Case 13-23365-DHS Doc 1 Filed 06/17/13 Entered 06/17/13 15:40:25 Desc Main Document Page 1 of 11

B1 (Official Form 1)(	)4/13)				<del>ounnon</del>		90 - 0.				
		United S		Bankı t of New		Court				Vo	luntary Petition
Name of Debtor (if in NJSR Surgical			Middle):			Name	of Joint De	ebtor (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 (if more than one, state all) 26-4007596					plete EIN	(if more	than one, state	all)			.D. (ITIN) No./Complete F
Street Address of Deb 111 Wanaque A Pompton Lakes	venue	Street, City, a	nd State)	:	ZIP Code		Address of	Joint Debtor	(No. and St	reet, City, a	and State): ZIP Code
				Г	07442						Zii cou
County of Residence Passaic	or of the Prin	cipal Place of	Business	s:		Count	y of Reside	ence or of the	Principal Pl	ace of Busi	iness:
Mailing Address of D	ebtor (if diffe	erent from stre	et addres	ss):		Mailir	ng Address	of Joint Debt	or (if differe	nt from str	eet address):
				_	ZIP Code	:					ZIP Code
Location of Principal (if different from stree											
• • • • • • • • • • • • • • • • • • • •	of Debtor	one hov)			of Business	3	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)				
<ul> <li>(Form of Organization) (Check one box)</li> <li>☐ Individual (includes Joint Debtors)</li> <li>See Exhibit D on page 2 of this form.</li> <li>☐ Corporation (includes LLC and LLP)</li> <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>			(Check one box)  ☐ Health Care Business ☐ Single Asset Real Estate as defin 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank		s defined	☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	☐ Cl of ☐ Cl	hapter 15 F a Foreign hapter 15 F	Petition for Recognition Main Proceeding Petition for Recognition Nonmain Proceeding	
Chapter	· 15 Debtors		Othe	er						e of Debts	
Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:			Tax-Exempt Entity (Check box, if applicable)  □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		e) zation tates	defined	are primarily contains 11 U.S.C. § red by an indiving all, family, or	onsumer debts, § 101(8) as idual primarily	for	Debts are primarily business debts.	
1	Filing Fee (C	heck one box	)		Check	one box:		Chap	ter 11 Debt	ors	
■ Full Filing Fee attact □ Filing Fee to be paid attach signed applica debtor is unable to p Form 3A.	in installments	urt's considerati	on certifyi	ng that the	Check	Debtor is not if: Debtor's agg	a small busing		defined in 11 U	J.S.C. § 101 cluding debt	
Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.				Acceptances	ng filed with of the plan w	this petition. vere solicited pr S.C. § 1126(b).	repetition from	n one or mor	re classes of creditors,		
Statistical/Administr  ■ Debtor estimates t  □ Debtor estimates t there will be no fu	hat funds wil hat, after any	l be available exempt prop	erty is ex	cluded and	administrat		es paid,		THIS	SPACE IS	FOR COURT USE ONLY
Estimated Number of  1- 50- 49 99	Creditors  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 Assets	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				
Estimated Liabilities	\$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion				

Case 13-23365-DHS Doc 1 Filed 06/17/13 Entered 06/17/13 15:40:25 Desc Main Document Page 2 of 11

**B1** (Official Form 1)(04/13) Page 2 Name of Debtor(s): **Voluntary Petition** NJSR Surgical Center, LLC (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) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I (To be completed if debtor is required to file periodic reports (e.g., 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 with 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)(04/13)

Page 3 of 11

#### Document Page 3

NJSR Surgical Center, LLC

# **Voluntary Petition**

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

#### 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.

Signature of Debtor

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

June 17, 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.

#### ▼ /s/ Dr. Richard Kaul

Signature of Authorized Individual

#### Dr. Richard Kaul

Printed Name of Authorized Individual

### Managing Member

Title of Authorized Individual

June 17, 2013

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.)

Name of Debtor(s):

- ☐ 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.

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.

Case 13-23365-DHS Doc 1 Filed 06/17/13 Entered 06/17/13 15:40:25 Desc Main Document Page 4 of 11

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

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

In re	NJSR Surgical Center, LLC			
		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]
Alphatec Spine	Alphatec Spine	Goods/services		18,905.00
5818 El Camino Real Carlsbad, CA 92008	5818 El Camino Real Carlsbad, CA 92008			
Amendia	Amendia	Goods		148,865.00
1755 West Oak Parkway	1755 West Oak Parkway	Goods		140,000.00
Marietta, GA 30062	Marietta, GA 30062			
Biomet Biologics, Inc.	Biomet Biologics, Inc.	Goods		5,066.65
56 E. Bell Drive	56 E. Bell Drive	00003		3,000.03
P.O. Box 587	P.O. Box 587			
Warsaw, IN 46581-0587	Warsaw, IN 46581-0587			
Boston Scientific	Boston Scientific Corporation	Goods		29,850.05
Corporation	P.O. Box 8500-6205			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
P.O. Box 8500-6205	Philadelphia, PA 19178			
Philadelphia, PA 19178	. ,			
Fortec Medical	Fortec Medical	Goods		8,769.72
P.O. Box 951147	P.O. Box 951147			
Cleveland, OH 44193	Cleveland, OH 44193			
Goldstein Partnership	Goldstein Partnership	J-307081-2010		33,589.14
C/o Suarez & Suarez	C/o Suarez & Suarez			
Horizon Staff Resources	Horizon Staff Resources	Services		7,800.00
20 Jerusalem Ave, 3rd Fl	20 Jerusalem Ave, 3rd Fl			
Hicksville, NY 11801	Hicksville, NY 11801			
J.H. Cohen LLP	J.H. Cohen LLP	Accounting		5,935.00
4 Becker Farm Rd	4 Becker Farm Rd	services		
Roseland, NJ 07068	Roseland, NJ 07068			
K2M	K2M	Goods		54,099.25
751 Miller Drive SE	751 Miller Drive SE			
Suite F1	Suite F1			
Leesburg, VA 20175 Karl Storz	Leesburg, VA 20175 Karl Storz	Services		0.055.07
2151 E. Grand Ave	2151 E. Grand Ave	Services		8,955.97
El Segundo, CA 90245	El Segundo, CA 90245			
LDR Spine USA Inc.	LDR Spine USA Inc.	Goods		104,336.00
P.O. Box 671716	P.O. Box 671716	Goods		104,330.00
Dallas, TX 75267	Dallas, TX 75267			
Danas, IX ISEVI	Danas, IA ISEVI		l	l

Case 13-23365-DHS Doc 1 Filed 06/17/13 Entered 06/17/13 15:40:25 Desc Main Document Page 5 of 11

B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	NJSR Surgical Center, LLC	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]
McKesson	McKesson	Goods		10,295.90
P.O. Box 933027	P.O. Box 933027			
Atlanta, GA 31193	Atlanta, GA 31193	0		50 700 00
Medtronic USA Bank of America Lock Box Services 4642 Collection Center Dr Chicago, IL 60693	Medtronic USA Bank of America Lock Box Services 4642 Collection Center Dr Chicago, IL 60693	Goods		56,730.83
Musculoskeletal Transplant Foundation P.O. Box 415911 Boston, MA 02241  Musculoskeletal Transplant Foundation P.O. Box 415911 Boston, MA 02241		Goods		19,866.47
New Jersey Spine & Rehabilitation PC 111 Wanaque Ave Pompton Lakes, NJ 07442	New Jersey Spine & Rehabilitation PC 111 Wanaque Ave Pompton Lakes, NJ 07442	Services		310,935.37
Paradigm Biodevices P.O. Box 518 Norwell, MA 02061	Paradigm Biodevices P.O. Box 518 Norwell, MA 02061	Goods		5,948.00
Pompton DME 756 Hamburg Tpke Pompton Lakes, NJ 07442	Pompton DME 756 Hamburg Tpke Pompton Lakes, NJ 07442	Goods		294,635.20
Spineology Inc. VB Box 119 P.O. Box 9202 Minneapolis, MN 55480	Spineology Inc. VB Box 119 P.O. Box 9202 Minneapolis, MN 55480	Goods		243,011.37
Stryker Orthobiologics P.O. Box 8500-1286 Philadelphia, PA 19178	Stryker Orthobiologics P.O. Box 8500-1286 Philadelphia, PA 19178	Goods		13,940.22
Zyga Technology 700 10th Ave - South Ste 20 Minneapolis, MN 55415	Zyga Technology 700 10th Ave - South Ste 20 Minneapolis, MN 55415	Goods		15,380.00

# 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	June 17, 2013	Signature	/s/ Dr. Richard Kaul
			Dr. Richard Kaul
			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.

Airgas East P.O. Box 827049 Philadelphia, PA 19182-7049

Alphatec Spine 5818 El Camino Real Carlsbad, CA 92008

Amendia 1755 West Oak Parkway Marietta, GA 30062

Biomet Biologics, Inc. 56 E. Bell Drive P.O. Box 587 Warsaw, IN 46581-0587

Boston Scientific Corporation P.O. Box 8500-6205 Philadelphia, PA 19178

Cadwell Laboratories, Inc. 909 North Kellogg Street Kennewick, WA 99336

Department of Information Technology 25 Camelot Dr Warwick, NY 10990

Fortec Medical P.O. Box 951147 Cleveland, OH 44193

Gillen Surgical Company, LLC 220 Maple St Haworth, NJ 07641

Goldstein Partnership C/o Suarez & Suarez

Henry Schein, Inc. Box 382023 Pittsburgh, PA 15250 Holtzquip Inc. 687 Humphries St SW Atlanta, GA 30310

Horizon Staff Resources 20 Jerusalem Ave, 3rd Fl Hicksville, NY 11801

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

J.H. Cohen LLP 4 Becker Farm Rd Roseland, NJ 07068

JSJ Consulting, LLC 6 North Synnott Ave Wenonah, NJ 08090

K2M 751 Miller Drive SE Suite F1 Leesburg, VA 20175

Karl Storz 2151 E. Grand Ave El Segundo, CA 90245

LDR Spine USA Inc. P.O. Box 671716 Dallas, TX 75267

McKesson P.O. Box 933027 Atlanta, GA 31193

Medi-San Corp., Inc. 733 Ridgedale Ave East Hanover, NJ 07936 Medline Industries, Inc. P.O. Box 382075 Pittsburgh, PA 15251

Medtronic USA Bank of America Lock Box Services 4642 Collection Center Dr Chicago, IL 60693

Musculoskeletal Transplant Foundation P.O. Box 415911 Boston, MA 02241

Neuro Therm INc. 30 Upton Dr Ste 2 Wilmington, MA 01887

New Jersey Spine & Rehabilitation PC 111 Wanaque Ave Pompton Lakes, NJ 07442

Orkin Pest Control 95 Lackawanna Avenue Woodland Park, NJ 07424

Otis Elevator Company P.O. Box 13898 Newark, NJ 07188

Paradigm Biodevices P.O. Box 518 Norwell, MA 02061

Pompton DME 756 Hamburg Tpke Pompton Lakes, NJ 07442

Pompton Transportation, LLC 111 Wanaque Avenue Pompton Lakes, NJ 07442

Source Medical Solutions Inc. 100 Grandview Place Ste 400 Birmingham, AL 35243

Spineology Inc. VB Box 119 P.O. Box 9202 Minneapolis, MN 55480

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

Stericycle P.O. Box 6582 Carol Stream, IL 60197

Stobezki, Zelitsky & Co., LLC 31-00 Broadway Fair Lawn, NJ 07410

Stryker Instruments P.O. Box Chicago, IL 60673

Stryker Orthobiologics P.O. Box 8500-1286 Philadelphia, PA 19178

T.D. Bank N.A. c/o MEYNER AND LANDIS LLP One Gateway Center, Ste 2500 Attn.: Jospeh McCarthy, Esquire Newark, NJ 07102

TCD Consulting 8 Turnberry Lane Hamburg, NJ 07419

United Airlines

# Case 13-23365-DHS Doc 1 Filed 06/17/13 Entered 06/17/13 15:40:25 Desc Main Document Page 10 of 11

Unitex Textile Rental 10A Van Dyke Ave New Brunswick, NJ 08901

Verizon PO Box 4833 Trenton, NJ 08650-4833

WB Mason PO Box 111 Brockton, MA 02303

Zyga Technology 700 10th Ave - South Ste 20 Minneapolis, MN 55415 Case 13-23365-DHS Doc 1 Filed 06/17/13 Entered 06/17/13 15:40:25 Desc Main Document Page 11 of 11

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

In re	NJSR Surgical Center, LLC		Case No.	
		Debtor(s)	Chapter	11
	CORPORATE	OWNERSHIP STATEMENT (R	RULE 7007.1)	
or recu follow	ant to Federal Rule of Bankruptcy Processal, the undersigned counsel for NJS ing is a (are) corporation(s), other than of any class of the corporation's(s') equals	R Surgical Center, LLC in the about the debtor or a governmental unit.	ve captioned a , that directly o	ction, certifies that the or indirectly own(s) 10% or
■ Non	ne [Check if applicable]			
June 1	17, 2013	/s/ Ilissa Churgin Hook, Esquire		
Date		Ilissa Churgin Hook, Esquire IC-6		
		Signature of Attorney or Litigan Counsel for NJSR Surgical Cer		
		Hook & Fatovich, LLC		
		1430 Route 23 North Wayne, NJ 07470-5826		
		(973) 686-3800 Fax:(973) 686-380		andfataviah aam
		ihook@hookandfatovich.com; mf	atovicii@nook	anuratovicn.com