Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 1 of 33

B1 (Official F	orm 1)(04	/13)			טטנ	JUIII	ICIII	Pa	ge I oi	<b>33</b>		and a Million of South Association (South Association)	James, a contain ta coppe call oil on G	The antique will be the first and an extension of the second
			United Di		Bank of Mass:							Volu	ntary	Petition
Name of Deb 18 Harva			er Last, First,	Middle):		* ************************************	a total market de mer	Name	of Joint Do	ebtor (Spouse	e) (Last, First,	Middle):	eniqisadirinda Pirradi	Marine San and American Company and American Compan
All Other Nan (include marri				8 years							Joint Debtor i trade names)		ears	-44
Last four digit	ts of Soc.	Sec. or Indi	vidual-Taxpa	ıyer I.D. (	ITIN)/Com	plete	EIN	Last fo	our digits o	of Soc. Sec. o	r Individual-T	axpayer I.D.	(ITIN) No	J/Complete EIN
32-01856 Street Address 18-24 Hai Dorchest	s of Debto rvard Av		Street, City, a	and State)	•			Street	Address of	f Joint Debtor	r (No. and Str	eet, City, and	State):	
County of Res	•	of the Prin	cipal Place o	Business		ZIP <b>0212</b>	Code	Count	y of Reside	ence or of the	Principal Pla	ce of Busines	ss:	ZIP Code
Suffolk Mailing Addre	ess of Deb	tor (if diffe	rent from stre	eet addres	s):			Mailin	g Address	of Joint Deb	tor (if differen	it from street	address):	
Location of Pr					3-24 Harv	vard					<del></del>			ZIP Code
(if different fro		address abo	ve):	D	orcheste Nature	Í		124		Chante	of Bankrup	tev Cade Un	der Whie	ls.
(Form of Organization) (Check one box)  ☐ Individual (includes Joint Debtors)  See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP)  ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)  Chapter 15 Debtors  Country of debtor's center of main interests:  (Check Health Care Bus Single Asset Remin 11 U.S.C. § 1 ☐ Railroad ☐ Stockbroker ☐ Commodity Bro ☐ Clearing Bank ☐ Other  Tax-Exer			siness eal Est 101 (5 oker mpt F	I Estate as defined I (51B)  Ker  Inpt Entity If applicable)			er 7 er 9 er 11 er 12 er 13	Of:  Of:  Ohnored  Nature (Check onsumer debts,	ed (Check or apter 15 Peti a Foreign Ma apter 15 Peti a Foreign No of Debts one box)	tion for Re nin Proceed tion for Re nimain Pro	ding ecognition			
Each country ir by, regarding, c	or against de	ebtor is pend	ding ing: heck one box	unde Code	or is a tax-ex r Title 26 of the Interna	the Un l Rever	ited Sta	ates đe).	"incurr	ed by an indiv enal, family, or	idual primarily household purp oter 11 Debto	oose,"	- Justine	
Filing Fee (Check one box)  Full Filing Fee attached  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.  Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.  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).					e years thereaster).									
Debtor est Debtor est there will I	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.													
1- 49	50- 99	reditors  100- 199	200-	□ 1,000- 5,000	5,001- 10,000	10,00 25,00	)1-	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated Ass S0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	31,000,001 to \$10 million	510,000,001 to \$50 million	S50,00 to \$10 millio	100,00	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion				
Estimated Liab So to \$50,000	bilities	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	S10,000,001 to \$50 million	\$50,00 to \$10 million	00,001 00	S100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion				

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 2 of 33

B1 (Official For	:m 1)(04/13)	1 age 2 e. ee	Page 2
Voluntar	y Petition	Name of Debtor(s): 18 Harvard Avenue	LLC
(This page mu			
	All Prior Bankruptcy Cases Filed Within Last		, attach additional sheet)
This page must be completed and filed in every cases	Date Filed;		
		Case Number:	Date Filed:
		`	more than one, attach additional sheet)
	.or:	Case Number:	Date Filed:
		<u>                                     </u>	
District:		Relationship:	Judge:
,	Exhibit A		
forms 10K at pursuant to S and is reques	and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	I, the attorney for the petitic have informed the petitione 12, or 13 of title 11, United under each such chapter. I i required by 11 U.S.C. §342	oner named in the foregoing petition, declare that I or that [he or she] may proceed under chapter 7, 11, I States Code, and have explained the relief available further certify that I delivered to the debtor the notice 2(b).
			<u> </u>
	Exh	ibit C	
Does the debto	or 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.			
	Fvh	21. 94 Ti	
To be compl			nd attach a senarate Fyhihit D )
_		•	at attach a separate Extitor D.)
	- · ·	a part of this pention.	
,	•	and made a nort of this netiti	ian
L DAMOR.		<u> </u>	OII.
	<del>-</del>	-	
	* **	• ,	cinal assets in this District for 180
m-u	days immediately preceding the date of this petition or for	a longer part of such 180 da	ays than in any other District.
	There is a bankruptcy case concerning debtor's affiliate, ge	eneral partner, or partnership	p pending in this District.
0	this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th	in the United States but is a	a defendant in an action or
			al Property
П	,	,	
П	Landtord has a Judgment against the deproi for hossession	of dedtors residence, (ii box	c checked, complete the following.;
	(Name of landlord that obtained judgment)		
	,		
	•		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the the entire monetary default that gave rise to the judgment f	ere are circumstances under or possession, after the judg	which the debtor would be permitted to cure gment for possession was entered, and
	Debtor has included with this petition the deposit with the		<del>-</del>
	Debtor certifies that he/she has served the Landlord with th	nis certification. (11 U.S.C.	§ 362(l)).

Page 3

Page 3 of 33

**Voluntary Petition** 

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

Name of Debtor(s):

18 Harvard Avenue LLC

Signatures

Signature(s) of Debtor(s) (Individual/Joi
---

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\*

Signature of Attorney for Debtor(s)

David B. Madoff 552968

Printed Name of Attorney for Debtor(s)

Madoff & Khoury LLP

Firm Name

124 Washington Street, Suite 202 Foxborough, MA 02035

Address

Email: alston@mandkllp.com

508-543-0040 Fax: 508-543-0020

Telephone Number

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 deator requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

**Celestino Tavares** 

Printed Name of Authorized Individual

Manager

Title of Authorized Individual

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.

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.)

Address

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.

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 4 of 33 OFFICIAL FORM 7

# UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MASSACHUSETTS (FASTERN DIVISION)

	(	EASTERN I	DIVISION)	
	AVENUE LLC Debtor.	) ) ) )	Chapter 11 Case No.	
			LECTRONIC FILING	
PART I – DEC	LARATION OF PET			
	vid B. Madoff and Cel nation contained in the		es, hereby declare under penalty of perj	ury that
	Petition, List, Stateme Chapter 13 Plans Amended Plan Amended Schedules Application to Employ Affidavit/Signed State Corporate Vote Verified Complaint (A	y ement	ies	
Clerk of Court of understand that	electronically concurre failure to file this DE	ently with the CLARATIO	nd that this DECLARATION is to be file electronic filing of the Document. I May cause the Document to be struck ied, without further notice.	
(MEFLR)8(a) a perjury and filed	Il paper documents co d electronically with t y the authorized CM/	ontaining orig he Court are	assachusetts Electronic Filing Local Ruinal signatures executed under the penathe property of the bankruptcy estate and the User for a period of five (5) years af	lties of d shall
Dated: June 18,		Signed. Celes	sting Tayares, Manager	

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 5 of 33 PART II – DECLARATION OF ATTORNEY

I certify that the affiant signed this form before I submitted the Documents, I gave the affiant a copy of the Documents and this DECLARATION, and I have followed all other electronic filing requirements currently established by local rule and standing order. This DECLARATION is based on all information of which I have knowledge and my signature below constitutes my certification of the foregoing under Fed. R. Bankr. P. 9011. I have reviewed and will comply with the provisions of MEFR 7.

Dated: June 18, 2013

Signed:

David B. Madot

# WRITTEN CONSENT SOLE MANAGER AND MEMBER

The undersigned, being the sole manager and member of 18 Harvard Avenue, LLC a Massachusetts corporation (the "Company"), does hereby approve, consent to and take the following actions:

VOTED:

That the Company seek relief under Chapter 11 of the Bankruptcy Code, and that the President of the Company (the "Authorized Officer"), is hereby authorized (i) to prepare and file on behalf of the Company a petition for relief under Chapter 11 of the Bankruptcy Code, (ii) to execute on behalf of the Company such petition, schedules and statements as the Authorized Officer may deem necessary or appropriate in connection therewith, (iii) to take such steps on behalf of the Company as may be necessary or appropriate to the Company's bankruptcy case and (iv) to execute such further documents and do such further acts as the Authorized Officer may deem necessary or appropriate with respect to the foregoing, including the delegation of such foregoing authority to other officers and employees of the Company; the execution of any document or the doing of any act by the Authorized Officer in connection with such proceedings to be conclusively presumed to be authorized by this vote;

# **FURTHER**

VOTED:

That the law firm of Madoff & Khoury LLP be retained as counsel to represent the Company in all proceedings commenced under or resulting from these votes;

## **FURTHER**

VOTED:

That this written consent be filed in the minute book of the Company.

Dated: June 18, 2013

Celestino Tavares

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 7 of 33

**B4** (Official Form 4) (12/07)

# United States Bankruptcy Court District of Massachusetts

In re	18 Harvard Avenue LLC	Case No.		
		Debtor(s)	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)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
The Michael A. Silverman Trust 687 Highland Ave Needham Heights, MA 02494	The Michael A. Silverman Trust 687 Highland Ave Needham Heights, MA 02494	18-24 Harvard Avenue, Dorchester, MA (30,000 square foot commercial prperty with garage - value is estimated)		80,000.00 (Unknown secured) (425,000.00 senior lien)

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 8 of 33

B4 (Official Form 4) (12/07) - Cont. In re 18 Harvard Avenue LL	.c	Case No.							
	Debtor(s)								
LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS (Continuation Sheet)									
(1)	(2)	(3)	(4)	(5)					
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]					
0.	DECLARATION UNDER PENA N BEHALF OF A CORPORATION								
	r of the corporation named as the debtor in g list and that it is true and correct to the be			that I					

Celestino Tavares Manager

Signature

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.

/s/ Celestino Tavares

Date **June 18, 2013** 

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 9 of 33

B6 Summary (Official Form 6 - Summary) (12/07)

# United States Bankruptcy Court District of Massachusetts

In re	18 Harvard Avenue LLC		Case No		
-		Debtor			
			Chapter	11	

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	3	0.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		505,000.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		0.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedules		10			
	To	otal Assets	0.00		
			Total Liabilities	505,000.00	

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 10 of 33

Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court District of Massachusetts

18 Harvard Avenue LLC		Case No.	
	Debtor	Chapter	11
STATISTICAL SUMMARY OF CERTA	AIN LIABILITIES A	ND RELATED DA	ΓA (28 U.S.C. § 159
If you are an individual debtor whose debts are primarily co a case under chapter 7, 11 or 13, you must report all information	nsumer debts, as defined in § ation requested below.	101(8) of the Bankruptcy (	Code (11 U.S.C.\§ 101(8)), f
☐ Check this box if you are an individual debtor whose report any information here.	debts are NOT primarily con	sumer debts. You are not re	quired to
This information is for statistical purposes only under 28 Summarize the following types of liabilities, as reported in		them.	
Type of Liability	Amount		
Domestic Support Obligations (from Schedule E)			
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)			
Claims for Death or Personal Injury While Debtor Was Intoxicate (from Schedule E) (whether disputed or undisputed)	d		
Student Loan Obligations (from Schedule F)			
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E			
Obligations to Pension or Profit-Sharing, and Other Similar Oblig (from Schedule F)	ations		
TC	DTAL		
State the following:			
Average Income (from Schedule I, Line 16)			
Average Expenses (from Schedule J, Line 18)			
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)			
State the following:			
1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column			
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORIT" column	Υ"		
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column			
4. Total from Schedule F			
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)			

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 11 of 33

B6A (Official Form 6A) (12/07)

In re	18 Harvard Avenue LLC	Case No.	
III IC	10 Hai varu Avellue LLC	Case No.	
		Debtor	

# **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Current Value of Husband, Debtor's Interest in Wife, Nature of Debtor's Amount of Description and Location of Property Property, without Interest in Property Joint, or Secured Claim Deducting any Secured Claim or Exemption Community 18-24 Harvard Avenue, Dorchester, MA (30,000 Unknown 505,000.00 square foot commercial prperty with garage)

Sub-Total > **0.00** (Total of this page)

Total > **0.00** 

(Report also on Summary of Schedules)

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 12 of 33

B6B (Official Form 6B) (12/07)

In re	18 Harvard Avenue LLC		Case No.	
_		Debtor		

# SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	X			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, including audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	X			
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issuer.	X			
				Sub-Tota	al > <b>0.00</b>

2 continuation sheets attached to the Schedule of Personal Property

(Total of this page)

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 13 of 33

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	18 Harvard Avenue LLC	Case No.	_

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	Х			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
				Sub-Tota	al > <b>0.00</b>
			T)	otal of this page)	

Sheet <u>1</u> of <u>2</u> continuation sheets attached to the Schedule of Personal Property

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 14 of 33

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	18 Harvard Avenue LLC	Case No.

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	Х			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.	X			
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			
35.	Other personal property of any kind not already listed. Itemize.	Х			

| Sub-Total > | 0.00 | | (Total of this page) | Total > | 0.00 | Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 15 of 33

B6C (Official Form 6C) (4/13)

In re	18 Harvard Avenue LLC		Case No	
		Debtor		
	SCHEDULE C - PR	ROPERTY CLAIMED	AS EXEMPT	
(Check o	claims the exemptions to which debtor is entitled under: one box) U.S.C. §522(b)(2) U.S.C. §522(b)(3)	\$155,675. (A		xemption that exceeds 4/1/16, and every three years thereaft on or after the date of adjustment.)
	Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption

NONE.

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 16 of 33

B6D (Official Form 6D) (12/07)

In re	18 Harvard Avenue LLC	Case No.	
		Debtor	

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

		_				_	-	
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	M H	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTLNGEN	DZLLQDLDAHW	D — OP UF ED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.			Real Estate Taxes	T	T E D			
City of Boston P.O. Box 9711 Boston, MA 02114		-	18-24 Harvard Avenue, Dorchester, MA (30,000 square foot commercial prperty with garage)		ט			
			Value \$ Unknown				65,000.00	Unknown
Account No.			First Mortgage	П				
Somerville One LLC c/o Robert H. Greene, Esq. 1135 North Main Street Brockton, MA 02301		-	18-24 Harvard Avenue, Dorchester, MA (30,000 square foot commercial prperty with garage)					
			Value \$ Unknown				360,000.00	Unknown
Account No.	1		Second Mortgage	П			·	
The Michael A. Silverman Trust 687 Highland Ave Needham Heights, MA 02494		-	18-24 Harvard Avenue, Dorchester, MA (30,000 square foot commercial prperty with garage)					
			Value \$ Unknown				80,000.00	Unknown
Account No.								
			Value C					
continuation sheets attached		<u> </u>	Value \$ S (Total of the	ubte nis p			505,000.00	0.00
			(Report on Summary of Sc		ota ule		505,000.00	0.00

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 17 of 33

B6E (Official Form 6E) (4/13)

In re	18 Harvard Avenue LLC	Case No	
-		Debtor	

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

Check this box it debtor has no creditors holding this ectified priority claims to report on this schedule E.
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
Domestic support obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relation of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
□ Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of trustee or the order for relief. 11 U.S.C. § 507(a)(3).
Wages, salaries, and commissions  Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sale representatives up to \$12,475* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
☐ Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of busine whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
☐ Certain farmers and fishermen  Claims of certain farmers and fishermen, up to \$6,150* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
☐ <b>Deposits by individuals</b> Claims of individuals up to \$2,775* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
☐ Taxes and certain other debts owed to governmental units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
Commitments to maintain the capital of an insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
☐ Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

0 continuation sheets attached

<sup>\*</sup> Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 18 of 33

B6F (Official Form 6F) (12/07)

In re	18 Harvard Avenue LLC	Case No.	
_		Debtor	

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

■ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Check this box if debtor has no creditors holding unsecure	u c	ian	ns to report on this senedule 1.				
CREDITOR'S NAME, MAILING ADDRESS	000		usband, Wife, Joint, or Community	002	U N	D - c	
INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	СОДШВНОК	J H H		COXH_XGEXH	OZU_GO_DAFWD	D _ 0 P U F E D	AMOUNT OF CLAIM
Account No.				N T	Ā	_	
1.0000					E D		
Account No.				H			
Account No.							
Account No.							
continuation sheets attached				Subt			
			(Total of t				
			<b>75</b>		ota		0.00
			(Report on Summary of So	ched	ule	s)	0.00

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 19 of 33

B6G (Official Form 6G) (12/07)

In re	18 Harvard Avenue LLC	Case No.	
-		Debtor	

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest.  State whether lease is for nonresidential real property.  State contract number of any government contract.
Boston Body Repair and Sales, Inc. 20 Harvard Ave Boston, MA 02121	Commercial lease agreement through August 31, 2015
Fitzgerald Springle 116 Adams Street Boston, MA 02122	Commercial lease agreement through August 31, 2015
Ricardo J. Fragogo 19 Cornish Street, Apt 3 Lawrence, MA 01841	Commercial lease agreement through August 31, 2015

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 20 of 33

B6H (Official Form 6H) (12/07)

In re	18 Harvard Avenue LLC		Case No.	
		Debtor	<del>-</del> ?	

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 21 of 33

B6 Declaration (Official Form 6 - Declaration). (12/07)

# United States Bankruptcy Court District of Massachusetts

In re	18 Harvard Avenue LLC			Case No.	
			Debtor(s)	Chapter	11
				1	
DECLARATION CONCERNING DEBTOR'S SCHEDULES  DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSH					
Date	June 18, 2013	Signature	/s/ Celestino Tavares Celestino Tavares Manager	es	

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.

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 22 of 33

B7 (Official Form 7) (04/13)

# United States Bankruptcy Court District of Massachusetts

In re	18 Harvard Avenue LLC		Case No.	
		Debtor(s)	Chapter	11

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any persons in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(2), (31).

# 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

## 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$45,000.00 2013 YTD: Debtor Rental Income \$30,000.00 2012: Debtor Rental Income Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 23 of 33

B7 (Official Form 7) (04/13)

2

# 3. Payments to creditors

None Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL PAYMENTS AMOUNT PAID OWING

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$6,225\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATES OF PAYMENTS/ VALUE OF AMOUNT STILL NAME AND ADDRESS OF CREDITOR TRANSFERS TRANSFERS OWING

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR DATE OF PAYMENT AMOUNT PAID OWING

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None
a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT NATURE OF COURT OR AGENCY STATUS OR AND CASE NUMBER PROCEEDING AND LOCATION DISPOSITION

Somerville One LLC - pending foreclosure sale of 18-24 Harvard Avenue, Dorchester

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED DATE OF SEIZURE DESCRIPTION AND VALUE OF PROPERTY

<sup>\*</sup> Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 24 of 33

B7 (Official Form 7) (04/13)

## 5. Repossessions, foreclosures and returns

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER

DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF **PROPERTY** 

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN

NAME AND LOCATION OF COURT CASE TITLE & NUMBER

DATE OF ORDER

DESCRIPTION AND VALUE OF

**PROPERTY** 

#### 7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

# 8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

## 9. Payments related to debt counseling or bankruptcy

None 

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

Madoff & Khoury LLP 124 Washington Street, Suite 202 Foxborough, MA 02035

**Massachusetts Bankruptcy Court** 

DATE OF PAYMENT. NAME OF PAYER IF OTHER THAN DEBTOR

6/2013

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$3,000.00 pre-filing. Madoff & Khoury is holding a retainer of \$9,987.00

\$1,213.00 filing fee

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 25 of 33

B7 (Official Form 7) (04/13)

4

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,

RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

Rents are co-mingled with operating entity

Boston Body Repair & Sales, Inc.

None

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST

IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

## 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

# 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

#### Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Page 26 of 33 Document

B7 (Official Form 7) (04/13)

#### 15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** NAME USED DATES OF OCCUPANCY

## 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DATE OF

**ENVIRONMENTAL** 

NOTICE LAW

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous None Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS

NAME AND ADDRESS OF

DATE OF

**ENVIRONMENTAL** 

GOVERNMENTAL UNIT NOTICE LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

# Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 27 of 33

B7 (Official Form 7) (04/13)

6

# 18 . Nature, location and name of business

None

a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN ADDRESS

BEGINNING AND NATURE OF BUSINESS ENDING DATES

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

NAME ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

## 19. Books, records and financial statements

None

a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS Morris Ware, CPA Boston, MA DATES SERVICES RENDERED

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME ADDRESS DATES SERVICES RENDERED

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME ADDRESS

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS DATE ISSUED

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 28 of 33

B7 (Official Form 7) (04/13)

7

#### 20. Inventories

None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory,

and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY

(Specify cost, market or other basis)

None b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS

21. Current Partners, Officers, Directors and Shareholders

None

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns,

controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE OF STOCK OWNERSHIP

22. Former partners, officers, directors and shareholders

None

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS

DATE OF WITHDRAWAL

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

ininediately preceding the confinencement of the

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

#### 23. Withdrawals from a partnership or distributions by a corporation

None

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT.

OF RECIPIENT, RELATIONSHIP TO DEBTOR DATE AND PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

## 24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 29 of 33

B7 (Official Form 7) (04/13)

8

## 25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

\*\*\*\*\*

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

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date June 18, 2013
Signature /s/ Celestino Tavares
Celestino Tavares
Manager

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

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

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 30 of 33

# **United States Bankruptcy Court**

	<b>District of Massachusetts</b>		
In re 18 Harvard Avenue LLC		Case No	
	Debtor	<b></b> ,	
		Chapter	11
I ICT (	OF EQUITY SECURITY	HOI DEDS	
	_		2) for filing in this shorter 11 cost
Following is the list of the Debtor's equity security	ty noiders which is prepared in accord	iance with Rule 1007(a)(3	5) for filing in this chapter 11 case
Name and last known address	Security	Number	Kind of
or place of business of holder	Class	of Securities	Interest
Celestino Tavares			100%
DECLARATION UNDER DENALTON			ON OR BARTHERSHIP
DECLARATION UNDER PENALTY	OF PERJURY ON BEHAL	F OF CORPORATI	ON OR PARTNERSHIP
I, the Manager of the corporation foregoing List of Equity Security Hold	named as the debtor in this case, ders and that it is true and correct to		
Date <b>June 18, 2013</b>	Signature <i>I</i> s	/ Celestino Tavares	
	Ce	elestino Tavares	
	Ma	anager	
Penalty for making a false statement or co	negaling property: Fine of up to \$5	500 000 or imprisonmer	at for up to 5 years or both
i enany jor making a jaise statement or co	nceating property. Time of up to 5.	oo,ooo or imprisonine	it for up to 3 years of bottl.

18 U.S.C §§ 152 and 3571.

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 31 of 33

# United States Bankruptcy Court District of Massachusetts

		District of Massachusetts		
In re	18 Harvard Avenue LLC	Debtor(s)	Case No. Chapter	11
	VERIE	FICATION OF CREDITOR I	MATRIX	
	Manager of the corporation named as st of my knowledge.	the debtor in this case, hereby verify that the	e attached list of	creditors is true and correct to
Date:	June 18, 2013	/s/ Celestino Tavares		
		Celestino Tavares/Manager		

Signer/Title

Barry D. Greene, Esq. Portnoy & Greene, P.C. 687 Highland Avenue Needham Heights, MA 02494

Boston Body Repair and Sales, Inc. 20 Harvard Ave Boston, MA 02121

City of Boston P.O. Box 9711 Boston, MA 02114

Fitzgerald Springle 116 Adams Street Boston, MA 02122

Ricardo J. Fragogo 19 Cornish Street, Apt 3 Lawrence, MA 01841

Somerville One LLC c/o Robert H. Greene, Esq. 1135 North Main Street Brockton, MA 02301

The Michael A. Silverman Trust 687 Highland Ave Needham Heights, MA 02494

Case 13-13698 Doc 1 Filed 06/18/13 Entered 06/18/13 16:14:38 Desc Main Document Page 33 of 33

# United States Bankruptcy Court District of Massachusetts

In re	18 Harvard Avenue LLC		Case No.	
		Debtor(s)	Chapter 11	
	CORPORA	ATE OWNERSHIP STATEMENT	(RULE 7007.1)	
or recu follow	usal, the undersigned counsel for ring is a (are) corporation(s), other	Procedure 7007.1 and to enable the J  18 Harvard Avenue LLC in the above r than the debtor or a governmental unity equity interests, or states that there a	e captioned action, certified, that directly or indirectly	tifies that the rectly own(s) 10% or
■ No	one [Check if applicable]			
June 1	18, 2013	/s/ David B. Madoff		
Date		David B. Madoff 552968		
		Signature of Attorney or Litig Counsel for 18 Harvard Aven		
		Counsel for 18 Harvard Aven	ue LLC	
		124 Washington Street, Suite 2	02	
		Foxborough, MA 02035 508-543-0040 Fax:508-543-0020		
		alston@mandkllp.com		