Case 13-32632-MS Doc 1 Filed 10/16/13 Entered 10/16/13 11:09:42 Desc Main Page 1 of 14

| BI (Offici | al Form 1) (04/ | 13) | | | טט | cument | Page 1 | . OI 14 | | | | |
|---|--|--|--------------------------------|---|--|--|---|--|--|---------------------------------|---|----------------------|
| United States Bankruptcy Court District of New Jersey | | | | | VOLUNTARY PETITION | | | | | | | |
| Name of Debtor (if individual, enter Last, First, Middle): | | | | | Name of Joint Debtor (Spouse) (Last, First, Middle): | | | | | | | |
| | y Hand Car | | the last 9 years | | | | | | | | | |
| 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)/Complete EIN (if more than one, state all): 22-3223751 | | | | | | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): | | | | | | |
| | | r (No. and Stree | et, City, and S | tate): | | | Street Address of Joint Debtor (No. and Street, City, and State): | | | | | |
| 622 South Broad Street Elizabeth, NJ | | | | | | | | | | | | |
| Countries | É D : d | of the Principal | Diama CD | | ZIP CO | ODE 07202 | ZIP CODE | | | | | |
| Union | 1 Residence of | oi ine Principai | Place of Busi | iness: | | | County of Residence or of the Principal Place of Business: | | | | | |
| Mailing A | Address of Deb | tor (if different | from street ad | ldress): | | | Mailing Address of Joint Debtor (if different from street address): | | | | | |
| | •••• | | | | ZIP ČČ | | ZIP CODE | | | | | |
| Location | of Principal As | sets of Busines | s Debtor (if di | ifferent fr | om stre | eet address above) | : | | | | 7 | IP CODE |
| <u> </u> | T | ype of Debtor | | | | Nature of | | | | | | |
| | | of Organization heck one box.) | on) | | (Check one box.) | | | | the Petition is Filed (Check one box.) | | | |
| ☐ Ind | ividual (include | es Joint Debtors |) | | $\ \cdot\ $ | Health Care Bus Single Asset Re | ness Estate as defined in | | | Chapter 7 Chapter 9 | ter 15 Petition for gnition of a Foreign | |
| See | | age 2 of this for des LLC and Ll | | | | 11 U.S.C. § 101 Railroad | (51B) | Chapter 11 Chapter 12 | | Main | Main Proceeding | |
| 🗀 Раг | tnership | | | | Stockbroker | | | | lΗ | Chapter 12 Chapter 13 | | gnition of a Foreign |
| Other (If debtor is not one of the above entities, check this box and state type of entity below.) | | | | Commodity Bro Clearing Bank Other | ker | N | | | Nonn | nain Proceeding | | |
| | | pter 15 Debtor | | | | Tax-Exen | | | | | | |
| Country of | of debtor's cent | er of main inter | ests: | | | (Check box, i | f applicable. | ☐ Debts are primarily consumer ☑ Debts are | | | | |
| Each country in which a foreign proceeding by, regarding, or against debtor is pending: | | | | Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code). | | | ates | debts, defined in 11 U.S.C. primarily \$ 101(8) as "incurred by an business debts. individual primarily for a personal, family, or household purpose." | | | | |
| | | Filing Fee | (Check one b | oox.) | • | | - · | | | Chapter 11 E | | |
| Full Filing Fee attached. | | | | | Check one box: ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). | | | | | | | |
| sigr | ned application | for the court's o | consideration | certifying | g that th | | Check if: | | | | | |
| unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding of insiders or affiliates) are less than \$2,490,925 (amount subject of on 4/01/16 and every three years thereafter). | | | | | | | | | | | | |
| | | cation for the co | | | | | | | | | <i>-</i> - | |
| | | | | | | ☐ Ap | Acceptances of the plan were solicited prepetition from one or more classes | | | | | |
| Statistica | of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR | | | | | | | | | | | |
| I | COURT USE ONLY | | | | | | | | | | | |
| Estimated | distribution to Number of Cr | unsecured cree | ditors. | | | | | | | | | |
| ☑ 1-49 | □ 50-99 | 100-199 | | 1,000- 5,000 | | 5,001- |] 10,001- 25,000 | 25,001- 50,000 | | 50,001- 100,000 | Over 100,000 | |
| Estimated | Estimated Assets | | | | | | | | | | | |
| \square | | \$100,001.4 | | <u> </u> | 001 | | | T100.000 | 0.001 | 0.500,000,001 | | |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 million | \$1,000 to \$10 million | • | to \$50 t | \$50,000,001 o \$100 nillion | \$100,000 to \$500 million | v,001 | \$500,000,001 to \$1 billion | More than \$1 billion | |
| Estimated Liabilities | | | | | | | | | | | | |
| \$0 to \$50,000 | \$50,001 to \$100,000 | \$100,001 to \$500,000 | \$500,001 to \$1 million | \$1,000, to \$10 million | • | \$10,000,001 sto \$50 t |] \$50,000,001 o \$100 million | \$100,000 to \$500 million | 0,001 | \$500,000,001 to \$1 billion | ☐ More than \$1 billion | |

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Page 2 of 14 Document B1 (Official Form 1) (04/13) Page 2 Name of Debtor(s): Bayway Hand Car Wash Corp. Voluntary Petition (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.) Case Number Date Filed: Location Where Filed: Date Filed: Case Number: Location 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 See Attached Relationship: Judge: District Exhibit B Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and (To be completed if debtor is an individual 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) whose debts are primarily consumer debts.) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) 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 have delivered to the debtor the notice 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 - Venuc (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.) П 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)).

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Document Page 3 of 14 Page 3 B1 (Official Form 1) (04/13) Name of Debtor(s): Bayway Hand Car Wash Corp Voluntary Petition (This page must be completed and filed in every case.) Signatures Signature of a Foreign Representative Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true 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 correct. and that I am authorized to file this petition. [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 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 11 U.S.C. § 342(b). Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States Code, chapter of title 11 specified in this petition. A certified copy of the specified in this petition. order granting recognition of the foreign main proceeding is attached. Х Х Signature of Debtor (Signature of Foreign Representative) X (Printed Name of Foreign Representative) Signature of Joint Debtor Telephone Number (if not represented by attorney) Date Date Signature of Attorney* Signature of Non-Attorney Bankruptcy Petition Preparer X I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s) 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 Printed Name of Attorney for Debtor(s) 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 Firm Name 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. Address Telephone Number Printed Name and title, if any, of Bankruptcy Petition Preparer Date Social-Security number (If the bankruptcy petition preparer is not an individual, *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a state the Social-Security number of the officer, principal, responsible person or certification that the attorney has no knowledge after an inquiry that the information partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) 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 Address and correct, and that I have been authorized to file this petition on behalf of the debtor The debtor requests the relief in accordance with the chapter of title 11, United States Signature Code, specified in this petition Date X of Authorized Individual Signature of bankruptcy petition preparer or officer, principal, responsible person, or Printed Name of Authorized Individual partner whose Social-Security number is provided above. L Title of Authorized Individual 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.

Glenpointe Centre West 500 Frank W. Burr Boulevard Teaneck, New Jersey 07666 (201) 928-1100 Russell J. Passamano (RP 2240) Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

| In re: Bayway Hand Car Wash Corp., | Chapter 11 | | | | |
|------------------------------------|------------|--|--|--|--|
| Debtor. | Case No. | | | | |
| | | | | | |

Affiliate Filings

Jose L. Vazquez 1341 Oleri Terrace Fort Lee, NJ 07024

J.V. Car Wash 4778 Broadway New York, NY 10034

Harlem Hand Car Wash Corp. 2600 Adam Clayton Boulevard New York, NY 10039

Bayway Hand Car Wash Corp. 622 South Broad Street Elizabeth, NJ 07202

Webster Hand Car Wash Corp. 2669 Webster Avenue Bronx, NY 10458 Case 13-32632-MS Doc 1 Filed 10/16/13 Entered 10/16/13 11:09:42 Desc Main Document Page 5 of 14

DECOTIIS, FITZPATRICK & COLE, LLP

Glenpointe Centre West 500 Frank W. Burr Boulevard Teaneck, New Jersey 07666 (201) 928-1100 Russell J. Passamano (RP 2240) Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

| In re: Bayway Hand Car Wash Corp., Debtor. | Chapter 11 Case No. |
|--|---------------------|
| | |

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 Petition and that it is true and correct to the best of my information and belief.

Date

Signature

(Print Name and Title)

Glenpointe Centre West 500 Frank W. Burr Boulevard Teaneck, New Jersey 07666 (201) 928-1100 Russell J. Passamano (RP 2240) Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

| In re: | | | | | | |
|-----------------------------|------------|--|--|--|--|--|
| Davayay Hand Can Wash Cam | Chapter 11 | | | | | |
| Bayway Hand Car Wash Corp., | Case No. | | | | | |
| Debtor. | | | | | | |
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List of Creditors (Rule 1007(a)(1) of the Federal Rules of Bankruptcy Procedure)

Ronard Lora c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Hugo Rivera c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Marco Antonio Diaz c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Melvin Lora c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Eduardo Lora c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Giovanni Paulino c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Jose Rodriguez c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Jose Rodolfo Rodriguez-Tineo c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Glenpointe Centre West 500 Frank W. Burr Boulevard Teaneck, New Jersey 07666 (201) 928-1100 Russell J. Passamano (RP 2240) Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

| In re: | Chapter 11 |
|-----------------------------|------------|
| Bayway Hand Car Wash Corp., | |
| Debtor. | Case No. |
| | |
| | |
| | |

Creditor Matrix

Ronard Lora c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Hugo Rivera c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Marco Antonio Diaz c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Melvin Lora

c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Eduardo Lora c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Giovanni Paulino c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Jose Rodriguez c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Jose Rodolfo Rodriguez-Tineo c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017

Glenpointe Centre West 500 Frank W. Burr Boulevard Teaneck, New Jersey 07666 (201) 928-1100 Russell J. Passamano (RP 2240) Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

| In re: Bayway Hand Car Wash Corp., Debtor. | Chapter 11 Case No. |
|--|---------------------|
| | |

Corporate Ownership Statement (Rules 1007(a)(1) and 7007.1(a))

In accordance with Rule 1007(a)(1) of the Federal Rules of Bankruptcy Procedure, the Debtor hereby states that there are no entities to report under Section (a) of Rule 7007.1 of the Federal Rules of Bankruptcy Procedure..

Bayway Hand Car Wash Corp.

By:

Dated: October //_, 2013

Glenpointe Centre West 500 Frank W. Burr Boulevard Teaneck, New Jersey 07666 (201) 928-1100 Russell J. Passamano (RP 2240) Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

| In re: | Chapter 11 | | | | | |
|-----------------------------|------------|--|--|--|--|--|
| Bayway Hand Car Wash Corp., | Case No. | | | | | |
| Debtor. | | | | | | |
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| | | | | | | |

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).

| (3) 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 | Nature (trade d loan, g | 3) of claim ebt, bank overnment ict, etc.) | (4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff | (5) Amount of claim [if secured also state value of security] |
|---|---|-------------------------------|--|--|---|
| Arenson Dittm | abeth Longobardi | Same | Litigation | C/U/D | \$0. |

New York, NY 10017 (212) 490-3600

Hugo Rivera Same Litigation C/U/D \$0. c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600 Marco Antonio Diaz Same Litigation \$0. C/U/D c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600 Melvin Lora Same Litigation C/U/D \$0. c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600 Eduardo Lora Same Litigation C/U/D \$0. c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600 Giovanni Paulino Same Litigation C/U/D \$0. c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600 \$0. Jose Rodriguez Same Litigation C/U/D c/o Laura Elizabeth Longobardi

Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600

Jose Rodolfo Rodriguez-Tineo c/o Laura Elizabeth Longobardi Arenson Dittmar & Karban 295 Madison Avenue, Suite 700 New York, NY 10017 (212) 490-3600 Same Litigation C/U/D \$0.

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 10/16/13

Signature

(Print Name and Title)

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RESOLUTION

On this _____ day of October, 2013, the undersigned, being all of the shareholders and members of the Board of Directors of Bayway Hand Car Wash Corp., authorize the filing of a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code. In addition, Jose Vasquez, is confirmed as the president of the corporation and he be, and hereby is, authorized to execute any petition, schedule, statement, paper, pleading and any other documents necessary to effect the foregoing.

Shareholders

Board of Directors