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B1 (Official I	Form 1)(12	2/11)				ouiiioi		90 . 0.					
			United 1		Banki t of New						Vol	untary	Petition
	*		er Last, First, b/a Vivo Ro				Name	of Joint De	ebtor (Spouse	) (Last, First	, Middle):		
All Other Na (include mar				8 years					used by the J maiden, and			years	
Last four dig (if more than one <b>75-3062</b> 4		Sec. or Indi	vidual-Taxpa	nyer I.D. (	(ITIN) No./	Complete	EIN Last f	our digits o	f Soc. Sec. or	Individual-	Taxpayer I.I	D. (ITIN) No	o./Complete EIN
	ey Brook	or (No. and a Avenue	Street, City, a	and State)	:			Address of	Joint Debtor	(No. and St	reet, City, a	nd State):	
					Г	ZIP Coc <b>07071</b>	le						ZIP Code
County of Ro Bergen	esidence or	of the Prin	cipal Place o	f Busines		07071	Coun	ty of Reside	ence or of the	Principal Pla	ace of Busir	ness:	- <b>L</b>
Mailing Add	lress of Del	otor (if diffe	rent from str	eet addres	ss):		Maili	ng Address	of Joint Debt	or (if differe	nt from stre	et address):	
					г	ZIP Coo	le						ZIP Code
Location of I	Principal A from street	ssets of Bus address abo	siness Debtor ove):										1
(Form	• •	f Debtor	one box)			of Busines	ss		•	of Bankrup Petition is Fi	. •		ch
☐ Individua  See Exhib ☐ Corporat ☐ Partnersh ☐ Other (If	al (includes bit D on page tion (include hip	Joint Debto 2 of this form es LLC and	ors)  n.  LLP)  bove entities,	☐ Sing in 1 ☐ Rail ☐ Stoo	lth Care Bugle Asset Ro 1 U.S.C. §	siness eal Estate 101 (51B)		☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	☐ Cl of ☐ Cl	hapter 15 Pe a Foreign Mapter 15 Pe a Foreign M	etition for R Main Procee etition for R	eding ecognition
	Chapter	15 Debtors		Oth							e of Debts		
Country of de Each country by, regarding	in which a f	oreign procee	eding	unde	Tax-Exe (Check box tor is a tax-ex er Title 26 of e (the Interna	the United	ble) nization States	defined	are primarily co d in 11 U.S.C. § ed by an indivi anal, family, or	onsumer debts, 101(8) as dual primarily	for		are primarily ess debts.
Full Filing			heck one box	x)		I	k one box:	mall business	Chap debtor as defin	ter 11 Debt		))	
Filing Fee attach sign debtor is to Form 3A.	e to be paid in ned application unable to pay	n installments on for the cou fee except in	s (applicable to urt's considerat in installments. able to chapter urt's considerat	ion certifyi Rule 1006 7 individu	ing that the (b). See Office als only). Mu	Chec	Debtor is no k if: Debtor's agg are less than k all applicabl A plan is bei	regate nonco \$2,343,300 ( e boxes: ng filed with	ness debtor as d ntingent liquida amount subject	defined in 11 United debts (exo	U.S.C. § 101(s) cluding debts t on 4/01/13 a	51D).  owed to insicand every three	ders or affiliates) se years thereafter).
Statistical/A	dministra	tivo Inform	ation						S.C. § 1126(b).		S SPACE IS F		
■ Debtor e	stimates that	at funds will at, after any	be available exempt prop for distribut	erty is ex	cluded and	administr		es paid,			SI ACE IS I	OK COCKI	OSE ONE I
Estimated No.	umber of C 50- 99	reditors  100- 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated As	ssets \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,00 to \$100 million	1 \$100,000,00 to \$500 million	\$500,000,001 to \$1 billion					
Estimated Li  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,00 to \$100 million	1 \$100,000,00 to \$500 million	\$500,000,001 to \$1 billion					

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**B1** (Official Form 1)(12/11) Page 2 Name of Debtor(s): **Voluntary Petition** D.G. Investments, Inc. d/b/a Vivo Resorante (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number: Waterman Properties, LLC 13-10529 1/10/13 District: Relationship: Judge: Newark Affiliated Entity Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission 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 pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) 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 and 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 that obtained judgment) (Address of landlord) 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(1)).

B1 (Official Form 1)(12/11)

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## **Voluntary Petition**

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

#### Name of Debtor(s):

D.G. Investments, Inc. d/b/a Vivo Resorante

## 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.

Iff 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.

 $\mathbf{X}_{-}$ 

Signature of Debtor

X.

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X /s/ Ilissa Churgin Hook, Esquire

Signature of Attorney for Debtor(s)

#### Ilissa Churgin Hook, Esquire IC-6531

Printed Name of Attorney for Debtor(s)

### Hook & Fatovich, LLC

Firm Name

1430 Route 23 North Wayne, NJ 07470-5826

Address

#### ihook@hookandfatovich.com; mfatovich@hookandfatovich.com (973) 686-3800 Fax: (973) 686-3801

Telephone Number

January 10, 2013

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 /s/ Louis Paolino

Signature of Authorized Individual

#### **Louis Paolino**

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### January 10, 2013

Date

#### Signature of a Foreign Representative

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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.

<b>T</b> 7
X
∠3

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.)

•	~	
•	_	

Date

Address

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.

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

## **United States Bankruptcy Court**District of New Jersey

In re	D.G. Investments, Inc. d/b/a Vivo Resorante		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]
Ambrosio & Tomczak Attn.: John T. Ambrosio, Esquire 8 Hillside Avenue Ste 103 Montclair, NJ 07042	Ambrosio & Tomczak Attn.: John T. Ambrosio, Esquire 8 Hillside Avenue Montclair, NJ 07042	Legal services		Unknown
Bank of America PO Box 15710 Wilmington, DE 19850	Bank of America PO Box 15710 Wilmington, DE 19850	Credit Card		24,105.73
Bank of America PO Box 15019 Wilmington, DE 19850	Bank of America PO Box 15019 Wilmington, DE 19850	Credit Card		10,915.00
Cach of NJ, LLC Philip A. Kahn, Esquire C/o Fein, Such, Kahn & Shepard, PC 7 Century Drive Parsippany, NJ 07054	Cach of NJ, LLC Philip A. Kahn, Esquire C/o Fein, Such, Kahn & Shepard, PC Parsippany, NJ 07054	Judgment DC-014670-12		10,987.89
Citicards P.O. Box 182564 Columbus, OH 43218-2564	Citicards P.O. Box 182564 Columbus, OH 43218-2564	Credit Card		7,059.46
D.J. Ardore, Inc. P.O. Box 188 Mountain Lakes, NJ 07046	D.J. Ardore, Inc. P.O. Box 188 Mountain Lakes, NJ 07046	Goods		1,606.25
Discover Bsn P.O. Box 6103 Carol Stream, IL 60197-6103	Discover Bsn P.O. Box 6103 Carol Stream, IL 60197-6103	Credit Card		3,566.71
Donohue's Wholesale Seafood 532 6th Avenue Lyndhurst, NJ 07071	Donohue's Wholesale Seafood 532 6th Avenue Lyndhurst, NJ 07071	Goods		4,358.00
First Equity Bankcard Svc P.O. Box 4477 Beaverton, OR 97076-4477	First Equity Bankcard Svc P.O. Box 4477 Beaverton, OR 97076-4477	Credit Card		9,679.18
First Insurance Funding P.O. Box 66468 Chicago, IL 60666-0468	First Insurance Funding P.O. Box 66468 Chicago, IL 60666-0468	Business and Property Insurance Premium		550.20

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	D.G. Investments, Inc. d/b/a Vivo Resorante	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]
Kingsland Meat Distributors, Inc.	Kingsland Meat Distributors, Inc. 204-211 Stuyvesant Avenue	Goods		4,387.70
204-211 Stuyvesant Avenue Lyndhurst, NJ 07071	Lyndhurst, NJ 07071			
PSE&G Co. PO Box14444 New Brunswick, NJ 08906	PSE&G Co. PO Box14444 New Brunswick, NJ 08906	Utilities		1,949.61
PSE&G Co. PO Box14444 New Brunswick, NJ 08906	PSE&G Co. PO Box14444 New Brunswick, NJ 08906	Utilities		6,513.96
Rewards Network Room 200 2 North Riverside Plaza Chicago, IL 60606	Rewards Network Room 200 2 North Riverside Plaza Chicago, IL 60606	Credit card		1,514.00
RSB P.O. Box 42010 Providence, RI 02940-2010	RSB P.O. Box 42010 Providence, RI 02940-2010	Credit Card		6,912.32
State of New Jersey Dept of Community Affairs Div of Fire Safety P.O. Box 809 Trenton, NJ 08625-0809	State of New Jersey Dept of Community Affairs Div of Fire Safety Trenton, NJ 08625-0809			994.00
State of New Jersey Division of Taxation Division of Taxation - Bankruptcy Unit 50 Barrack Street, CN-245 Trenton, NJ 08646	State of New Jersey Division of Taxation Division of Taxation - Bankruptcy Unit 50 Barrack Street, CN-245 Trenton, NJ 08646			4,909.78
Wells Fargo Bank PO Box 6426 Carol Stream, IL 60197-6426	Wells Fargo Bank PO Box 6426 Carol Stream, IL 60197-6426	Credit Card		21,388.57
Wells Fargo Bank N.A. PO Box 6426 Carol Stream, IL 60197-6426	Wells Fargo Bank N.A. PO Box 6426 Carol Stream, IL 60197-6426	Credit Card		12,277.00
Yankee Linen Co. 63 Second Avenue Paterson, NJ 07514	Yankee Linen Co. 63 Second Avenue Paterson, NJ 07514	Goods		1,588.00

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	D.G. Investments, Inc. d/b/a Vivo Resorante	Case No.	
	Debtor(s)		

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

## 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	January 10, 2013	Signature	/s/ Louis Paolino
			Louis Paolino
			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.

Ambrosio & Tomczak Attn.: John T. Ambrosio, Esquire 8 Hillside Avenue Ste 103 Montclair, NJ 07042

Bank of America PO Box 15710 Wilmington, DE 19850

Bank of America PO Box 15019 Wilmington, DE 19850

BCP Holdings (USA), Inc. C/o Newman & Simpson, LLP 32 Mercer Street Hackensack, NJ 07601

Cach of NJ, LLC
Philip A. Kahn, Esquire
C/o Fein, Such, Kahn & Shepard, PC
7 Century Drive
Parsippany, NJ 07054

Citicards P.O. Box 182564 Columbus, OH 43218-2564

CST CPAs
Attn.: Carl Specht, CPA
110 B Meadowlands Parkway
Secaucus, NJ 07094

D.J. Ardore, Inc. P.O. Box 188 Mountain Lakes, NJ 07046

Discover Bsn P.O. Box 6103 Carol Stream, IL 60197-6103

Donohue's Wholesale Seafood 532 6th Avenue Lyndhurst, NJ 07071

First Equity Bankcard Svc P.O. Box 4477 Beaverton, OR 97076-4477

First Insurance Funding P.O. Box 66468 Chicago, IL 60666-0468

Genesis Capital Enterprises, LLC 4500 Biscayne Blvd Ste 310 Miami, FL 33137

Internal Revenue Service Centralized Insolvency Operation 2970 Market Street PO Box 7346 Philadelphia, PA 19101-7346

Investors Bank 101 JFK Parkway Short Hills, NJ 07078

Kingsland Meat Distributors, Inc. 204-211 Stuyvesant Avenue Lyndhurst, NJ 07071

Louis and Geri Paolino 90 Donato Drive Little Falls, NJ 07424

Louis Paolino 90 Donato Drive Little Falls, NJ 07424

PSE&G Co. PO Box14444 New Brunswick, NJ 08906

Rewards Network Room 200 2 North Riverside Plaza Chicago, IL 60606 RSB P.O. Box 42010 Providence, RI 02940-2010

State of New Jersey Dept of Community Affairs Div of Fire Safety P.O. Box 809 Trenton, NJ 08625-0809

State of New Jersey - Sales & Use Tax PO Box 999 Trenton, NJ 08646

State of New Jersey Division of Taxation Division of Taxation - Bankruptcy Unit 50 Barrack Street, CN-245 Trenton, NJ 08646

State of New Jersey Division of Taxation Division of Taxation - Fairlaw Invest. C 22-08 Route 208 South Fair Lawn, NJ 07410

Waterman Properties, LLC 312-318 Valley Brook Avenue Lyndhurst, NJ 07071

Waterman Properties, LLC 90 Donato Drive Little Falls, NJ 07424

Wells Fargo Bank PO Box 6426 Carol Stream, IL 60197-6426

Wells Fargo Bank N.A. PO Box 6426 Carol Stream, IL 60197-6426

Yankee Linen Co. 63 Second Avenue Paterson, NJ 07514 Case 13-10530-MS Doc 1 Filed 01/10/13 Entered 01/10/13 19:25:33 Desc Main Document Page 10 of 10

# **United States Bankruptcy Court**District of New Jersey

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 _D.G. Investments, Inc. d/b/a Vivo Resorante _ 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]  January 10, 2013  January 10, 2013	In re D.G. Investments, Inc. d/b/a Vivo	Resorante	Case No.	
Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for		Debtor(s)	Chapter 11	
Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for				
Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for				
or recusal, the undersigned counsel forD.G. Investments, Inc. d/b/a Vivo Resorante 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]  January 10, 2013  /s/ Ilissa Churgin Hook, Esquire	CORPORA	ATE OWNERSHIP STATEMENT	(RULE 7007.1)	
January 10, 2013 /s/ Ilissa Churgin Hook, Esquire	or recusal, the undersigned counsel for _certifies that the following is a (are) corp indirectly own(s) 10% or more of any cla	D.G. Investments, Inc. d/b/a Vivo Responsion(s), other than the debtor or a	<b>corante</b> in the above ca governmental unit, that	aptioned action, at directly or
	■ None [Check if applicable]			
	January 10, 2013			
	Date	Ilissa Churgin Hook, Esquire I		
Signature of Attorney or Litigant				anta
Counsel for D.G. Investments, Inc. d/b/a Vivo Resorante Hook & Fatovich, LLC			ts, inc. d/b/a vivo Resor	ante
1430 Route 23 North				
Wayne, NJ 07470-5826			•••	
(973) 686-3800 Fax:(973) 686-3801 ihook@hookandfatovich.com; mfatovich@hookandfatovich.com				rovich com