

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): Colby Street Realty, LLC	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) 56-2412611	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, and State): 155 Myrtle Street Manchester, NH	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code 03104	ZIP Code
County of Residence or of the Principal Place of Business: Hillsborough	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): PO Box 559 Brookline, NH	Mailing Address of Joint Debtor (if different from street address):
ZIP Code 03033	ZIP Code

Location of Principal Assets of Business Debtor (if different from street address above):

Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input 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.)	Nature of Business (Check one 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 <hr/> Tax-Exempt Entity (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).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one 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 Nature of Debts (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.
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Filing Fee (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.	Check one box: <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). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <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).
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Statistical/Administrative Information <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 type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 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 type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Colby Street Realty, LLC	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: - None -	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: - None -	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
<p style="text-align:center;">Exhibit A</p> <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> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align:center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>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 11 U.S.C. §342(b).</p> <p>X _____ Signature of Attorney for Debtor(s) (Date)</p>		
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?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> 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.)			
<input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue (Check any applicable box)			
<input checked="" type="checkbox"/> 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. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> 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)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) _____ (Name of landlord that obtained judgment)			
_____ (Address of landlord)			
<input type="checkbox"/> 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 <input type="checkbox"/> 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. <input type="checkbox"/> 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):
Colby Street Realty, LLC

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 States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

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

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X 
Signature of Attorney for Debtor(s)

William S. Gannon 01222
Printed Name of Attorney for Debtor(s)

William S. Gannon PLLC
Firm Name

889 Elm Street, 4th Floor
Manchester, NH 03101

Address

Email: mjoyce@gannonlawfirm.com
(603) 621-0833 Fax: (603) 621-0830

Telephone Number

October 30, 2008

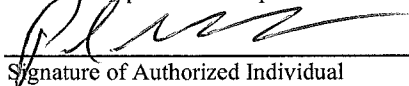
Date

*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 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 
Signature of Authorized Individual

Paul Schaefer
Printed Name of Authorized Individual

Managing Member

Title of Authorized Individual

October 30, 2008

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 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 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

X _____
Date

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.

B4 (Official Form 4) (12/07)

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

In re Colby Street Realty, LLC

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)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
City of Manchester One City Hall Plaza Manchester, NH 03101	City of Manchester One City Hall Plaza Manchester, NH 03101	Taxes		13,213.24
Town of Wilton 42 Main Street Wilton, NH 03086	Town of Wilton 42 Main Street Wilton, NH 03086	Taxes, 2007		8,145.00
Public Service of NH PO Box 300 Manchester, NH 03105-0638	Public Service of NH PO Box 300 Manchester, NH 03105-0638	Utility		6,422.69
CBCS PO Box 165025 Columbus, OH 43216	CBCS PO Box 165025 Columbus, OH 43216	water		6,143.08
Union Mutual Fire Ins. Co. PO Box 410018 Salt Lake City, UT 84141	Union Mutual Fire Ins. Co. PO Box 410018 Salt Lake City, UT 84141	Insurance		3,891.00
Service Master 17C Progress Ave. Nashua, NH 03062	Service Master 17C Progress Ave. Nashua, NH 03062	Services		3,026.29
Garon Plumbing 41 Sherwood Drive Hooksett, NH 03106	Garon Plumbing 41 Sherwood Drive Hooksett, NH 03106	Services		2,136.00
National Grid PO Box 4300 Woburn, MA 01888	National Grid PO Box 4300 Woburn, MA 01888	Utility		1,531.82
Ciardelli Fuel Co. 467 Nashua Street Milford, NH 03055	Ciardelli Fuel Co. 467 Nashua Street Milford, NH 03055	Fuel		1,402.94
NuWave Electric PO Box 29 Goffstown, NH 03045	NuWave Electric PO Box 29 Goffstown, NH 03045	Services		1,336.90
Town of Wilton 42 Main Street PO Box 83 Wilton, NH 03086	Town of Wilton 42 Main Street PO Box 83 Wilton, NH 03086	water		1,148.00
Bennett & Deloney 1265 E. Fort Union Blvd., #150 Midvale, UT 84047	Bennett & Deloney 1265 E. Fort Union Blvd., #150 Midvale, UT 84047	Supplies		1,059.34

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

In re Colby Street Realty, LLC

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS
(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Certegy Payment Recovery Service 3500 5th Street Northport, AL 35476	Certegy Payment Recovery Service 3500 5th Street Northport, AL 35476	Supplies		1,059.24
Vaillancourt Fuels PO Box 10 Hillsborough, NH 03244	Vaillancourt Fuels PO Box 10 Hillsborough, NH 03244	Fuel		723.64
Allen Daniel Assoc. PO Box 541614 Waltham, MA 02454	Allen Daniel Assoc. PO Box 541614 Waltham, MA 02454	Utility		678.04
Environmental Protection Services PO Box 4600 Manchester, NH 03108	Environmental Protection Services PO Box 4600 Manchester, NH 03108	Utility		586.94
Town of Hillsboro PO Box 2215 Hillsborough, NH 03244	Town of Hillsboro PO Box 2215 Hillsborough, NH 03244	Utility		467.12
Monadnock Disposal 101 Old Sharon Road Jaffrey, NH 03452	Monadnock Disposal 101 Old Sharon Road Jaffrey, NH 03452	Services		455.30
Best Qualified Cleaning PO Box 10666 Bedford, NH 03110	Best Qualified Cleaning PO Box 10666 Bedford, NH 03110	Services		450.00
Manchester Water Works PO Box 9677 Manchester, NH 03108	Manchester Water Works PO Box 9677 Manchester, NH 03108	water		371.73

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

I, the Managing Member 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 October 30, 2008

Signature _____

Paul Schaefer
Managing Member

*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.*

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

In re Colby Street Realty, LLC

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Managing Member of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: October 30, 2008


Paul Schaefer/Managing Member
Signer/Title

Allen Daniel Assoc.
PO Box 541614
Waltham, MA 02454

Bennett & Deloney
1265 E. Fort Union Blvd., #150
Midvale, UT 84047

Best Qualified Cleaning
PO Box 10666
Bedford, NH 03110

CBCS
PO Box 165025
Columbus, OH 43216

Certegy Payment Recovery Service
3500 5th Street
Northport, AL 35476

Ciardelli Fuel Co.
467 Nashua Street
Milford, NH 03055

City of Manchester
One City Hall Plaza
Manchester, NH 03101

David Sands Profit Sharing Trust
2330 Rt 16 at Tramway I 569-1820
West Ossipee, NH 03890

Dumpster Depot
8051 S. Willow Street
Manchester, NH 03103

Environmental Protection Services
PO Box 4600
Manchester, NH 03108

Garon Plumbing
41 Sherwood Drive
Hooksett, NH 03106

Manchester Water Works
PO Box 9677
Manchester, NH 03108

Monadnock Disposal
101 Old Sharon Road
Jaffrey, NH 03452

National Grid
PO Box 4300
Woburn, MA 01888

NH Electric Coop
579 Tenney Mt. Road
Plymouth, NH 03264-3154

NH/Northeast Credit Service
PO Box 6539
Nashua, NH 03063

NuWave Electric
PO Box 29
Goffstown, NH 03045

Pennichuck
PO Box 1947
Merrimack, NH 03054

Public Service of NH
PO Box 300
Manchester, NH 03105-0638

RUI Credit Service
PO Box 1349
Melville, NY 11747

Service Master
17C Progress Ave.
Nashua, NH 03062

TD Banknorth
PO Box 5600
Lewiston, ME 04243-8400

Town of Hillsboro
PO Box 2215
Hillsborough, NH 03244

Town of Wilton
42 Main Street
Wilton, NH 03086

Tri-Town Appliance
211 Corning Road
Manchester, NH 03109

Union Mutual Fire Ins. Co.
PO Box 410018
Salt Lake City, UT 84141

Vaillancourt Fuels
PO Box 10
Hillsborough, NH 03244

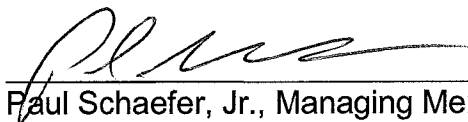
**CERTIFICATE OF
LIMITED LIABILITY COMPANY RESOLUTIONS AND AUTHORITY
OF
COLBY STREET REALTY, LLC, A LIMITED LIABILITY COMPANY**

I, Paul Schaefer, the sole Member of Colby Street Realty, LLC, a New Hampshire limited liability company (the "Limited Liability Company"), hereby certify that, as the Members of the Limited Liability Company, we adopted the following resolutions:

1. The resolutions set forth in the attached Schedule of Resolutions were duly and lawfully adopted by us on September 9, 2008 at 10:00 a.m. and became effective at that time (the "Effective Date and Time").
2. Each of the Resolutions is in full force and effect.
3. There is no provision in the Limited Liability Company Agreement which precludes us from adopting these Resolutions and taking the actions contemplated by them.

IN WITNESS WHEREOF we have executed this Certificate of Limited Liability Company Resolutions and Authority on this date.

Dated: October 30, 2008



Paul Schaefer, Jr., Managing Member

A
SCHEDULE OF RESOLUTIONS

This schedule is annexed to, forms and integral part of and is incorporated into the Certificate of Limited Liability Company Resolutions as fully as if completely set forth in it.

RESOLVED:

That in the judgment of the Members, it is desirable and in the best interests of the Limited Liability Company, its creditors, members and other interested parties, that a petition is to be filed by the Limited Liability Company seeking relief under the provision of Chapter 11, Title 11, United States Code.

RESOLVED:

That the Members of the Limited Liability Company are authorized and directed, on behalf of and in the name of the Limited Liability Company, to execute and verify a petition substantially in the form set out in the Official Forms of Bankruptcy and to cause the same to be filed with the United States Bankruptcy Court for the District of New Hampshire as soon as practicable.

RESOLVED:

That the Members of the Limited Liability Company are authorized to execute and file all petitions, schedules, lists and other papers as soon as practicable and to take any and all action which they deem necessary or proper in connection with the Chapter 11 case.

RESOLVED:

That the Members are hereby authorized and empowered to retain the law firm of William S. Gannon PLLC to assist with the preparation and filing of a petition under Chapter 11 of the Bankruptcy Code and to represent this Limited Liability Company in all matters during such Chapter 11 proceedings.