 40290-1680

Morrison Mahoney LLP  
250 Summer Street  
Boston, MA 02110

Nancy C. Nitenson, MD LLC  
Ten Post Office Square  
8th Floor  
Boston, MA 02109

Orchard Bank  
c/o Central Credit Services, Inc.  
PO Box 15118  
Jacksonville, FL 32239-5118

Richard Penn  
c/o Rita Kraner, Esquire  
Riemer & Braunstein LLP  
3 Center Plaza  
Boston, MA 02108

Rudolph Friedmann LLP  
92 State Street  
Boston, MA 02109

Schneider, Schneider & Assoc., PC  
35 Braintree Hill Office Park  
Braintree, MA 02184

Steven J. Levitt, D.M.D.  
Newton Centre Dental  
1400 Centre Street, Suite 201  
Newton Center, MA 02459

Stock Building Supply  
Marshall F. Newman, Esquire  
Newman & Newman, P.C.  
1 McKinley Square  
Boston, MA 02109

TD BankNorth  
c/o Laurence K. Richmond Associates, PC  
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Quincy, MA 02169

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Boston, MA 02108