

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF MICHIGAN

Case number (if known) Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

1. Debtor's name Rojo Five, LLC

2. All other names debtor used in the last 8 years DBA Sidecar Slider Bar DBA Rojo Mexican Bistro

3. Debtor's federal Employer Identification Number (EIN) 46-3894804

4. Debtor's address Principal place of business Mailing address, if different from principal place of business 250 Merrill Street Birmingham, MI 48009 250 Merrill Street Birmingham, MI 48009

5. Debtor's website (URL) www.rojomexicanbistro.com

6. Type of debtor Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) Partnership (excluding LLP) Other. Specify:

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- 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).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor <u>See Attachment</u>	Relationship _____
District _____	When _____ Case number, if known _____

11. Why is the case filed in this district?

Check all that apply:

- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other _____

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

No

Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

1-49

50-99

100-199

200-999

1,000-5,000

5001-10,000

10,001-25,000

25,001-50,000

50,001-100,000

More than 100,000

15. Estimated Assets

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

16. Estimated liabilities

\$0 - \$50,000

\$50,001 - \$100,000

\$100,001 - \$500,000

\$500,001 - \$1 million

\$1,000,001 - \$10 million

\$10,000,001 - \$50 million

\$50,000,001 - \$100 million

\$100,000,001 - \$500 million

\$500,000,001 - \$1 billion

\$1,000,000,001 - \$10 billion

\$10,000,000,001 - \$50 billion

More than \$50 billion

Debtor Rojo Five, LLC
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

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

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2016
MM / DD / YYYY

/s/ Daniel R. Linnen
Signature of authorized representative of debtor

Title Sole Member

Daniel R. Linnen
Printed name

18. Signature of attorney

/s/ Aaron J. Scheinfeld
Signature of attorney for debtor

Date October 20, 2016
MM / DD / YYYY

Aaron J. Scheinfeld
Printed name

Goldstein Bershad & Fried PC
Firm name

4000 Town Center
Suite 1200
Southfield, MI 48075
Number, Street, City, State & ZIP Code

Contact phone 248-355-5300 Email address _____

P-67495 aaron@bk-lawyer.net
Bar number and State

Debtor Rojo Five, LLC
Name

Case number (if known) _____

Fill in this information to identify your case:

United States Bankruptcy Court for the:
EASTERN DISTRICT OF MICHIGAN

Case number (if known) _____ Chapter 11

Check if this an amended filing

FORM 201. VOLUNTARY PETITION
Pending Bankruptcy Cases Attachment

Debtor	<u>Rojo Four, LLC</u>		Relationship to you	<u>Substantial identity</u>
District	<u>Eastern District of Michigan</u>	When	<u>10/19/16</u>	Case number, if known
				<u>16-</u>
Debtor	<u>Rojo One, LLC</u>		Relationship to you	<u>Substantial identity</u>
District	<u>Eastern District of Michigan</u>	When	<u>10/19/16</u>	Case number, if known
				<u>16-</u>
Debtor	<u>Rojo Six, LLC</u>		Relationship to you	<u>Substantial identity</u>
District	<u>Eastern District of Michigan</u>	When	<u>10/19/16</u>	Case number, if known
				<u>16-</u>
Debtor	<u>Rojo Two, LLC</u>		Relationship to you	<u>Substantial identity</u>
District	<u>Eastern District of Michigan</u>	When	<u>10/19/16</u>	Case number, if known
				<u>16-</u>

**United States Bankruptcy Court
Eastern District of Michigan**

In re Rojo Five, LLC

Debtor(s)

Case No. _____

Chapter 11

**STATEMENT OF ATTORNEY FOR DEBTOR(S)
PURSUANT TO F.R.BANKR.P. 2016(b)**

The undersigned, pursuant to F.R.Bankr.P. 2016(b), states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is: [Check one]
 FLAT FEE
 - A. For legal services rendered in contemplation of and in connection with this case, exclusive of the filing fee paid _____
 - B. Prior to filing this statement, received _____
 - C. The unpaid balance due and payable is _____ **RETAINER**
 - A. Amount of retainer received 5,000.00
 - B. The undersigned shall bill against the retainer at an hourly rate of \$ 300.00 . [Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.
3. \$ 1,717.00 of the filing fee has been paid.
4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: [Cross out any that do not apply.]
 - A. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - B. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - C. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - D. ~~Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
 - E. ~~Reaffirmations;~~
 - F. ~~Redemptions;~~
 - G. ~~Other:~~
5. By agreement with the debtor(s), the above-disclosed fee does not include the following services:
Representation of the Debtor in any dischargeability actions, judicial lien avoidances, relief from stay actions, reaffirmations, or any other adversary or contested proceeding. If retainer is exhausted, Debtor agrees to replace same and consents to withdrawal of attorney if retainer not replaced.
6. The source of payments to the undersigned was from:
 - A. XX Debtor(s)' earnings, wages, compensation for services performed
 - B. _____ Other (describe, including the identity of payor) _____
7. The undersigned has not shared or agreed to share, with any other person, other than with members of the undersigned's law firm or corporation, any compensation paid or to be paid except as follows:

Dated: October 20, 2016

/s/ Aaron J. Scheinfield
Attorney for the Debtor(s)
Aaron J. Scheinfield P-67495 aaron@bk-lawyer.net
Goldstein Bershad & Fried PC
4000 Town Center
Suite 1200
Southfield, MI 48075
248-355-5300

Agreed: /s/ Daniel R. Linnen
Daniel R. Linnen
Debtor

Debtor

**United States Bankruptcy Court
Eastern District of Michigan**

In re Rojo Five, LLC

Debtor(s)

Case No.

Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
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-NONE-

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Sole Member of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date October 20, 2016

Signature /s/ Daniel R. Linnen
Daniel R. Linnen

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

American Blue Ribbon Holdings
3038 Sidco Drive
Nashville, TN 37204

Blue Care Network
20500 Civic Center Drive
Southfield, MI 48076

Carmel Capital Organization
848 N. Rainbow Blvd.
#3531
Las Vegas, NV 89107

Consumers Energy
Attn: Legal Department
One Energy Plaza
Jackson, MI 49201

Corporation Service Company,
as Representative
P.O. Box 2576
Springfield, IL 62708

DCP Payroll
5601 Enterprise Court
Warren, MI 48092

Dickinson Wright, PLLC
Jason P. Klingensmith, Esq.
500 Woodward Avenue, Suite 4000
Detroit, MI 48226

Dickinson Wright, PLLC
Jason P. Klingensmith, Esq.
500 Woodward; Suite 4000
Detroit, MI 48226

DTE Energy
1 Energy Plaza, 2124 WCB
Detroit, MI 48226-1221

EBF Partners, LLC (Argus Capital Funding)
5 West 37th Street, 2nd Floor
New York, NY 10018

EcoLab
P.O. Box 70343
Chicago, IL 60673-0343

Essco of Birmingham LLC
255 S. Old Woodward Ave.
Suite 310
Birmingham, MI 48009

Essco of Birmingham, LLC
210 S. Woodward Avenue, Suite 230
Birmingham, MI 48009

First State Bank
c/o James Sarconi, Esq.
12900 Hall Road, Suite 350
Sterling Heights, MI 48313

First State Bank
24300 Little Mack
Saint Clair Shores, MI 48080

Frantz Ward, LLP
Melissa A. Jones, Esq.
200 Public Square, Suite 3000
Cleveland, OH 44114-1230

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
Attn: Team 204
145585 Stop 8420G
Cincinnati, OH 45250-5585

L&O Finance LLC
2804 Orchard Lake Road
Suite 205
Keego Harbor, MI 48320

Leonard's Syrups
4601 Nancy Street
Hamtramck, MI 48212

Michigan Department of Attorney General
Cadillac Place, 10th Floor
3030 W. Grand Blvd., Suite 10-200
Detroit, MI 48202

Michigan Department of Treasury
Collections Organization
P.O. Box 30199
Lansing, MI 48909

Michigan Department of Treasury
Collection/Bankruptcy Unit
P O Box 30168
Lansing, MI 48909

Rewards Network Establishment Services
2 N. Riverside Plaza, Suite 200
Chicago, IL 60606

Rudolph Libbe, Inc.
6494 Latcha Road
Walbridge, OH 43465

Strategic Funding Source, Inc.
120 West 45th Street
New York, NY 10036

Sysco Detroit
41600 Van Born Road
Canton, MI 48188-2746

US Attorney (IRS)
Attn: Civil Division
211 W. Fort Street, #2001
Detroit, MI 48226

Working Capital Funding
1521 Concord Pike, #303
Wilmington, DE 19803

Yellowstone Capital
30 Broad Street
14th Floor, Suite 1462
New York, NY 10004

Yellowstone Capital, LLC
1 Evertrust Plaza, 14th Floor
Jersey City, NJ 07302