# Case 09-04946-8-RDD Doc 1 Filed 06/16/09 Entered 06/16/09 06:05:15 Page 1 of 10

B1 (Official Form 1)(1/08)

United States Bankruptcy Co Eastern District of North Caroli							untary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Imperial Capital Resource Group, Inc.				of Joint De	ebtor (Spouse	e) (Last, First,	Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): DBA The Peak City Grill & Bar				All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):				
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) 54-1820682	yer I.D. (ITIN) No./0	Complete EIN	I Last fo (if mor	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
Street Address of Debtor (No. and Street, City, a 126 North Salem Street, Suite 200 Apex, NC	· · ·	ZIP Code	Street	Street Address of Joint Debtor (No. and Street, City, and State):ZIP Code				
County of Residence or of the Principal Place of <b>Wake</b>		27502	Count	y of Reside	ence or of the	Principal Pla	ice of Busin	ness:
Mailing Address of Debtor (if different from stre	et address):		Mailir	Mailing Address of Joint Debtor (if different from street address):				
Location of Principal Assets of Business Debtor (if different from street address above):     126 North Salem Street Apex, NC 27502					ZIP Code			
Type of Debtor         (Form of Organization)         (Check one box)         Individual (includes Joint Debtors)         See Exhibit D on page 2 of this form.         Corporation (includes LLC and LLP)         Destruction		eal Estate as o 101 (51B)	lefined	□ Chapt □ Chapt □ Chapt □ Chapt □ Chapt	<b>the l</b> er 7 er 9 er 11 er 12	Petition is Fil	led (Check napter 15 Pe a Foreign I napter 15 Pe	Under Which one box) etition for Recognition Main Proceeding etition for Recognition Nonmain Proceeding
<ul> <li>Partnership</li> <li>Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	☐ Clearing Bank Other <b>Tax-Exempt Entity</b> (Check box, if applicable) ☐ Debtor is a tax-exempt organiz under Title 26 of the United St Code (the Internal Revenue Co		nization States	defined "incurr		(Check onsumer debts,		Debts are primarily business debts.
<ul> <li>Filing Fee (Check one box)</li> <li>Full Filing Fee attached</li> <li>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.</li> <li>Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</li> </ul>				Debtor is if: Debtor's a to insiders all applica A plan is Acceptance	a small busin not a small b aggregate nor s or affiliates) ble boxes: being filed w ces of the pla	usiness debto ncontingent li ) are less than ith this petitio n were solicit	defined in or as defined quidated do \$2,190,00 on. ted prepetit	11 U.S.C. § 101(51D). d in 11 U.S.C. § 101(51D). ebts (excluding debts owed 0. ion from one or more .C. § 1126(b).
Statistical/Administrative Information       THIS SPACE IS FOR COURT USE ONLY         Debtor estimates that funds will be available for distribution to unsecured creditors.       THIS SPACE IS FOR COURT USE ONLY         Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.       THIS SPACE IS FOR COURT USE ONLY					FOR COURT USE ONLY			
1- 50- 100- 200- 1 49 99 199 999 5	1,000- 5,001- 5,000 10,000	10,001-	] 25,001- 50,000	□ 50,001- 100,000	OVER 100,000			
\$0 to \$50,001 to \$100,001 to \$500,001 \$ \$50,000 \$100,000 \$500,000 to \$1 t	51,000,001         \$10,000,001           \$10         to \$50           nillion         million	\$50,000,001 to \$100	] \$100,000,001 to \$500 million	500,000,001 to \$1 billion				
\$50,000 \$100,000 \$500,000 to \$1 t	\$1,000,001 \$10,000,001 o \$10 to \$50 nillion million	\$50,000,001 to \$100	] \$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				

# Case 09-04946-8-RDD Doc 1 Filed 06/16/09 Entered 06/16/09 06:05:15 Page 2 of 10

B1 (Official Form 1)(1/08) Voluntary Petition		Page 2 Name of Debtor(s):		
v		Imperial Capital Reso	ource Group, Inc.	
(This page mi	ist be completed and filed in every case)	4.9 Vacuum (If we are then too		
Location	All Prior Bankruptcy Cases Filed Within Las	Case Number:	Date Filed:	
Where Filed:	- None -			
Location Where Filed:		Case Number:	Date Filed:	
	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If 1	nore than one, attach additional sheet)	
Name of Debt Steven Mar	<sup>tor:</sup> rk Adams / Julie Marcellino Adams	Case Number: <b>09-04945-8</b>	Date Filed: 6/16/09	
District: EDNC		Relationship: Owner of debtor	Judge: Unknown	
	Exhibit A		<b>Exhibit B</b> individual whose debts are primarily consumer debts.)	
forms 10K a pursuant to s and is reque	beleted if debtor is required to file periodic reports (e.g., 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.) A is attached and made a part of this petition.	have informed the petitioner 12, or 13 of title 11, United		
		hibit C		
<ul><li>No.</li><li>(To be comp</li><li>□ Exhibit</li><li>If this is a join</li></ul>	leted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.		
			лі.	
	Information Regardin (Check any ap	-		
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for	al place of business, or princ		
	Debtor is a debtor in a foreign proceeding and has its print this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	s in the United States but is a	defendant in an action or	
	Certification by a Debtor Who Reside (Check all app		l Property	
	Landlord has a judgment against the debtor for possession		checked, complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment			
	Debtor has included in this petition the deposit with the co after the filing of the petition.			

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(1/08)	Page 3
Voluntary Petition	Name of Debtor(s):
(This page must be completed and filed in every case)	Imperial Capital Resource Group, Inc.
	natures
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.	<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.</li> <li>(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 order granting recognition of the foreign main proceeding is attached.</li> </ul>
X	X Signature of Foreign Representative
Signature of Debtor	Signature of Foreign Representative
X	Printed Name of Foreign Representative
Signature of Joint Debtor	
	Date
Telephone Number (If not represented by attorney)	Signature of Non-Attorney Bankruptcy Petition Preparer
	I declare under penalty of perjury that: (1) I am a bankruptcy petition
Date	preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for
Signature of Attorney*	compensation and have provided the debtor with a copy of this document
X       /s/ Travis Sasser         Signature of Attorney for Debtor(s)         Travis Sasser 26707         Printed Name of Attorney for Debtor(s)	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.
Travis Sasser	Printed Name and title, if any, of Bankruptcy Petition Preparer
Firm Name	Finned Name and the, if any, of Bankiupicy Fethion Fieparer
875 Walnut Street	
Suite 342 Cary, NC 27511	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
Address	preparer.)(Required by 11 U.S.C. § 110.)
Email: tsasser@carybankruptcy.com 919.319.7400 Fax: 919.657.7400 Telephone Number	
June 15, 2009	Address
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.	X
Signature of Debtor (Corporation/Partnership)	
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	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:
X /s/ Steven Adams	
Signature of Authorized Individual	
Steven Adams	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Printed Name of Authorized Individual	
President	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in
Title of Authorized Individual June 15, 2009	fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.
Date	
1	

B4 (Official Form 4) (12/07)

## **United States Bankruptcy Court Eastern District of North Carolina**

Imperial Capital Resource Group, Inc. In re

Debtor(s)

Case No.	
Chapter	11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
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]
American Microloan 2115 Linwood Avenue 4th Floor Fort Lee, NJ 07024	American Microloan 2115 Linwood Avenue 4th Floor Fort Lee, NJ 07024 201-592-9925	Loan		150,000.00
Bank of America Attn: Managing Agent PO Box 15726 Wilmington, DE 19886-5726	Bank of America Post Office Box 15726 Wilmington, DE 19886-5726 877.543.4453	Credit card		14,652.70
Bank of America Attn: Managing Agent PO Box 15726 Wilmington, DE 19886-5726	Bank of America Attn: Managing Agent PO Box 15726 Wilmington, DE 19886-5726	Credit card		3,000.00
BMW Financial Attn: Managing Agent PO Box 9001065 Louisville, KY 40290-1065	BMW Financial Post Office Box 9001065 Louisville, KY 40290-1065 800-578-5000	Vehicle Ioan		32,959.29 (23,600.00 secured)
Don Coomes 126 North Salem Street Suite 207 Apex, NC 27502	Don Coomes 126 North Salem Street Suite 207 Apex, NC 27502 919-303-9998	Account		14,000.00
Ecolab, Inc. Attn: Managing Agent Post Office Box 905327 Charlotte, NC 28290-5237	Ecolab, Inc. Post Office Box 905327 Charlotte, NC 28290-5237 651-293-1963	Account		7,000.00
First Bank 402 E Williams Street Apex, NC 27502	First Bank 402 East Williams Street Apex, NC 27502 910-576-6171	Line of credit		5,000.00
Gurkin Construction 1312 Kirkland Road Suite 117 Raleigh, NC 27603	Gurkin Construction 1312 Kirkland Road Suite 117 Raleigh, NC 27603 919-834-1196	Account		40,000.00

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

In re Imperial Capital Resource Group, Inc.

Debtor(s)

Case No.

\_\_\_\_\_

# 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]
Internal Revenue Service Insolvency Support Services Post Office Box 21126 Philadelphia, PA 19114-1126	Internal Revenue Service Post Office Box 21126 Philadelphia, PA 19114-1126 800-913-9358	Payroll taxes		350,000.00
NC Department of Revenue Attn: Angela C. Fountain, BK MGR. Post Office Box 1168 Raleigh, NC 27602-1168	NC Department of Revenue Post Office Box 1168 Raleigh, NC 27602-1168 919-733-4027	Sales and Use Taxes		36,057.83
NC Employment & Security Commission Attn: Managing Agent Post Office Box 25903 Raleigh, NC 27611-5903	NC Employment & Security Commission Post Office Box 25903 Raleigh, NC 27611-5903 919-707-1060	Unemployment		17,677.67
Paychex Attn: Christine 15501 Weston Parkway, Suite #100 Cary, NC 27513	Paychex 15501 Weston Parkway Suite 100 Cary, NC 27513 800-322-7292	Account		5,000.00
Poseidon Seafood 7424 Acc Boulevard Suite 103 Raleigh, NC 27617	Poseidon Seafood 7424 Access Boulevard Suite 103 Raleigh, NC 27617 704-944-1160	Account		12,000.00
Royalton Partners 510 Cole Stream Court Cary, NC 27513	Royalton Partners 510 Cole Stream Court Cary, NC 27513 440-582-5768	Loan		115,000.00
Royalton Partners 510 Cole Stream Court Cary, NC 27513	Royalton Partners 510 Cole Stream Court Cary, NC 27513 440-582-5768	Loan		75,000.00
Scott Tobin 2 Jessamire Lane Savannah, GA 31411	Scott Tobin Scott Tobin	Loan		25,000.00
SunTrust Bank, Inc. Attn: Bankruptcy Dept. PO Box 85092 Richmond, VA 23286-5052	SunTrust Bank, Inc. Post Office Box 85092 Richmond, VA 23286-5052 800-635-3112	Line of credit		10,000.00
Town of Apex Attn: Managing Agent Post Office Box 250 Apex, NC 27502-0250	Town of Apex Post Office Box 250 Apex, NC 27502-0250 919-249-3309	Utility services		10,000.00
Traveler's Indemnity Attn: Managing Agent Post Office Box 6075 Glens Falls, NY 12801-6075	Traveler's Indemnity Post Office Box 6075 Glens Falls, NY 12801-6075 800-328-2189	Account		3,670.00

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

In re Imperial Capital Resource Group, Inc.

Debtor(s)

Case No.

## 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]
World Omni Financial Corp. Attn: Managing Agent Post Office Box 9879 Mobile, AL 36691-9879	World Omni Financial Corp. Post Office Box 9879 Mobile, AL 36691-9879 800-686-3494	Vehicle Ioan		30,705.04 (22,280.00 secured)

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

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date June 15, 2009

Signature /s/ Steven Adams Steven Adams President

*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.

	Signer/Title
Date: June 15, 2009	/s/ Travis Sasser
	Signature of Attorney
	Travis Sasser 26707
	Travis Sasser
	875 Walnut Street
	Suite 342
	Cary, NC 27511
	919.319.7400 Fax: 919.657.7400

/s/ Steven Adams

**Steven Adams/President** 

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Eastern District of North Carolina

In re Imperial Capital Resource Group, Inc.
Debtor(s)

the best of my knowledge.

June 15, 2009

Date:

# VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to

Case No. Chapter

11

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American Microloan 2115 Linwood Avenue 4th Floor Fort Lee, NJ 07024

Bank of America Attn: Managing Agent PO Box 15726 Wilmington, DE 19886-5726

BMW Financial Attn: Managing Agent PO Box 9001065 Louisville, KY 40290-1065

Credit Collection Services Attn: Managing Agent Two Wells Avenue, Department 9134 Newton Center, MA 02459

Don Coomes 126 North Salem Street Suite 207 Apex, NC 27502

Ecolab, Inc. Attn: Managing Agent Post Office Box 905327 Charlotte, NC 28290-5237

Exhaust Clean PO Box 239 Morrisville, NC 27560

Farmers Insurance Group 4680 Wilshire Blvd. Los Angeles, CA 90010

First Bank 402 E Williams Street Apex, NC 27502

Gurkin Construction 1312 Kirkland Road Suite 117 Raleigh, NC 27603

Internal Revenue Service Insolvency Support Services Post Office Box 21126 Philadelphia, PA 19114-1126

NC Department of Revenue Attn: Angela C. Fountain, BK MGR. Post Office Box 1168 Raleigh, NC 27602-1168

NC Employment & Security Commission Southeast Toyota Finance Attn: Managing Agent Post Office Box 25903 Raleigh, NC 27611-5903

Paychex Attn: Christine 15501 Weston Parkway, Suite #100 Cary, NC 27513

Peak City Holdings, LLC 126 North Salem Street Apex, NC 27502-1428

Poseidon Seafood 7424 Acc Boulevard Suite 103 Raleigh, NC 27617

PSNC Energy SCANA Serv./ K. Wicker/ Bankrupt 1426 Main Street, Mail Code 130 Columbia, SC 29218

Raleigh Durham Check Cashers, Inc. PO Box 492890 Lawrenceville, GA 30049

Royalton Partners 510 Cole Stream Court Cary, NC 27513

Scott Tobin 2 Jessamire Lane Savannah, GA 31411

Securities & Exchange Commission Branch of Reorganizaiont 3475 Lenox Road NE, Ste. 1000 Atlanta, GA 30326-1323

Aka World Omni Finance Post Office Box 96052 Charlotte, NC 28296-0052

Steven Adams 2613 Olive Chapel Road Apex, NC 27502

SunTrust Bank Attn: Managing Agent Post Office Box 27767 Richmond, VA 23261-7767

SunTrust Bank, Inc. Attn: Bankruptcy Dept. PO Box 85092 Richmond, VA 23286-5052

Town of Apex Attn: Managing Agent Post Office Box 250 Apex, NC 27502-0250

Traveler's Indemnity Attn: Managing Agent Post Office Box 6075 Glens Falls, NY 12801-6075 US Attorney General 5137 Robert F. Kennedy Bldg. 10th Street &Constitution Avenue NW Washington, DC 20530

US Attorney's Office Attn: Civil Process Clerk 310 New Bern Ave,Ste.800,Fed. Bldg. Raleigh, NC 27601-1461

Wake County Tax Collector PO Box 2331 Raleigh, NC 27602-2331

World Omni Financial Corp. Attn: Managing Agent Post Office Box 9879 Mobile, AL 36691-9879

## **United States Bankruptcy Court Eastern District of North Carolina**

Imperial Capital Resource Group, Inc. In re

Debtor(s)

Case No. Chapter

11

### **CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for \_\_Imperial Capital Resource Group, Inc.\_\_ in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

June 15, 2009

Date

/s/ Travis Sasser

Signature of Attorney or Litigant Counsel for Imperial Capital Resource Group, Inc. Travis Sasser 875 Walnut Street Suite 342 Cary, NC 27511 919.319.7400 Fax:919.657.7400 tsasser@carybankruptcy.com

Travis Sasser 26707