Case 12-16536 Doc 1

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I	IN RE:	Case No				
М	Martini Fitness, Corp.	Chapter 11				
	Debtor(s)					
	DISCLOSURE OF COMPENSATION OF AT	TORNEY FOR DEBTOR				
1.	1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services of or in connection with the bankruptcy case is as follows:					
	For legal services, I have agreed to accept	\$\$ <b>275.00/hr</b>				
	Prior to the filing of this statement I have received					
	Balance Due	\$				
2.	2. The source of the compensation paid to me was: $\mathbf{V}$ Debtor $\Box$ Other (specify):					
3.	3. The source of compensation to be paid to me is: $\mathbf{V}$ Debtor $\Box$ Other (specify):					
4.	4. I have not agreed to share the above-disclosed compensation with any other person unless	they are members and associates of my law firm.				
	I have agreed to share the above-disclosed compensation with a person or persons who are together with a list of the names of the people sharing in the compensation, is attached.	e not members or associates of my law firm. A copy of the agreement,				
5.	5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the b	bankruptcy case, including:				
	<ul> <li>a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determini</li> <li>b. Preparation and filing of any petition, schedules, statement of affairs and plan which may le</li> <li>c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any</li> <li>d. Representation of the debtor in adversary proceedings and other contested bankruptey mate</li> <li>e. [Other provisions as needed]</li> <li>Negotiations with secured creditors to reduce to market value; exempting</li> <li>agreements and agreements as needed; preparation and filing of motion of liens on household goods.</li> </ul>	be required; adjourned hearings thereof; ters; tion planning, preparation and filing of reaffirmation				

6. By agreement with the debtor(s), the above disclosed fee does not include the following services: Representation of the Debtor in any dischargeability actions, relief from stay actions or any other adversary proceeding.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

August 3, 2012 Date

# /s/ James P. Ehrhard, Esq.

James P. Ehrhard, Esq. 651797 Ehrhard & Associates, PC 418 Main Street, 4th Floor Worcester, MA 01608 (508) 791-8411 Fax: (508) 752-6168 ehrhard@ehrhardlaw.com

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B1 (Official Form 1) (12/11)		_Dc	cume	nt	Page 2	2 of 10	)			
United S		Ban	krupto	cy C	ourt				<b>X</b> 7.1	<b>D</b> 4'4'
District of Massachusetts Voluntary Petition										
Name of Debtor (if individual, enter Last, First, M Martini Fitness, Corp.	iddle):				Name of Jo	oint Debto	or (Spou	ıse) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 y (include married, maiden, and trade names): dba 24-7 Family Fitness	/ears							e Joint Debtor i nd trade names)		3 years
Last four digits of Soc. Sec. or Individual-Taxpaye (if more than one, state all): 04-3590362	r I.D. (ľ	TIN) /C	omplete E	EIN	Last four d (if more th	-		or Individual-T	axpayer I.I	D. (ITIN) /Complete EIN
Street Address of Debtor (No. & Street, City, State 333 Tosca Drive	e & Zip	Code):			Street Address of Joint Debtor (No. & Street, City, State & Zip Code):					
Stoughton, MA	ZIP	CODE	)2072						Г	ZIPCODE
County of Residence or of the Principal Place of B <b>Norfolk</b>	usiness:	:			County of Residence or of the Principal Place of Business:					
Mailing Address of Debtor (if different from street	t address	s)			Mailing Ac	ldress of .	Joint De	ebtor (if differer	t from stre	eet address):
									_	
		CODE								ZIPCODE
Location of Principal Assets of Business Debtor (in <b>333 Tosca Drive, Stoughton, MA</b>	f differe	nt from	street add	lress al	bove):				г	
			Notre	no of I	Business			Chanton of Pa		ZIPCODE <b>02072</b> Code Under Which
<b>Type of Debtor</b> (Form of Organization)					e box.)			-		(Check one box.)
(Check <b>one</b> box.)			Care Bus					apter 7		pter 15 Petition for
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.		Single Asset Real Estate U.S.C. § 101(51B) Railroad			te as defined i	n 11	Chapter 9 Recognition of a Fo ✓ Chapter 11 Main Proceeding			
Corporation (includes LLC and LLP)							Ch	apter 12 Chapter 15 Petition for		
<ul> <li>Partnership</li> <li>Other (If debtor is not one of the above entities,</li> </ul>		Stockbroker Commodity Broker					_ Ch	apter 13		ognition of a Foreign main Proceeding
check this box and state type of entity below.)		Clearing Bank							Nature of	<u> </u>
Chapter 15 Debtor	_  ⊻	<b>√</b> Other							(Check on	
Country of debtor's center of main interests:		Tax-Exempt (Check box, if ap Debtor is a tax-exempt of Title 26 of the United St			ot Entity	Entitydebts, defined in 1pplicable.)§ 101(8) as "incur		bts are primaril ts, defined in 1		er Debts are primarily business debts.
Each country in which a foreign proceeding by,	_  _				applicable.)					
regarding, or against debtor is pending:										
		Interna	l Revenue	e Code	e).			d purpose."		
Filing Fee (Check one box)			Chec	:k one	hov:		Chap	oter 11 Debtors	5	
Full Filing Fee attached						ness debto	or as def	ined in 11 U.S.	C. § 101(5	51D).
Filing Fee to be paid in installments (Applicable	e to indi	viduals						defined in 11 U		
only). Must attach signed application for the cou		£	Chec		s aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less					
consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.										
Filing Fee waiver requested (Applicable to chapter 7 individuals										
only). Must attach signed application for the court's					s being filed with this petition					
consideration. See Official Form 3B.						ore classes of creditors, in				
Statistical/Administrative Information				corda	iee with 11 c.	5.0. 3 11	20(0).			THIS SPACE IS FOR
Debtor estimates that funds will be available for						1.4		c 1 11		COURT USE ONLY
Debtor estimates that, after any exempt proper distribution to unsecured creditors.	ty is exc	luded a	id admini	strativ	e expenses par	d, there v	vill be n	o funds availab	le for	
Estimated Number of Creditors					_					
<b>✓</b> □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □			] 001-		] ),001-	∐ 25,001-		□ 50,001-	□ Over	
	,000- ,000		),000		5,000	50,000		100,000	100,000	
Estimated Assets	_	F	7	_	-	_		_		
\$0 to \$50,001 to \$100,001 to \$500,001 to \$		01 to \$	-	1 \$4	50,000,001 to	\$100,00	0.001	\$500,000,001	More that	n
	10 millio		\$50 milli		100 million	to \$500	,	to \$1 billion	\$1 billion	
Estimated Liabilities	7	г	1	-	1					
\$0 to \$50,001 to \$100,001 to \$500,001 to \$		01 to \$1	-	L 1 \$5	50,000,001 to	\$100,00	0,001	\$500,000,001	More that	n
	10 millio				100 million		,	to \$1 billion	\$1 billion	

Case 12-16536 Doc 1 Filed 08/03/12 B1 (Official Form 1) (12/11) Document	Entered 08/03/12 10:0	06:38 Desc Main Page 2				
Voluntary Petition	Page 3 of 10 Name of Debtor(s): Martini Fitness, Corp.	1 450 2				
(This page must be completed and filed in every case)	· · ·					
All Prior Bankruptcy Case Filed Within Last						
Location Where Filed: None	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 mor	re than one, attach additional sheet)				
Name of Debtor: <b>None</b>	Case Number:	Date Filed:				
District:	Relationship:	Judge:				
Exhibit A (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.)	(To be completed i whose debts are pr I, the attorney for the petitioner n that I have informed the petition chapter 7, 11, 12, or 13 of tit explained the relief available un	chibit B if debtor is an individual imarily consumer debts.) named in the foregoing petition, declare er that [he or she] may proceed under le 11, United States Code, and have der each such chapter. I further certify notice required by 11 U.S.C. § 342(b).				
	X Signature of Attorney for Debtor(s)	Date				
<ul> <li>Does the debtor own or have possession of any property that poses or is a or safety?</li> <li>Yes, and Exhibit C is attached and made a part of this petition.</li> <li>No</li> </ul>	lleged to pose a threat of imminen	t and identifiable harm to public health				
Exhii (To be completed by every individual debtor. If a joint petition is filed, ea Exhibit D completed and signed by the debtor is attached and ma If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached	ach spouse must complete and attac de a part of this petition.	ch a separate Exhibit D.)				
Information Regardin	ng the Debtor - Venue					
•	oplicable box.) of business, or principal assets in thi	is District for 180 days immediately				
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 Reside		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	(Name of landlord that obtained judgment)					
(Address o	(Address of landlord)					
Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for poss	circumstances under which the de					
Debtor has included in this petition the deposit with the court of a filing of the petition.	any rent that would become due du	ring the 30-day period after the				
Debtor certifies that he/she has served the Landlord with this cert	ification. (11 U.S.C. § 362(l)).					

Case 12-16536         Doc 1         Filed 08/03/12           B1 (Official Form 1) (12/11)         Document	Entered 08/03/12 10:06:38 Desc Main					
Voluntary Petition	Name of Debtor(s):					
(This page must be completed and filed in every case)	Martini Fitness, Corp.					
Signa	atures					
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative					
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 Telephone Number (If not represented by attorney)	<ul> <li>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.)</li> <li>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.</li> <li>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</li> </ul>					
Date						
Signature of Attorney*	Signature of Non-Attorney Petition Preparer					
X /s/ James P. Ehrhard, Esq. Signature of Attorney for Debtor(s) James P. Ehrhard, Esq. 651797 Ehrhard & Associates, PC 418 Main Street, 4th Floor Worcester, MA 01608 (508) 791-8411 Fax: (508) 752-6168 ehrhard@ehrhardlaw.com	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					
August 3, 2012 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	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					
information in the schedules is incorrect.	4					
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,	X Signature Date Signature of Bankruptcy Petition Preparer or officer, principal, responsible					
United States Code, specified in this petition.	person, or partner whose social security number is provided above. Names and Social-Security numbers of all other individuals who prepared or					
X /s/Thomas Martini, Jr. Signature of Authorized Individual Thomas Martini, Jr. Printed Name of Authorized Individual President Title of Authorized Individual	<ul><li>assisted in preparing this document unless the bankruptcy petition preparer is not an individual:</li><li>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</li><li>A bankruptcy petition preparer's failure to comply with the provisions of title 11</li></ul>					
August 3, 2012 Date	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.					

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IN RE:

Martini Fitness, Corp.

Case No.

\_ Chapter <u>11</u>

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Debtor(s)

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

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
Bank Of Canton C/O Reimer & Braunstein, LLP Three Center Plaza		Bank Ioan		2,400,500.00 Collateral: 0.00
Boston, MA 02108				Unsecured: 2,400,500.00
US Small Business Administration Boston District Office		Bank loan		1,400,000.00 Collateral: 0.00
409 3rd Street, SW Boston, MA 02222				Unsecured: 1,400,000.00
Acella Construction 62 Accord Park Drive Norwell, MA 02061	Domestico, Lane & McNamara, LLP 161 Worcester Road Framingham, MA 01701	Trade debt		500,000.00
Precor Inc Attn: Tiffani Phillips 20031 142nd Ave NE Woodinville, WA 98072		Trade debt		287,000.00
Granite State Development PO Box 1491 Portsmouth, NH  03802		Bank Ioan		250,000.00 Collateral: 0.00
				Unsecured: 250,000.00
Team Funding Solutions 5351 Thunder Creek Road Austin, TX 78759		Trade debt		45,000.00 Collateral: 0.00 Unsecured: 45,000.00
Financial Pacific Leasing 3455 South 344th Way #300 Federal Way, WA 98001		Trade debt		45,000.00 Collateral: 0.00 Unsecured: 45,000.00
Stanley Security Solutions Dept CH 10651 Palatine, IL 60055-0651	Schlesinger, Schlesinger & Sommo, LLC 11 Beacon Street, Ste 632 Boston, MA 02108	Trade debt		33,357.91
National Grid POB 960 Northborough, MA 01532-0960		Trade debt		30,000.00
Pawnee Leasing Co 700 Centre Avenue Fort Collins, CO 80526		Trade debt		25,000.00 Collateral: 0.00 Unsecured: 25,000.00

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Geneva Capital 52 Broadway Street, Ste 4 Alexandria, MN 56308		Document	Page 6 of 10 Trade debt	20,483.58 Collateral: 0.00 Unsecured: 20,483.58
Time Payment 16 New England Executive Burlington, MA 01803	e Park, Ste 200		Trade debt	20,000.00 20,000.00 Collateral: 0.00 Unsecured: 20,000.00
Town Of Stoughton 10 Pearl Street Stoughton, MA 02072			Trade debt	20,000.00
Macrolease 1 West Ames Court, Suite Plainview, NY 11803	101		Trade debt	15,000.00 Collateral: 0.00 Unsecured: 15,000.00
Thyssenkrupp Elevator Co 519 8th Avenue 5th Floor New York, NY 10018	orporation		Trade debt	10,437.70
Am Finn Sauna 372 S Eagle Road #341 Eagle, IA 83616			Trade debt	9,879.33
Columbia Gas Of MA 2025 Roosevelt Ave., POB Springfield, MA 01102	2025		Trade debt	4,500.00

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

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] 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 3, 2012

Signature: /s/ Thomas Martini, Jr.

Thomas Martini, Jr., President

(Print Name and Title)

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IN RE:

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

Martini Fitness, Corp.

Chapter 11

# VERIFICATION OF CREDITOR MATRIX

Debtor(s)

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: August 3, 2012 Signature: /s/ Thomas Martini, Jr. Thomas Martini, Jr., President Debtor

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Joint Debtor, if any

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Acella Construction 62 Accord Park Drive Norwell, MA 02061

Am Finn Sauna 372 S Eagle Road #341 Eagle, IA 83616

Bank Of Canton C/O Reimer & Braunstein, LLP Three Center Plaza Boston, MA 02108

Columbia Gas Of MA 2025 Roosevelt Ave., POB 2025 Springfield, MA 01102

Domestico, Lane & McNamara, LLP 161 Worcester Road Framingham, MA 01701

Financial Pacific Leasing 3455 South 344th Way #300 Federal Way, WA 98001

Geneva Capital 52 Broadway Street, Ste 4 Alexandria, MN 56308

Granite State Development PO Box 1491 Portsmouth, NH 03802

Macrolease 1 West Ames Court, Suite 101 Plainview, NY 11803

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National Grid POB 960 Northborough, MA 01532-0960

Pawnee Leasing Co 700 Centre Avenue Fort Collins, CO 80526

Precor Inc Attn: Tiffani Phillips 20031 142nd Ave NE Woodinville, WA 98072

Schlesinger, Schlesinger & Sommo, LLC 11 Beacon Street, Ste 632 Boston, MA 02108

Stanley Security Solutions Dept CH 10651 Palatine, IL 60055-0651

Team Funding Solutions 5351 Thunder Creek Road Austin, TX 78759

Thyssenkrupp Elevator Corporation 519 8th Avenue 5th Floor New York, NY 10018

Time Payment 16 New England Executive Park, Ste 200 Burlington, MA 01803

Town Of Stoughton 10 Pearl Street Stoughton, MA 02072

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US Small Business Administration Boston District Office 409 3rd Street, SW Boston, MA 02222