© 1993-2013 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Case 13-32810-CMG Doc 1 Filed 10/17/13 Entered 10/17/13 16:47:35 Desc Main B1 (Official Form 1) (04/13) Document Page 1 of 8

United States Bankruptcy Court District of New Jersey				Vol	untary Petition			
Name of Debtor (if individual, enter Last, First, Middle): Heart Medicine, 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):					-	e Joint Debtor ind trade names)		years
Last four digits of Soc. Sec. or Individual-Taxpayer of (if more than one, state all): 27-1483954	.D. (ITIN) /Comp	plete EIN	1	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all):				
Street Address of Debtor (No. & Street, City, State & Zip Code): 164 Highway 35			Street Add	ress of Jo	oint Deb	tor (No. & Stree	et, City, Sta	ate & Zip Code):
Eatontown, NJ	ZIPCODE 077	724-1825	7					ZIPCODE
County of Residence or of the Principal Place of Bus Monmouth	iness:		County of	County of Residence or of the Principal Place of Business:				
Mailing Address of Debtor (if different from street address) Mailing Address of Joint Debtor (if different from street address)				t from stre	eet address):			
	ZIPCODE							ZIPCODE
Location of Principal Assets of Business Debtor (if o	ifferent from stre	eet address a	bove):					
164 Highway 35 South, Eatontown, NJ								ZIPCODE 07724-1825
Type of Debtor (Form of Organization) (Check one box.) ☐ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. ☑ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.) Chapter 15 Debtor Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending: Filing Fee (Check one box) ☑ Full Filing Fee attached ☐ Filing Fee to be paid in installments (Applicable to only). Must attach signed application for the court except in installments. Rule 1006(b). See Official ☐ Filing Fee waiver requested (Applicable to chapte only). Must attach signed application for the court consideration. See Official Forms 219.	U.S.C. § 1 Railroad Stockbrok Commodi Clearing F Other - (C Debtor is Title 26 of Internal R o individuals o pay fee Form 3A.	Tax-Exemp theck box, if a tax-exemp f the United evenue Code Check one Debtor i Debtor i Check if:	te box.) of Entity applicable.) t organization States Code (the). box: is a small busin is not a small busin aggregate nonce 190,925 (amount	under he ness debte susiness contingent li subject to tes:	Chap Chap	the Petition the Petition that the Petition that the state of the petition that the state of the petition and the state of the state of the state of the petition and the state of the petition and the petition a	mkruptcy n is Filed (Character Character Character Character Character Character Check one y consume 1 U.S.C. and by an y for a r house- C. § 101(5) J.S.C. § 10 debts owed to the every three	Code Under Which (Check one box.) pter 15 Petition for cognition of a Foreign n Proceeding pter 15 Petition for cognition of a Foreign main Proceeding Debts box.) r Debts are primarily business debts.
consideration. See Official Form 3B. Statistical/Administrative Information			nces of the pla nce with 11 U.			prepetition from	one or mo	THIS SPACE IS FOR
Debtor estimates that funds will be available for Debtor estimates that, after any exempt property distribution to unsecured creditors.				id, there v	will be n	o funds availabl	e for	COURT USE ONLY
Estimated Number of Creditors] 0,001- 5,000	25,001- 50,000		50,001- 100,000	Over 100,000	
] 50,000,001 to 100 million	\$100,00 to \$500		\$500,000,001 to \$1 billion	More than \$1 billion	
Estimated Liabilities		000,001 \$3	50,000,001 to	\$100,00 to \$500		\$500,000,001 to \$1 billion	More than	

Case 13-32810-CMG Doc 1 Filed 10/17/ B1 (Official Form 1) (04/13) Document	13 Entered 10/17/13 1 Page 2 of 8	L6:47:35 Desc Main			
Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Heart Medicine, LLC				
All Prior Bankruptcy Case Filed Within Las	t 8 Years (If more than two, attac	h 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 mor	re than one, attach additional sheet)			
Name of Debtor: None	Case Number:	Date Filed:			
District:	Relationship:	Judge:			
Exhibit A (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.) Exhibit A is attached and made a part of this petition.	whose debts are primarily consumer debts.)				
	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 a made a part of this petition.					
Information Regardio	ng the Debtor - Venue				
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 j					
Debtor is a debtor in a foreign proceeding and has its principal pl or has no principal place of business or assets in the United States in this District, or the interests of the parties will be served in reg	but is a defendant in an action or pro	oceeding [in a federal or state court]			
Certification by a Debtor Who Reside	es as a Tenant of Residential l	Property			
(Check all app Landlord has a judgment against the debtor for possession of deb	olicable boxes.) otor's residence. (If box checked, co	omplete the following.)			
(Name of landlord the	at obtained judgment)				
(Address o	of landlord)				
☐ Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for pos	e circumstances under which the de				
☐ Debtor has included in this petition the deposit with the court of filing of the petition.	any rent that would become due du	aring the 30-day period after the			
☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).					

Case 13-32810-CMG Doc 1 Filed 10/17/13 Entered 10/17/13 16:47:35 Desc Main B1 (Official Form 1) (04/13) Document Page 3 of 8

Voluntary P	etition
-------------	---------

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

Name of Debtor(s):

Heart Medicine, 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.

of Laint Dalum				
- CI-1-4 Dalus				
of Joint Debtor				
Number (If not a	epresented b	y attorney)		
e	e Number (If not r	e Number (If not represented b	e Number (If not represented by attorney)	e Number (If not represented by attorney)

Signature of a Foreign Representative

Page 3

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.

Signature of	Foreign Represe	ntative	
Printed Nam	e of Foreign Rep	resentative	

Signature of Attorney*

X /s/ Marc Capone

Signature of Attorney for Debtor(s)

Marc Capone mcc4795 Capone & Keefe 60 Highway 71, Unit 2 Spring Lake Heights, NJ 07762-1823 (732) 528-1166 mcapone@caponeandkeefe.com

October 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.

X	/s/ John Clemente	
	Signature of Authorized Individual	

Signature of Authorized Individua

John Clemente

Printed Name of Authorized Individual

President

Title of Authorized Individual

October 17, 2013

Date

Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 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	d title, if any,	of Bankruptcy	Petition Preparer

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

Address		

(
	Signature			

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.

UNITED STATES BANKRUPTCY COURT

NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$46 administrative fee, \$15 trustee surcharge: Total fee \$306)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your

Case 13-32810-CMG Doc 1 Filed 10/17/13 Entered 10/17/13 16:47:35 Desc Main Document Page 5 of 8

B201A (Form 201A) (11/12)

discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1167 filing fee, \$46 administrative fee: Total fee \$1213)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$46 administrative fee: Total fee \$246)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy forms.html#procedure.

Case 13-32810-CMG Doc 1 Filed 10/17/13 Entered 10/17/13 16:47:35 Desc Main Document Page 6 of 8 United States Bankruptcy Court District of New Jersey

IN RE:		Case No
Heart Medicine, LLC		Chapter 11
	Debtor(s)	•
	VERIFICATION OF CREDITOR MATRI	X
The above named debtor(s) hereby ve	erify(ies) that the attached matrix listing creditors	is true to the best of my(our) knowledge.
Date: October 17, 2013	Signature: /s/ John Clemente	
	John Clemente, President	Debtor
Date:	Signature:	
		Joint Debtor, if any

Eatontown Investments LLC 137 Oak Dr Upper Saddle River, NJ 07458-2214

Strasser & Associates, PC William I. Strasser, Esq. 7 E Ridgewood Ave Paramus, NJ 07652-3601

B201B (Form 201B) (13-32810-CMG

IG Doc 1

1 Filed 10/17/13 Entered 10/17/13 16:47:35

:35 Desc Main

Document Page 8 of 8 United States Bankruptcy Court District of New Jersey

IN RE:		Case No
Heart Medicine, LLC		Chapter 11
	Debtor(s)	•

CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE			
Certificate of	[Non-Attorney] Bankruptcy Petition Preparer		
I, the [non-attorney] bankruptcy petition prepare notice, as required by § 342(b) of the Bankruptcy	er signing the debtor's petition, hereby certify that I delivey Code.	vered to the debtor the attached	
Printed Name and title, if any, of Bankruptcy Pe Address:	petition prep the Social Se principal, res the bankrupt	rity number (If the bankruptcy parer is not an individual, state ecurity number of the officer, sponsible person, or partner of cy petition preparer.)	
X	ficer, principal, responsible person, or	y 11 U.S.C. § 110.)	
	Certificate of the Debtor		
I (We), the debtor(s), affirm that I (we) have rec	reived and read the attached notice, as required by § 3420	(b) of the Bankruptcy Code.	
Heart Medicine, LLC	X /s/ John Clemente	10/17/2013	
Printed Name(s) of Debtor(s)	Signature of Debtor	Date	
Case No. (if known)	Signature of Joint Debter (if any) Doto	
	Signature of Joint Debtor (if any) Date	

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

© 1993-2013 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only