Case 10-14138 Doc 1 Filed 04/16/10 Entered 04/16/10 18:36:54 Desc Main Document Page 1 of 3

B1 (Official Form 1)(4/10)	United S			ruptcy achuset		- g G	<u>-</u>		Vol	untary Petition
Name of Debtor (if individual, en Galway Bay Decor, Inc.	ter Last, First,	Middle):			Name	of Joint De	ebtor (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 Ind (if more than one, state all)  04-3562955	lividual-Taxpa	yer I.D. (I	TIN) No./0	Complete E	EIN Last for (if more	our digits o	f Soc. Sec. or	Individual-	Taxpayer I.	D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and 43 Lyman Street Waltham, MA	Street, City, a	and State):		ZIP Code		Address of	Joint Debtor	(No. and St	reet, City, a	nd State):  ZIP Code
County of Residence or of the Principal Place of Business:						County of Residence or of the Principal Place of Business:				
Middlesex										
Mailing Address of Debtor (if different from street address):					Mailir	ng Address	of Joint Debt	or (if differe	nt from stre	eet address):
			Г	ZIP Code						ZIP Code
Location of Principal Assets of Bu (if different from street address abo	isiness Debtor ove):									1
Type of Debtor (Form of Organization)	1						-	of Bankruj Petition is F		Under Which
(Check one box)  ☐ Individual (includes Joint Debt See Exhibit D on page 2 of this ☐ Corporation (includes LLC and ☐ Partnership ☐ Other (If debtor is not one of the a check this box and state type of en				y	☐ Chapt☐	er 7 er 9 er 11 er 12 er 13	C of C of Natur	hapter 15 P a Foreign hapter 15 P a Foreign a Foreign e of Debts k one box)	etition for Recognition Main Proceeding etition for Recognition Nonmain Proceeding	
	Tax-Exempt Entity (Check box, if applicable)  □ Debtor is a tax-exempt organization under Title 26 of the United States  □ Debts are production in 1 "incurred by		d in 11 U.S.C. § ed by an indivi	y consumer debts,  C. § 101(8) as dividual primarily for or household purpose."  Debts are primarily business debts.						
Filing Fee (C	Check one box	.)			one box:	nall business	Chap debtor as defir	ter 11 Debt		0)
Filing Fee to be paid in installment attach signed application for the co debtor is unable to pay fee except i Form 3A.  Filing Fee waiver requested (applicattach signed application for the co	ourt's consideration in installments. Find the cable to chapter	on certifyin Rule 1006(b 7 individual	g that the o). See Office  Is only). Mu	Check Check B. Check	Debtor is not if: Debtor's agg are less than all applicable A plan is bein Acceptances	a small busing regate nonco \$2,343,300 (each boxes: no filed with of the plan w	ness debtor as ontingent liquida amount subject this petition.	defined in 11 to ated debts (exc ato adjustment	U.S.C. § 1010 cluding debts t on 4/01/13	
Statistical/Administrative Inform  ■ Debtor estimates that funds will  □ Debtor estimates that, after any there will be no funds available	ll be available y exempt prope	erty is exc	luded and	administra		es paid,		THIS	S SPACE IS 1	FOR COURT USE ONLY
Estimated Number of Creditors	200-	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  So to \$50,001 to \$100,001 to \$50,000 \$500,000	5500,001 to \$1	\$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				
Estimated Liabilities	s \$500,001 s to \$1	\$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				

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Page 2 Name of Debtor(s): Voluntary Petition Galway Bay Decor, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) 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(1)).

B1 (Official Form 1)(4/10)

# Voluntary Petition

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

# 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.

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

## Signature of Attorney\*

# X /s/ John M. McAuliffe

Signature of Attorney for Debtor(s)

### John M. McAuliffe 555109

Printed Name of Attorney for Debtor(s)

## McAuliffe & Associates, P.C.

Firm Name

430 Lexington Street Auburndale, MA 02466

Address

Email: mcauliffeassociates@hotmail.com 617-558-6889 Fax: 617-558-6882

Telephone Number

April 16, 2010

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 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 /s/ Dermot Kirwan

Signature of Authorized Individual

### **Dermot Kirwan**

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

### April 16, 2010

Date

Name of Debtor(s):

Galway Bay Decor, Inc.

#### Signatures

### Signature of a Foreign Representative

Page 3

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.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

### **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 bankrutpcy 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.)

- 1				
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Date

Address

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.