

B1 (Official Form 1)(4/10)

**United States Bankruptcy Court  
District of Massachusetts**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Waverly Street Restaurant Group, Inc.</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>26-3761888</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>672 Waverly Street Framingham, MA</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>01702</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 type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" 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	<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>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 <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 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). Check if: <input type="checkbox"/> 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). 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 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"/>
\$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 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

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>Waverly Street Restaurant Group, Inc.</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):

**Waverly Street Restaurant Group, Inc.**

**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** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
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/ Edmund L. Myers  
Signature of Attorney for Debtor(s)

Edmund L. Myers 557661  
Printed Name of Attorney for Debtor(s)

Edmund L. Myers  
Firm Name

**31 Hastings Street  
P.O. Box 163  
Mendon, MA 01756**

\_\_\_\_\_  
Address

**Email: elm.esq@comcast.net  
(508) 478-2204 Fax: (508) 478-2205**

\_\_\_\_\_  
Telephone Number

**August 17, 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 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** /s/ Efrren Sanchez  
Signature of Authorized Individual

Efrren Sanchez  
Printed Name of Authorized Individual

Secretary  
Title of Authorized Individual

**August 17, 2010**

\_\_\_\_\_  
Date

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
District of Massachusetts**

In re Waverly Street Restaurant Group, Inc.  
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>
A&E Distributors, Inc. PO Box 909 Sterling, MA 01564-0909	A&E Distributors, Inc. PO Box 909 Sterling, MA 01564-0909	Supplier		3,901.13
Agar Supply Co., Inc. PO Box 845870 Boston, MA 02284-5870	Agar Supply Co., Inc. PO Box 845870 Boston, MA 02284-5870	Supplier		13,360.73
Atlas Distributing, Inc. 44 Southbridge Street, PO Box 420 Auburn, MA 01501-0420	Atlas Distributing, Inc. 44 Southbridge Street, PO Box 420 Auburn, MA 01501-0420	Supplier		4,795.02
August A. Busch & Co. 440 Riverside Ave Medford, MA 02155	August A. Busch & Co. 440 Riverside Ave Medford, MA 02155	Supplier		4,357.54
Fillippos Restaurant & Lounge, Inc. 630 Salem End Road Framingham, MA 01702	Fillippos Restaurant & Lounge, Inc. 630 Salem End Road Framingham, MA 01702			15,000.00 (0.00 secured)
Green Magazine 21107 Vanowen Street Simi Valley, CA 93065	Green Magazine 21107 Vanowen Street Simi Valley, CA 93065	Business debt		1,488.00
Horizon Beverage Company PO Box 399 Brockton, MA 02303	Horizon Beverage Company PO Box 399 Brockton, MA 02303	Supplier		5,760.28
Lawrence Waste Service 3 Thayer Street Framingham, MA 01702	Lawrence Waste Service 3 Thayer Street Framingham, MA 01702	Utilities		677.25
MA DOR 436 Dwight Street Worcester, MA 01603-0001	MA DOR 436 Dwight Street Worcester, MA 01603-0001			12,987.27
Massachusetts Department of Revenue PO Box 7010 Boston, MA 02204	Massachusetts Department of Revenue PO Box 7010 Boston, MA 02204	Taxes		1,719.00
Mingace & Heineman 284 Union Avenue Framingham, MA 01702	Mingace & Heineman 284 Union Avenue Framingham, MA 01702	Legal Fees		442.50

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

In re Waverly Street Restaurant Group, Inc.

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>
Nstar Electric (1062) PO Box 4508 Woburn, MA 01888-4508	Nstar Electric (1062) PO Box 4508 Woburn, MA 01888-4508	Utilities		12,659.03
Nstar Gas PO Box 4508 Woburn, MA 01888-4508	Nstar Gas PO Box 4508 Woburn, MA 01888-4508	Utilities		3,772.09
RCN PO Box 11816 Newark, NJ 07101-8116	RCN PO Box 11816 Newark, NJ 07101-8116	Supplier		1,041.86
Rodman Insurance Agency 145 Rosemary Street Needham Heights, MA 02494	Rodman Insurance Agency 145 Rosemary Street Needham Heights, MA 02494	Insurance		1,918.00
Teycosa LLC PO Box 266405 Fort Lauderdale, FL 33326	Teycosa LLC PO Box 266405 Fort Lauderdale, FL 33326	Business debt		1,092.00
TriMark PO Box 3505 So. Attleboro, MA	TriMark PO Box 3505 So. Attleboro, MA	Supplier		1,357.12
United Liquors 175 Campanelli Drive, PO Box 859219 Braintree, MA 02185-9219	United Liquors 175 Campanelli Drive, PO Box 859219 Braintree, MA 02185-9219	Supplier		7,953.19
US Food Service, Inc. 201 Beacham Street Everett, MA 02149	US Food Service, Inc. 201 Beacham Street Everett, MA 02149	Supplier		7,283.32
Valpak of Boston 204 Second Avenue Waltham, MA 02451	Valpak of Boston 204 Second Avenue Waltham, MA 02451	Supplier		285.00

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

I, the Secretary of the corporation named as 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 August 17, 2010

Signature /s/ Efrren Sanchez  
Efrren Sanchez  
Secretary

*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.

A&E Distributors, Inc.  
PO Box 909  
Sterling, MA 01564-0909

ADT Security Services  
PO Box 371967  
Pittsburgh, PA 15250-7967

Agar Supply Co., Inc.  
PO Box 845870  
Boston, MA 02284-5870

Atlas Distributing, Inc.  
44 Southbridge Street, PO Box 420  
Auburn, MA 01501-0420

August A. Busch & Co.  
440 Riverside Ave  
Medford, MA 02155

Cintas Corporation  
PO Box 625737  
Cincinnati, OH 45262

Delcisa Realty Trust  
PO Box 472  
Framingham, MA 01702

ECOLAB  
PO Box 905327  
Charlotte, NC 28290-5327

Fillipos Restaurant & Lounge, Inc.  
630 Salem End Road  
Framingham, MA 01702

Green Magazine  
21107 Vanowen Street  
Simi Valley, CA 93065

Horizon Beverage Company  
PO Box 399  
Brockton, MA 02303

IRS  
Cincinnati, OH 45999-0038

Lawrence Waste Service  
3 Thayer Street  
Framingham, MA 01702

MA DOR  
436 Dwight Street  
Worcester, MA 01603-0001

Marcelo Barajas

Massachusetts Department of Revenue  
PO Box 7010  
Boston, MA 02204

Mingace & Heineman  
284 Union Avenue  
Framingham, MA 01702

Nstar Electric (1045)  
PO Box 4508  
Woburn, MA 01888-4508

Nstar Electric (1062)  
PO Box 4508  
Woburn, MA 01888-4508

Nstar Gas  
PO Box 4508  
Woburn, MA 01888-4508

RCN  
PO Box 11816  
Newark, NJ 07101-8116

Rodman Insurance Agency  
145 Rosemary Street  
Needham Heights, MA 02494

Terminix  
130 Rumford Ave, Suite 113  
Auburndale, MA 02466

Teycosa LLC  
PO Box 266405  
Fort Lauderdale, FL 33326

Town of Framingham - Christopher Petrini  
150 Concord Street  
Framingham, MA 01702

TriMark  
PO Box 3505  
So. Attleboro, MA

United Liquors  
175 Campanelli Drive, PO Box 859219  
Braintree, MA 02185-9219

Universal Refrigeration

US Food Service, Inc.  
201 Beacham Street  
Everett, MA 02149

Valpak of Boston  
204 Second Avenue  
Waltham, MA 02451