

B1 (Official Form 1) (1/08)

United States Bankruptcy Court District of New Hampshire		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>The Swiezynski Limited Partnership</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>02-0523719</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>92 Christian Hill Road Amherst, NH</b>		Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
ZIPCODE <b>03031</b>		ZIPCODE
County of Residence or of the Principal Place of Business: <b>Hillsborough</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address)		Mailing Address of Joint Debtor (if different from street address):
ZIPCODE		ZIPCODE
Location of Principal Assets of Business Debtor (if different from street address above):		
ZIPCODE		
<b>Type of Debtor</b> (Form of Organization) (Check <b>one</b> box.)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) _____	<b>Nature of Business</b> (Check <b>one</b> box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other _____  <b>Tax-Exempt Entity</b> (Check box, if applicable.)  <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check <b>one</b> box.)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding <hr/> <b>Nature of Debts</b> (Check one box.)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee</b> (Check one box)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b>  <b>Check one box:</b> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  <b>Check if:</b> <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. <hr/> <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> 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
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000		
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500,000 to \$1 billion <input type="checkbox"/> More than \$1 billion		
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500,000 to \$1 billion <input type="checkbox"/> More than \$1 billion		

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>The Swiezynski Limited Partnership</b>
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**Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>None</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor: <b>None</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	<p style="text-align: center;"><b>Exhibit B</b></p> (To be completed if debtor is an individual whose debts are primarily consumer debts.)
<input type="checkbox"/> Exhibit A is attached and made a part of this petition.	I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.
	X _____ Signature of Attorney for Debtor(s) <span style="float: right;">Date</span>

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.  
 No

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached a made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box.)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_

(Name of landlord or lessor that obtained judgment)

\_\_\_\_\_

(Address of landlord or lessor)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

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

**Voluntary Petition**

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

Name of Debtor(s):

**The Swiezynski Limited Partnership**

**Signatures**

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

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

X \_\_\_\_\_  
Signature of Debtor

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

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

\_\_\_\_\_  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Attorney\***

X /s/ Steven Notinger  
Signature of Attorney for Debtor(s)

**Steven Notinger**  
Printed Name of Attorney for Debtor(s)

**Donchess, Notinger & Tamposi, PC**  
Firm Name

**547 Amherst St**  
Address

**Nashua, NH 03063**

**(603) 886-7266**  
Telephone Number

**October 8, 2008**  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Non-Attorney 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); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

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

X /s/ Joseph L. Swiezynski, II  
Signature of Authorized Individual

**Joseph L. Swiezynski, II**  
Printed Name of Authorized Individual

**General Partner**  
Title of Authorized Individual

**October 8, 2008**  
Date

X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

\_\_\_\_\_  
Date

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.*

## SWIEZYNSKI LIMITED PARTNERSHIP

### Written Consent

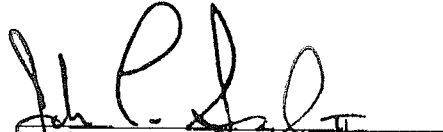
I, the undersigned, being the General Partner of Swiezynski Limited Partnership (the "Partnership"), hereby adopt pursuant to the following resolutions, to wit:

Resolution 1: That in the judgment of the General Partner it is desirable and for the best interests of the Partnership, its creditors, stockholders and other interested parties, that a petition pursuant to Chapter 11 of the Bankruptcy Code, 11 U.S.C. §101 et seq. be filed by this corporation.

Resolution 2: That the General Partner be and hereby is, authorized and empowered, for and on behalf of this Company, to execute, acknowledge, verify and deliver a petition pursuant to Chapter 11 of the Bankruptcy Code, 11 U.S.C. §101 et seq.; and to cause the same to be filed with the United States Bankruptcy Court for the District of New Hampshire and to file such other instruments, schedules and other papers and to take any and all other action which either or both, so acting, may deem necessary or proper in connection with said proceedings.

Resolution 3: That Steven M. Notinger, Esquire, of the law firm of Donchess, Notinger & Tamposi, P.C., 547 Amherst Street, Nashua, New Hampshire 03063, be, and he hereby is, retained as counsel to represent this Company in the matter of the aforementioned proceedings and with respect to all proceedings pursuant to the Bankruptcy Code.

Dated: 10/8/2008



Joseph L. Swiezynski, II

General Partner

United States Bankruptcy Court
District of New Hampshire

IN RE:

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

The Swiezynski Limited Partnership

Chapter 11

Debtor(s)

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept ..... \$ Hourly Rate
Prior to the filing of this statement I have received ..... \$ 3,550.00
Balance Due ..... \$

- 2. The source of the compensation paid to me was: [X] Debtor [ ] Other (specify):
3. The source of compensation to be paid to me is: [ ] Debtor [X] Other (specify):
4. [X] I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
[ ] I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.
5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
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. [Other provisions as needed]

Representation is on an hourly rate basis; Prior to the filing of this petition, the Debtor provided a \$3,550.00 retainer inclusive of the filing fee, of which \$1,561.00 remains in Counsel's trust account as of the filing. Debtor has agreed to provide an additional \$2,489.00 retainer as soon as possible.

6. By agreement with the debtor(s), the above disclosed fee does not include the following services:

CERTIFICATION

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

October 8, 2008

Date

/s/ Steven Notinger

Signature of Attorney

Donchess, Notinger & Tamposi, PC

Name of Law Firm

**United States Bankruptcy Court  
District of New Hampshire**

IN RE:

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

**The Swiezynski Limited Partnership**Chapter **11**

Debtor(s)

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

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
<b>Town Of Milford 1 Union Square Milford, NH 03055</b>	<b>Town Of Milford C/O Citizens Bank PO Box 981036 Boston, MA 02298-1036</b>			<b>7,332.00</b>
<b>Progress Drywall 12 Mercier Lane Nashua, NH 03062</b>				<b>5,666.24</b>
<b>Jeff Giarccarini 1401 Valley Road Mason, NH 03048</b>				<b>3,689.25</b>
<b>Jeff Giarccarini 1401 Valley Road Mason, NH 03048</b>				<b>2,535.00</b>
<b>T.J. Painting &amp; Co. 2 Crestwood Lane Nashua, NH 03062</b>				<b>2,500.00</b>
<b>Nashua Glass, Inc. 110 Chestnut Street Nashua, NH 03060</b>				<b>1,292.00</b>
<b>National Grid PO Box 4300 Woburn, MA 01888-4300</b>				<b>432.84</b>
<b>Universal Premium Acceptance Corp. PO Box 212516 Kansas City, MO 64121-2516</b>				<b>170.00</b>
<b>Town Of Milford Water Utilities Dept. 564 Nashua Street Milford, NH 03055-8999</b>				<b>71.95</b>
<b>Public Service Of NH PO Box 360 Manchester, NH 03105</b>				<b>56.52</b>
<b>Public Service Of NH PO Box 360 Manchester, NH 03105</b>				<b>45.75</b>
<b>Town Of Milford Water Utilities Dept. 564 Nashua Street Milford, NH 03055-8999</b>				<b>43.76</b>
<b>Public Service Of NH PO Box 360 Manchester, NH 03105</b>				<b>23.11</b>

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

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: October 8, 2008 Signature: /s/ Joseph L. Swiezynski, II

**Joseph L. Swiezynski, II, General Partner**

(Print Name and Title)

United States Bankruptcy Court  
District of New Hampshire

IN RE:

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

The Swiezynski Limited Partnership

Chapter **11** \_\_\_\_\_

Debtor(s)

**VERIFICATION OF CREDITOR MATRIX**

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

Date: October 8, 2008

Signature: /s/ Joseph L. Swiezynski, II  
**Joseph L. Swiezynski, II, General Partner**

Debtor

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

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

Joint Debtor, if any



Bluestone Capital, LLC  
5 Bessom Street, #151  
Marblehead, MA 01945

Buchanan, Maynard & Parodi, LLC  
49 East Pearl Street  
Nashua, NH 03060

Jeff Giarccarini  
1401 Valley Road  
Mason, NH 03048

Michael H. Swiezynski  
9 Crystal Springs  
Somersworth, NH 03878

Nashua Glass, Inc.  
110 Chestnut Street  
Nashua, NH 03060

National Grid  
PO Box 4300  
Woburn, MA 01888-4300

Progress Drywall  
12 Mercier Lane  
Nashua, NH 03062

Public Service Of NH  
PO Box 360  
Manchester, NH 03105

T.J. Painting & Co.  
2 Crestwood Lane  
Nashua, NH 03062

Town Of Milford  
1 Union Square  
Milford, NH 03055

Town Of Milford  
Water Utilities Dept.  
564 Nashua Street  
Milford, NH 03055-8999

Town Of Milford  
C/O Citizens Bank  
PO Box 981036  
Boston, MA 02298-1036

Universal Premium Acceptance Corp.  
PO Box 212516  
Kansas City, MO 64121-2516

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

\*\*\*\*\*

**In Re: The Swiezynski  
Limited Partnership**

**Chapter 11  
Case No.**

**Debtor**

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**STATEMENT OF PARENT AND PUBLIC COMPANIES**

Pursuant to Administrative order 1074-1 the Debtor, The Swiezynski Limited Partnership states that it is not affiliated with any parent or public companies within the disclosure requirements of the rule.

Respectfully Submitted,  
The Swiezynski Limited Partnership  
by its Attorneys

October 8, 2008  
Dated

Donchess & Notinger, P.C.  
/s/ Steven M. Notinger  
Steven M. Notinger (BNH #03229)  
547 Amherst Street, Ste 100  
Nashua NH 03063  
603-886-7266